

PUBLIC

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Fear for safety

MEXICO

At least 40 detainees

Jesús Alfredo López García (m), human rights defender

Cesár Grijalva (m), human rights defender

At least 40 people were arrested on 16 July in Oaxaca during violent clashes between demonstrators and state police during a Oaxaca festival, the Guelaguetza. Local human rights organizations and the detainees' families claim they are being held incommunicado, and fear for their safety. Two human rights defenders were beaten by police at the festival and had to receive hospital treatment for their injuries. They now fear reprisals for having filed a complaint with the authorities against the police.

Thousands of people marched towards the official Guelaguetza Auditorium to celebrate an alternative to the official festivities called "Guelaguetza Popular", organised by the local popular opposition movement, the Popular Assembly of the People of Oaxaca (*Asamblea Popular de los Pueblos de Oaxaca*, APPO). State and local police forces blocked their way. Some of the leaders of the demonstrators reportedly tried to negotiate with police to let them through, but were refused. There are contradictory reports about how the violence started, but some police and protesters reportedly threw stones at each other, leading to clashes and widespread use of teargas. Several vehicles were set on fire; scores of protesters were injured as police reportedly used batons and teargas indiscriminately on those present, including several journalists. At least 15 police also reportedly suffered minor injuries from stones and the effects of teargas.

Two members of the local human rights organization *Comité de Liberación 25 de Noviembre* (Committee for the Liberation of Detainees of 25 November) were reportedly badly injured. Jesús Alfredo López García was detained by police as he tried to leave the scene of the violence. He was then forced into an unmarked open pickup truck by men in civilian clothing, and was severely beaten by a policeman, who told him, *te vas a morir* (you are going to die). As witnesses started to take pictures, he was released and the Red Cross took him to hospital in an ambulance. He was treated for several serious gashes on his head. The authorities have not charged him with any offence. Cesár Grijalva, who works with the same organisation, was returning to the *Comité* office when five uniformed policemen tried to arrest him. He says that one policeman twisted his arm behind his back and slashed his wrist with a piece of broken glass, causing him to bleed heavily. As he started to feel faint, he fell to his knees, and the policeman let him go. He was helped by two passers-by to reach a hospital where his wrist was operated on. He was not charged with any offence.

According to the state authorities 42 people were arrested, of whom six are minors (all six were released on 17 July), four are women and six are receiving medical attention. Two of those receiving medical attention have life-threatening injuries. However, families and local human rights organizations have compiled a list of 54 people believed to have been detained, who have reportedly been allowed no contact with their families or lawyers of their choice; the authorities have reportedly refused to provide information on where they are being held. Human rights organizations have filed a federal injunction (*amparo*) against incommunicado detention. The detainees may be at risk of torture or ill-treatment and unfair trials.

BACKGROUND INFORMATION

Widespread protests erupted in the state of Oaxaca in June 2006, led by the APPO, in an unsuccessful campaign to force the state governor to resign. Political violence and demonstrations continued throughout the year by armed civilians linked to the local government and police as well as some supporters of the APPO. During the protests, at least 18 civilians were reportedly killed; at least 370 were injured and 349 arrested. There were widespread reports of use of excessive force, arbitrary detention, torture and

fabrication of criminal charges against protesters. Federal, state and municipal authorities responsible for abuses have not been held to account.

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

- calling on the authorities to ensure all those detained during protests on 16 July are located, clearly identified and informed of the charges against them, allowed immediate access to their families, adequate medical attention and legal counsel of their choice;
- calling on the authorities to ensure they are protected from torture or ill-treatment;
- urging the authorities to ensure that further measures taken to uphold the peace and public order during demonstrations in Oaxaca fully respect international human rights law and adhere to the highest policing standards;
- expressing concern at reports that human rights defenders Jesús Alfredo López García and Cesár Grijalva of the *Comité de Liberación 25 de Noviembre* were seriously beaten and injured when police officers tried to detain them on 16 July, and calling for a thorough and impartial investigation into these incidents, with those responsible brought to justice;
- urging the authorities to ensure that they receive protection, in accordance with their wishes;
- reminding the authorities that human rights defenders have a right to carry out their activities without any restrictions or fear of reprisals, as set out in the UN Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognised Human Rights and Fundamental Freedoms.

APPEALS TO:

Minister of Interior

Francisco Javier Ramirez Acuña
Secretario de Gobernación, Secretaría de Gobernación
Bucareli No. 99, Edificio Cobián, 1er piso, Col. Juárez, Del. Cuauhtémoc, Mexico D.F. 06600, MEXICO

Fax: +52 55 5093 3414

Email: secretario@segob.gob.mx

Salutation: Señor Secretario/Dear Minister

Governor of Oaxaca

Lic. Ulises Ruiz Ortiz

Gobernador del Estado de Oaxaca

Carretera Oaxaca-Puerto Angel, Km. 9.5, Santa María Coyotepec, Oaxaca C.P. 71254, Oaxaca, MEXICO

Fax: +52 951 502 0530 (if a voice answers, ask "me da tono de fax, por favor")

E-mail: gobernador@oaxaca.gob.mx

Salutation: Señor Gobernador / Dear Governor

State Attorney General of Oaxaca

Lic. Evencio Nicolás Martínez Ramírez

Procurador General de Justicia del Estado de Oaxaca, Avenida Luis Echeverría s/n, Col. La Experimental, San Antonio de la Cal, Oaxaca C.P. 71236, Oaxaca, MEXICO

Fax: +52 951 511 5519

Salutation: Dear Prosecutor/Estimado Procurador

COPIES TO:

President of the National Human Rights Commission

Dr. José Luis Soberanes Fernández, Presidente de la Comisión Nacional de Derechos Humanos, Periférico Sur 3469, 5º piso, Col. San Jerónimo Lídice, México D.F. 10200, MEXICO

Local human rights organisation

Liga Mexicana por la Defensa de derechos humanos – Filial Oaxaca

Calle Murguía no. 600, Col. Centro, Oaxaca, Estado de 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 29 August 2007.