

PUBLIC

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Fear for safety

MEXICO

**Jaime Loeza Juárez (m), indigenous leader**  
**Aquilino Loeza Juárez (m), his brother, indigenous leader**  
**Other members of the *chatino* indigenous community**

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Indigenous leaders Jaime Loeza Juárez and his brother Aquilino Loeza Juárez, from a *chatino* community in the southern state of Oaxaca, have reportedly suffered threats, harassment and apparently spurious criminal charges, and have been shot at, since taking a leading role in defending their community land against private business who want to acquire it and in protesting against the control of the community by *caciques* (political bosses). Amnesty International believes their lives may be in danger. Those behind the threats and attack may have links to the local authorities or *caciques*.

Jaime and Aquilino Loeza Juárez are leading members of the *chatino* community of Temascaltepec, in the municipality of Juquila. Their land, traditionally held in forms of common ownership, has been increasingly subjected to attempts by private business to purchase it. The brothers have been campaigning against this, and also against the imposition of a municipal authority to run the community in place of the traditional indigenous system of community of selecting leaders (*usos y costumbres*).

In January 2006 they set up an organization of local indigenous people to campaign against the private purchase of community lands, the *Organización de Pueblos Unidos por la Defensa de sus Tierras* (Organization of Peoples United to Defend their Land), which helps organize the community and articulates their demands, building support around core indigenous rights.

On 3 April, three men apparently sat next to Jaime and Aquilino Loeza at a bus station in Oaxaca City and said, "you sons of bitches, we know who you are and we are watching you... be careful because with this [gun] that you see, I'm going to calm you down, you know you don't play with the government. It's a miracle that you are still alive. (*hijos de la chingada, sabemos quienes son y los tenemos bien vigilados, ándese con cuidado cabrones, porque con esta que ven en mi cintura los voy a calmar, ya saben que con el gobierno no se juega cabrones, es un milagro que todavía estén vivos.*)

On 19 April, as the brothers were driving back to their community from Oaxaca City, a pick-up truck stopped beside them and its occupants shouted, "Arsehole teachers, you escaped from jail but you won't escape a bullet. We're watching you. Your days are numbered..." (*maestritos pendejos, de la cárcel se escaparon pero de un plomazo no, los tenemos bien vigilados, tienen sus días contatos...*). On 30 April, on their way to Oaxaca City, they slowed down as they passed a pick-up truck that appeared to have broken down. The men inside started shooting at them, but they speeded up and escaped unharmed. They have now filed a complaint about this and the earlier death threats with the State Public Prosecutor's office (*Procuraduría General de Justicia de Estado*).

Jaime Loeza Juárez had been detained on 5 January by police officers of the *Unidad Policial de Operaciones Especiale* (UPOE), Special Operations Unit, who allegedly threatened to kill him. He had been accused of stealing livestock (*abigeato*). He was later released for lack of evidence. On 8 March the brothers took part in a protest against the way police had arrested eight other community members during a reportedly peaceful demonstration. Municipal police arrested Jaime and Aquilino, together with five others, and allegedly beat them in custody. They were charged with sedition, resisting arrest and blocking public roads. A judge ordered that they be released without charge on 15 March.

## **BACKGROUND INFORMATION**

In Mexico, community leaders who try to strengthen local indigenous rights and actively seek to limit or end the control of *caciques* have frequently been targets of threats, harassment, and spurious criminal charges, particularly from the state and municipal authorities. Those responsible are rarely identified or brought to justice. Many indigenous communities in Mexico live in extreme poverty with high levels of violence. The authorities in states with sizeable indigenous populations, especially southern states such as Oaxaca, frequently contribute to these problems, by actively sponsoring the rule of *caciques* or by failing to effectively address the problems that have led to the marginalization of these communities, such as ensuring access to health care, education, public transport and land.

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

- expressing concern for the safety of Jaime Loaeza Juárez and Aquilino Loaeza Juárez, who have suffered a series of threats, harassment and spurious criminal charges, and attempted murder;
- calling on the authorities to guarantee their safety, and to ensure that they receive protection in line with their own wishes;
- calling for a prompt, impartial and thorough investigation into the threats and attacks they have experienced, for the findings to be published and for those responsible to be brought to justice;
- reminding the authorities that they have a duty to carry out an independent and impartial investigation into the alleged fabrication of charges against them, with the results to be made public.

## **APPEALS TO:**

### Governor of Oaxaca

Ulises Ruiz Ortiz

Gobernador del Estado de Oaxaca

Carretera Oaxaca-Puerto Angel Km 9.5, Santa María Coyotepec, Oaxaca, Mexico

**Fax: +52 951 5020530, (if someone answers, ask "tono de fax, por favor")**

**+52 951 51 637 37**

**Salutation: Señor Gobernador / Dear Governor**

### Attorney General of Oaxaca

Lic. Rosa Lizbeth Caña Cadeza, Procuradora del Estado de Oaxaca

Avenida Luis Echeverría s/n, La Experimental, San Antonio de la Cal, Oaxaca, CP. 71236, Mexico

**Fax: +52 951 51 1 5519**

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

### Director of Human Rights – Federal Interior Ministry

Maestro Ricardo Sepúlveda, Secretaría de Gobernación

Reforma 99, PISO 21, PH, Colonia Tabacalera, C.P. 06030, Mexico D.F. MEXICO

**Fax: +52 55 5128 0234 (if someone answers, ask "tono de fax, por favor")**

**Salutation: Estimado Maestro/Dear Sir**

## **COPIES TO:**

### Human Rights NGO

Centro de Derechos Humanos y Asesoría a Pueblos Indígenas

Leon #15, Barrio San Diego, Tlaxiaco, Oaxaca, Mexico, CP. 69800

### State Human Rights Commission of Oaxaca

Comision de Derechos Humanos del Estado de Oaxaca

Calle de los Derechos Humanos No. 210, Col. América, CP. 68050, Oaxaca, 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 16 June 2006.