

EXTERNAL

AI Index: AMR 41/74/97

This is a limited action. Please restrict appeals to 15 per Section.

UA 265/97 "Disappearances" / Fear of torture / Fear for safety 11 August 1997

MEXICO Eloy Hugo Almarza Silva, indigenous peasant activist
Januario Crispein, indigenous peasant activist
Jacinta Juarez Pacheco (f), wife of Januario, and their three young children

On 4 August 1997, brothers Januario Crispein and Eloy Hugo Almarza Silva were violently and arbitrarily detained by members of the security forces in the neighbourhood of Azteca in Oaxaca city, Oaxaca state. They have not been seen since. Amnesty International fears that they may be "disappeared" or tortured in incommunicado detention in order to extract "confessions" of association with the *Ejercito Popular Revolucionario* (EPR), Revolutionary Popular Army (see background below).

There are also serious fears for the safety of Jacinta Juarez Pacheco, wife of Januario Crispein, and their three young children, who witnessed the arrests, when some 40 members of the army and police raided their house without a warrant, taking some personal documents. Jacinta Juarez Pacheco has recounted how: "they dragged my husband off and ill-treated him, and they took me out of the house with our three children. Once I was out I could hear them insulting and threatening my husband." ("*agarraron a mi esposo y lo golpearon, y me sacaron de mi casa con mis tres hijos. Cuando estaba fuera escuché ruidos y que lo insultaban y amenazaban*"). There is particular concern for Jacinta Juarez Pacheco since she made a formal complaint of the arrests and gave her testimony to human rights organizations.

Between September and November 1996 approximately 67 peasants of the Loxicha region of the state of Oaxaca were arbitrarily detained on suspicion of belonging to the EPR. Amnesty International considers them to be prisoners of conscience.

Their families and local human rights activists have continuously campaigned for the release of the detainees and have themselves been targeted for intimidation. Among those arrested was a brother of Januario Crispin and Eloy Hugo Almarza Silva who is still in prison.

BACKGROUND INFORMATION

The EPR first appeared on 28 June 1996, the anniversary of the Aguas Blancas massacre when 17 peasants were killed by the security forces. Since then the security forces and paramilitary groups have persistently targeted peasants and their leaders with intimidation, arrest, torture, "disappearance" and extrajudicial execution, accusing them, as well as entire communities (i.e. indigenous Zapotecos from Loxichas) and organizations, of belonging to the EPR. Many have been forced to sign confessions of their membership of the EPR. A climate of systematic human rights abuses and impunity prevails in the region.

Recently some peasant leaders, accused of belonging to the EPR, have been released due to the lack of sustainable evidence against them. They had been repeatedly tortured, forced to sign confessions and held in prison for nearly a year. Most of them had been arbitrarily arrested and tortured by the security forces while held in secret detention centres and clandestine prisons, before being presented to the judicial authorities. See further information on UA 235/96, AMR 41/63/97, 28 July 1997 among others.

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

- urging that the whereabouts of Januario Crispein and Eloy Hugo Almarza Silva be immediately established and their families informed;
- calling for their immediate and unconditional release, unless promptly charged with recognizably criminal offences;
- seeking assurances that Januario Crispein and Eloy Hugo Almarza Silva will not be subjected to any form of ill-treatment or torture;
- urging a prompt and full investigation into the violent and arbitrary arrests and raid on 4 August 1997 and that those found responsible be brought to justice;
- requesting the authorities to guarantee the physical safety of Jacinta Juarez Pacheco and children;

if possible, also:

- express deep alarm at the continuing human rights violations to indigenous peasants in Oaxaca, and the apparent lack of effective action on the part of the authorities to stop them and to end the impunity currently enjoyed by most perpetrators.

APPEALS TO:

1) **Minister of Interior**

Lic. Emilio Chuayffet Chemor
Secretario de Gobernación
Secretaría de Gobernación
Bucarelli 99, 1er piso,
Col Juarez, 06699 México DF, MEXICO

Telegrams: Secretario de Gobernación, México DF, México

Faxes: + 52 5 546 5350; + 525 535 9952

Salutation: Sr. Secretario / Dear Minister

2) **Governor of the state of Oaxaca**

Lic. Diódoro Carrasco Altamirano
Gobernador del Estado de Oaxaca
Palacio de Gobierno
Oaxaca, Oaxaca, MEXICO

Telegrams: Gobernador Carrasco, Oaxaca, Mexico

Faxes: + 52 951 637 37 (If voice, ask "me puede dar tono de fax, por favor)

Salutation: Sr. Gobernador / Dear Governor

COPIES TO:

Daily newspaper

Sr. Editor
La Jornada
Balderas 68
06050 México D.F., MEXICO

Peasants' rights organization

Comisión de Derechos Humanos del Frente Amplio
por la Construcción del Movimiento de Liberación
Nacional (CDH FAC-MLN)
Belisario Domínguez 32, 3 piso
Mexico D.F.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 17 September 1997.