

PUBLIC

AI Index: AMR 41/021/2007

09 May 2007

Further Information on UA 334/06 (AMR 41/060/2006, 15 December 2006) Fear of torture or ill-treatment and new concern: Fear for safety

MEXICO **Yesica Sánchez Maya (f), lawyer, human rights defender**
Aline Castellanos (f), human rights defender

Human rights defender Aline Castellanos' home was broken into and searched while on 28 April. The burglary happened the day after a Judge issued a warrant for her arrest. This is the third warrant that has been issued for her arrest. The previous two warrants were annulled by federal injunctions.

Aline Castellanos returned home at midnight on 28 April after spending the day in a women's organisations meeting in Oaxaca City. She found that in the burglary only her passport and cash had been stolen and that nothing else of value had been taken.

As a leading member of the *Consortio para el Diálogo Parlamentario y la Equidad* (Committee for Parliamentary Dialogue and Equality) Aline Castellanos has been documenting and publicising human rights violations that have taken place in Oaxaca since widespread protests began in June. She is currently facing arrest on charges of criminal damage which appear to be baseless.

Lawyer Yesica Sánchez of the *Liga Mexicana para la Defensa de los Derechos Humanos* (Mexican League for the Defence of Human Rights, LIMEDDH) also has an arrest warrant pending on evidence that appears to be flawed. LIMEDDH's staff were threatened and harassed in November 2006 (see UA 292/06, AMR 41/046/2006, 2 November 2006).

It is feared that if arrested, Aline Castellanos and Yesica Sánchez could face the same treatment as other Oaxacan human rights activists and members of the Asamblea Popular de Pueblo de Oaxaca (Popular Assembly of the People of Oaxaca, APPO) who were arrested during the Oaxaca protests. For a recent example further of the reported torture and ill-treatment of those in custody see UA 92/07 (AMR 41/071/2007).

Amnesty International is concerned that human rights defenders carrying out legitimate human rights promotion work in Oaxaca, who are not responsible for criminal offences, may face politically motivated arbitrary detention, ill-treatment and fabricated criminal charges, as they have done many times since the teacher's strike in May 2006 triggered a political crisis in the state.

BACKGROUND INFORMATION

Teachers went on strike in Oaxaca state demanding better pay and conditions in May 2006, and occupied the main square of Oaxaca City. State police attempted to force them out on 14 June, using excessive force. In response the APPO was set up, an umbrella organization of social and political groups demanding the resignation of the state governor. In a climate of increasing violence, armed police in plain clothes arbitrarily detained many protesters and reportedly fabricated criminal charges against them. Several APPO supporters were shot and killed between August and September, leading protesters to set up barricades so as to keep the police out of key areas of the city. In October, the federal police entered the city, carrying out mass arrests, leading to widespread complaints of ill-treatment. The last major confrontation took place on 25 November, causing serious damage to public buildings and causing more than 140 people to be detained. At least 35 are still in custody in connection with disturbances in Oaxaca, while many others are on bail awaiting trial.

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

- calling for a thorough and impartial investigation into the burglary of Aline Castellanos' home and for the perpetrators to be brought to justice;
- expressing concern for the safety of human rights defenders Aline Castellanos and Yesica Sánchez, who face detention and prosecution on charges that appear to be baseless and in reprisal for their legitimate human rights work;
- urging the authorities to ensure that Aline Castellanos and Yesica Sánchez are protected from any form of torture or ill-treatment;
- calling for an investigation into the misuse of the judicial system to obstruct the legitimate work of human rights defenders and to guarantee their safety and their right to continue their human rights work;
- 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 the Interior

Lic. Francisco Javier Ramírez Acuña
Secretario de Gobernación, Secretaría de Gobernación
Bucareli 99, 1er. piso, Col. Juárez, Del. Cuauhtémoc, México D.F., C.P.06600, MEXICO
Fax: +52 55 5093 3414
Salutation: Señor Secretario/Dear Minister

General Prosecutor of the Republic

Lic. Eduardo Medina-Mora Icaza
Procurador General de la Republica
Procuraduría General de la República, Paseo de la Reforma nº 211-213, Piso 16
Col. Cuauhtémoc, Del. Cuauhtémoc, México D.F., C.P. 06500, MEXICO
Fax: +52 55 53 46 09 08 (if a voice answers, ask "tono de fax, por favor")
E-mail: ofproc@pgr.gob.mx
Salutation: Señor Procurador General/Dear Attorney General

Governor of Oaxaca

Lic. Ulises Ruiz Ortiz
Gobernador del Estado de Oaxaca
Carretera Oaxaca-Puerto Angel, Km. 9.5, Santa María Coyotepec, Oaxaca, Oaxaca C. P. 71254, MEXICO

Fax: +52 951 502 0530 (if a voice answers, ask "tono de fax, por favor")
E-mail: gobernador@oaxaca.gob.mx
Salutation: Señor Gobernador / Dear Governor

Attorney General of Oaxaca

Lic. Evencio Nicolás Martínez Ramírez
Procurador del Estado de Oaxaca
Avenida Luis Echeverría s/n, Col. La Experimental, San Antonio de la Cal, Oaxaca, Oaxaca 71236, MEXICO
Fax: +52 951 511 5519
Salutation: Dear Attorney/Estimado Procurador

COPIES TO:

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 20 June 2007.