

UA 210/00

Torture /

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Genaro LÓPEZ RUIZ
José PACHECO CONTRERAS
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and 60 other detainees from the region of Loxicha, Oaxaca state

Amnesty International is concerned that 60 detainees from Loxicha region, Oaxaca state, may be sentenced to imprisonment on the basis of confessions reported to have been extracted under torture. On 7 July the nine prisoners named above, from the same region, were each sentenced to 40 years imprisonment after an unfair judicial process which apparently included the use of confessions extracted under torture. The defence is lodging an immediate appeal.

Since August 1996, more than 130 indigenous zapotecs from the Loxicha region have been detained and accused of belonging to the armed opposition group *Ejército Popular Revolucionario* (EPR), Popular Revolutionary Army. The latest arrests occurred on 25 May 2000 (see UA 155/00, AMR 41/28/00, 9 June 2000). According to reports, all the arrests were accompanied by beatings and threats, and without arrest warrants. The detainees were then held unofficially for three to five days during which they were beaten, tortured with electric shocks, threatened with death and forced to sign blank pieces of paper or false confessions. After this, some were released whilst others were formally detained.

Only 24 of those originally detained have so far been sentenced, on charges which include terrorism, conspiracy, attempted murder and possession (*acopio*) of arms. Forty-seven others have been released, but many do not return to their homes for fear of further abuses.

Despite lodging official complaints with the Public Ministry and both national and state human rights commissions, Amnesty International knows of no investigations into the allegations of torture or other abuses and irregularities such as testimonies being taken without translators for those who do not speak Spanish.

Relatives of the Loxicha prisoners have suffered intimidation and harassment since the detentions, and many have been forced to leave their homes in fear for their safety. In March 2000, during a peaceful protest in Oaxaca city to denounce human rights abuses in Loxicha, the relatives reported being watched by unknown individuals who took photographs, filmed them and questioned them in detail about what they were protesting about, including asking for the names of their 'leaders'. Israel Ochoa Lara, the defence lawyer for the Loxicha prisoners, has also suffered harassment (see EXTRA 81/99, AMR 41/14/99, 2 July 1999).

BACKGROUND INFORMATION

Confessions extracted under torture are inadmissible under Mexico's Federal Law to Prevent and Punish Torture, *Ley Federal para Prevenir y Sancionar la*

Tortura, and international human rights standards but courts still accept them as admissible evidence.

Since the appearance of the EPR in June 1996, the security forces have persistently targeted indigenous peasants in the areas of Oaxaca and Guerrero states. In the Loxicha region, entire communities have been accused of belonging to the EPR and have suffered intimidation, arbitrary arrest, "disappearance", torture and extra-judicial execution. Impunity prevails in all of these cases.

RECOMMENDED ACTION: Please send telegrams/telexes/faxes/express/airmail letters in Spanish or your own language:

- expressing deep concern at reports of confessions extracted under torture and other irregularities in the detention and trials of all the Loxicha prisoners including the nine named above;
- calling on the authorities to protect all those currently in detention from further torture and ill-treatment;
- calling for all statements found to have been extracted under torture to be disregarded as evidence for the prosecution, as required by Mexican and international law;
- calling on the authorities to open full, prompt and independent investigations into the reports of irregularities in the judicial processes of all the Loxicha prisoners, including arbitrary detention, torture and ill-treatment, and the failure to provide translators for those who do not speak Spanish, for the results to be made public, and for those responsible to be brought to justice;

APPEALS TO: (If someone answers a fax number, please ask: "el tono de fax, por favor".)

Minister of the Interior

Lic. Diódoro Carrasco Altamirano
 Secretario de Gobernación
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Salutation: Señor Secretario / Dear Minister

Attorney General of the Republic

Lic. Jorge Madrazo
 Procurador General de la República
 Av Reforma, esq. Violeta
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Salutation: Señor Procurador General/ Dear Attorney General

Governmental 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., C.P. 10200

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Salutation:Estimado Dr. Soberanes / Dear Dr. Soberanes

COPIES TO:

Non-governmental human rights organization

La Liga Mexicana por la Defensa de los Derechos Humanos (Limeddh)

Murguia 600 A Esquina Libres

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 23 August 2000.