

PUBLIC

AI Index: AMR 41/021/2003

07 May 2003

Further Information on UA 61/03 (AMR 41/009/2003, 4 March 2003) and follow-up (AMR 41/017/2003, 1 April 2003) - Fear for safety/Death threats

MEXICO Samuel Alfonso Castellanos Piñón (m), lawyer
Beatriz Casas Arellanes (f), lawyer
Others working with the Oaxaca Regional office of *Acción de los Cristianos para la Abolición de la Tortura* (ACAT), Christian Action for the Abolition of Torture
Carlos Cruz Mozo (m)] Members of the *Organización Indígena de*
Inocencio López Michel (m)] *Derechos Humanos de Oaxaca* (OIDHO),
Oaxaca Indigenous Human Rights

New names: Other members of the OIDHO
Members of the *Comité de Derechos del Pueblo* (CODEP), Committee of the Rights of the People
Members of the *Coordinadora Oaxaqueña Magonista Popular Antineoliberal*, (COMPA), Oaxacan Magonista Popular Anti-neoliberal Organization

Fears for the safety of lawyers Samuel Alfonso Castellanos Piñón and Beatriz Casas Arellanes have increased following further death threats against Samuel Alfonso Castellanos Piñón and others working on behalf of those accused of killing 26 indigenous people in Agua Fría in May 2002.

On 28 April, an anonymous letter was delivered to the offices of the Oaxaca regional office of the *Acción de los Cristianos para la Abolición de la Tortura* (ACAT), Christian Action for the Abolition of Torture. The letter once again warned Samuel Alfonso Castellanos Piñón and his team to stop their defence work on behalf of those accused of the Agua Fría killings, or they would face death. The author of the letter appears to have close knowledge of the movements of those involved in defending the accused, and claims that they had been followed in the courts and in the prison where the accused are currently detained.

The letter made threats against members of other organizations which have taken up the Agua Fría case, including the *Organización Indígena de Derechos Humanos de Oaxaca* (OIDHO), Oaxaca Indigenous Human Rights Organization and the *Comité de Derechos del Pueblo* (CODEP), Committee of the Rights of the People. The letter also stated that the lives of staff at the Oaxaca regional office of ACAT would be in danger if the accused were released.

The threat also revealed that the cars used by members of a civil society group involved in the case are being watched. The vehicle number plates of members of the *Coordinadora Oaxaqueña Magonista Popular Antineoliberal*, (COMPA), Oaxacan Magonista Popular Anti-neoliberal Organization, were given in the letter.

Despite requests from several quarters, including the Inter-American Commission for Human Rights, for adequate protection for those in danger, the authorities have taken little action. The authorities have additionally failed to institute a full investigation into the threats or to publicly condemn the threats and defend the work of the human rights defenders. According to reports, a municipal policeman was seen patrolling the area on one occasion but this appears to be the only steps taken so far by the authorities to protect those at risk. The *Comisión Estatal de Derechos Humanos* (CEDH), State Human Rights Commission is said to have informally requested the *Procuraduría General de Justicia del Estado* (PGJE) State Attorney General's Office put in place safety measures, but has not issued a formal recommendation on the case.

BACKGROUND INFORMATION

In May 2002, the killing of 26 indigenous people in Agua Fría, Oaxaca State caused national outrage. Under intense pressure in the days that followed, the state authorities reportedly arbitrarily detained and tortured at least 26 members of neighbouring communities in connection with the murders. In October 2002 Samuel Alfonso Castellanos and Beatriz Casas Arellanes formally became defence lawyers to the accused. As a result of their work, 16 people have since been released on bail, while 10 others remain on remand.

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

- expressing concern for the safety of Samuel Alfonso Castellanos Piñón, Beatriz Casas Arellanes, Carlos Cruz Mozo, Inocencio López Michel and other members of ACAT, OIDHO, CODEP and COMPA, after renewed threats against them;
- calling for immediate measures to be taken to guarantee their safety, in accordance with their wishes;
- asking the authorities to outline the steps taken so far to guarantee their safety and investigate the threats;
- calling for an immediate, full and impartial investigation into the new threat issued against those named above on 28 April, and for those responsible to be brought to justice;
- reminding the authorities that the UN Declaration on the Rights and Responsibilities of Individuals, Groups and Institutions to Promote and Protect Universally Recognised Human Rights and Fundamental Liberties recognizes the legitimacy of the activities of human rights defenders and their right to carry out their activities without any restrictions or fear of reprisals and urging state and federal authorities to publicly condemn the threats and recognise the work of those involved.

APPEALS TO:

Minister of the Interior

Lic. Santiago Creel

Secretario de Gobernación

Secretaría de Gobernación

Bucareli 99, PISO 21, PH, Delegación Cuauhtémoc

México D.F., C.P.06600, Mexico

Telegrams: Secretario de Gobernacion, Mexico D.F., Mexico

Fax: + 52 5 55 093 3414 / 093 3415

E-mail: santiagocreel@compuserve.com

Salutation: Señor Secretario / Dear Minister

Governor of Oaxaca

Lic. José Murat Casab

Gobernador del Estado de Oaxaca

Palacio de Gobierno, Bustamante s/n, Oaxaca

Oaxaca 68000 México

Telegram: Governor of Oaxaca, Oaxaca, México

Fax: + 52 951 51 637 37

Salutation: Señor Gobernador / Dear Governor

Attorney General of Oaxaca

Lic. Sergio H. Santibáñez

Procurador del Estado de Oaxaca

Avenida Luis Echeverría s/n, La Experimental

San Antonio de la Cal, Oaxaca

Oaxaca 71236 México

Telegram: Attorney General of Oaxaca, Oaxaca, México

Fax: + 52 951 51 56 786 (if someone answers say "me da tono de fax por favor")

Salutation: Dear Sir/ 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, México

Telegram: Human Rights Commission of Oaxaca, Oaxaca, México
Fax: + 52 951 51 35 197 (if someone answers say "me da tono de fax por favor")
Salutation: Dear Sir/ Estimado Señor

COPIES TO:

Christian Action for the Abolition of Torture (ACAT)

ACAT México, Huatusco 21. Colonia Roma Sur, CP. 10200. México, DF.

Email: acat@att.net.mx

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 18 June 2003.