

## **ANNEX of the Appeal to Mexico on human rights and autonomy of San Juan Copala**

### **What does the Rule of Law in San Juan Copala demand from Mexico**

**To recover the Rule of Law in San Juan Copala demands that the Mexican government** ensures, compliant to its international obligations, the implementation of the following legal rights of the autonomous community of San Juan Copala (as presented here below in the following pages):

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Mexico shall ensure that the rights of the autonomous community of San Juan Copala to life and security, to indigenous community's land, food, water, subsistence and self-determination, to free movement, free thought and speech, education and legal protection, are made to a reality - authorising the community to get them implemented through the implementation of government's legal obligations, presented below.

**To recover the rule of law and constitutional order to San Juan Copala, Mexico has to ensure better the following fundamental legal rights and freedoms of this indigenous autonomous community:**

#### **1. RIGHT TO LIFE AND FREEDOM TO LIVE IN SAFETY**

"Every human being has the inherent right to life. This right shall be protected by law. No one shall be arbitrarily deprived of his life." "No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment." "No one shall be subjected to arbitrary or unlawful interference ... Everyone has the right to the protection of the law against such interference or attacks." (Articles 6.1., 7 and 17 of the International Covenant on Civil and Political Rights, ICCPR).

These rights should be guaranteed for all also due to the Oaxacan constitution and "the indigenous peoples and communities have social right to live in freedom, peace and security with their different identities and to enjoy total guarantees against acts of discrimination, violence... or displacements" (Indigenous law of Oaxaca, article 30). The people of Copala's are however already under severe threat of becoming displaced from their life and home due to the illegal violence maintained by the siege. Also the surrounding

areas like Agua Fria, Santa Cruz Tilapa and Paraje Pérez suffer from it and thus hundreds of Triqui have been displaced from their communities by the threat.

Under the siege around the area of Copala of about 750 inhabitants, nearly 30 people have been killed since November 2009 - like also Jyri Jaakkola and Bety Carino on 27.4.2010, after which also 38 women have been assaulted - and dozens wounded or displaced. The Oaxacan government has thus severely failed to ensure the fundamental rights and freedoms, as it has allowed the paramilitary siege to continue.

The state is obliged to "guarantee the access to effective and legal protection to indigenous peoples" (Oaxacan Constitution, ("Constitución Política del Estado Libre y Soberano de Oaxaca"), article 16), but still during the 7 months of the siege, the state has not even made timely investigations of the various paramilitary killings and violations, saying that it is too dangerous for the police to go there.

To recover the rule of law and public order to the community isolated by a siege which has blocked its public roads and access of public facilities for 9 months, Government's first duty is to end such siege and to open the public roads and facilities for free access of transport, basic needs and humanitarian support. It needs to devise and implement also a comprehensive and urgent public plan to dismantle the paramilitary capacity of the UBISORT, to investigate, pursue, capture and bring to justice all paramilitary leaders and to establish a free transparent dialogue between the Triqui groups for peaceful transformation of conflicts. They shall be particularly "safeguarded against the abuse of their rights and shall be able to take legal proceedings, ... for the effective protection of these rights." (Article 12 of ILO Convention 169)

## 2. PEOPLES' RIGHT TO THEIR OWN MEANS OF SUBSISTENCE

**"In no case may a people be deprived of its own means of subsistence"** (Article 1.2. of the International Covenant on Economic, Social and Cultural Rights, ICESCR). Also "indigenous peoples have the right... to be secure in the enjoyment of their own means of subsistence... and to engage freely in all their traditional and other economic activities" (Article 20 of United Nations Declaration on Rights of Indigenous Peoples, UNDRIP).

But Triquis have been deprived of their people's own means of subsistence by the prevailing governance. Failing in its obligation to guarantee for Triquis the right to their indigenous means of subsistence by free use of their territory, in San Juan Copala the state has failed also in ensuring "the right of everyone to... adequate food, clothing and housing, and to... improvement of living conditions" (Article 11 of the ICESCR).

These fundamental rights are severely violated by the state allowing the paramilitary siege and its violence to continue around San Juan Copala. It prevents people from using for their basic necessities of life their native territory "to which they have traditionally had access for their subsistence" (Article 14, ILO 169 ).

As the siege deprives people from their subsistence still, when the state was requested to secure the transport of humanitarian aid of food, medicine, etc. to Copala, the state again said that the area under the siege and illegal shooting was too dangerous for the police to enter. But when the paramilitary leader asked the police to come there, rapidly 120-200 police and the secret police service were sent on 30.7.2010 to support the armed UBISORT paramilitary troops to invade San Juan Copala, taking over its town hall, shooting and severely wounding by bullets 2 triqui sisters.

## 3. RIGHT TO INDIGENOUS SELF-DETERMINATION AS COMMUNITY AUTONOMY

Indigenous communities clearly have a right to autonomy, since Mexican Constitution's Indigenous Law:

**"Guarantees the right of... communities to indigenous self-determination and, consequently, the autonomy** to... decide their internal forms of coexistence and social, economic, political and cultural organisation" and "apply their own normative systems" as far as these respect human rights.

The community is free to "choose according to their standards, procedures and practices, authorities or representatives to exercise their own forms of internal governance, ensuring the participation of women in conditions of equity" (Indigenous law of the Mexican Constitution, article 2 A).

“The right to free determination that indigenous... communities have is expressed as autonomy under the existing legal order; in accordance with this, the same peoples and communities hold legal personality in public law and enjoy the social rights.” (Oaxacan Constitution, article 16).

Also San Juan Copala has thus a right to autonomy to make its own decisions as an indigenous community

“Communities have a... right to determine freely their existence”, **“to adopt decisions on their own** and to institute their own practices related to their cosmovision, indigenous territory, land, natural resources, sociopolitical organization, legal administration” “and their composition” (Indigenous law of Oaxaca, articles 3.IV and 4).

As “the internal normative systems of indigenous... communities are recognized“ as valid for decisions on their development (Oaxacan Constitution, article 16), no-one can be authorised to know better than the communities themselves what are their own internal normative systems:

**“The decisions made by the authorities of the indigenous... communities** based on their internal normative systems within their jurisdictions, **will be made compatible and recognized by each state authority when they are faced with them”** (Indigenous law of Oaxaca, article 34).

**But the state does not recognise as compatible the decisions of the community of Copala.** The state violates thus its obligation.

Decisions made by others without the involvement of the majority of those who live in a community - like the decisions which UBISORT announced as being made by the people of San Juan Copala - are not decisions of Copala if they are not recognised as such by the majority of those who actually live in the community.

Only as far as communities recognise by their own autonomy to be associated with other communities, they may together build wider autonomy:

Building their autonomy, “indigenous communities may freely associate themselves, taking into consideration their ethnic and historic affiliation, creating associations of Indigenous Peoples and Communities” (Oaxacan Constitution, article 113 V).

“The autonomy of the peoples and communities is exercised” thus also “on the level of the... associations integrating several... communities” (Indigenous law of Oaxaca, article 8)

Several triqui communities are accordingly freely associated and integrated for their autonomy with a name 'Autonomous Municipality of San Juan Copala' to which belong the communities of San Juan Copala, Yosoyuxi, Paraje Pérez, Aqua Fría, Diamante, Santa Cruz, and Cruz Tilapa Chiquita and few neighbourhoods of Juxtlahuaca.

It is thus fully legal to form a free association of these communities for “carrying out of the programmes of common development” and other autonomy practices (Oaxacan Constitution, article 113 V, b and f).

By naming themselves 'Autonomous Municipality of San Juan Copala', the communities do not claim their autonomy to be an official municipality and do not affect the position of the official municipalities. In respect to the municipality they claim only that it has to respect their right to autonomy as communities:

- The state is obliged to ensure that **“municipal authorities respect the autonomy of the indigenous communities** which are part of the non-indigenous municipalities” (Indigenous law of Oaxaca, article 12).

- “Within the frame of the current legal order”, also “the Indigenous Jurisdiction is exercised... in accordance with the indigenous... communities' customs and traditions”. (Oaxacan Constitution, article 112).

- The law "guarantees the right of...communities to indigenous self-determination and, consequently, the autonomy to... the preferential use and enjoyment of natural resources in the places they inhabit and occupy" so that "for these effects communities may be associated in terms of law". (Indigenous law of the Mexican Constitution, article 2 A, VI)

#### 4. RIGHT TO LAND, FOOD AND FOOD SOVEREIGNTY

"For the indigenous peoples and communities the state recognises... access to the natural resources and to their lands and territories" and "the rights of using and enjoying the natural resources on their lands and territories". The state has to "protect them against resettlements or displacements" (Oaxacan Constitution, article 16).

The state is obliged to ensure that "the indigenous peoples and communities have access to the natural resources from their indigenous lands and territories" (Indigenous law of Oaxaca, Article 51). They "have the right to the lands, territories and resources which they have traditionally owned, occupied or otherwise used or acquired" and have to be given legal protection by the state "with due respect to the customs, traditions and land tenure systems of the indigenous peoples concerned." (Articles 26.1-3. of UNDRIP).

They have "rights of ownership and possession... over the lands which they traditionally occupy" and rights "to use lands... to which they have traditionally had access for their subsistence and traditional activities". The law and government have to "guarantee effective protection" of these rights and to "resolve land claims by the peoples concerned" (Articles 14, ILO 169 ).

To implement the "right of everyone to... adequate food", states shall "take appropriate steps to ensure the realization of this right" - including "developing or reforming agrarian systems" to ensure everyone's equal right to food. (Article 11 of the International Covenant on Economic, Social and Cultural Rights)

States shall ensure for all equal "accessibility of... food in ways that are sustainable" such as "feeding oneself directly from productive land or other natural resources, or" by sustainable distribution. The "costs associated with the acquisition of food for an adequate diet should be at a level such that the attainment and satisfaction of other basic needs are not threatened." (UN Committee on Economic, Social and Cultural Rights; General Comment 12: "The right to adequate food" E/C.12/1999/5 , 12.5.-99, paragraphs 8, 12 and 13).

But under the siege "supplies have run low for food and other necessities, and when the women go to the nearby town of Juxtlahuaca to obtain supplies, they are exposed to attacks by the armed UBISORT men who may steal their food, as well as threaten, humiliate, beat or rape them". (Upside Down World, 1.8. 2010, "Mexico: San Juan Copala Again Under Fire")

Allowing the paramilitary siege to continue around San Juan Copala, the Oaxacan government is gravely violating the human right to adequate and safe food and material supply needed for daily life and survival.

"Violations of the right to food can occur through... entities insufficiently regulated by States. These include... the prevention of access to humanitarian food aid in internal conflicts or... adoption of legislation or policies which are manifestly incompatible with pre-existing legal obligations relating to the right to food; and failure to regulate activities of individuals or groups so as to prevent them from violating the right to food of others". "Any person or group who is a victim of a violation of the right to adequate food should have access to effective judicial or other appropriate remedies at both national and international levels. All victims of such violations are entitled to adequate reparation". (UN Committee on Economic, Social and Cultural Rights; General Comment 12: "The right to adequate food" E/C.12/1999/5 , 12.5.-99, paragraphs 19, 28 and 32 ).

#### 5. RIGHT TO WATER

"Under no circumstances shall an individual be deprived of the minimum essential level of water" or of the access to basic sanitation facilities. States shall guarantee for all equal "sustainable access to water", as "free or low-cost", "ensuring that water is affordable for everyone", "including socially disadvantaged groups". (UN Committee on Economic, Social and Cultural Rights : General Comment 15: "The right to water", E/C.12/2002/11, 20.1.2003, paragraphs 26-27 and 56)

Allowing the paramilitary siege to continue around San Juan Copala, the Oaxacan government is gravely violating the human right to water. The delivery of pure water has been cut by the siege.

"Violations include... failure to ensure that the minimum essential level of the right is enjoyed by everyone" and "the adoption of retrogressive measures... or...policies which are... incompatible with... international

legal obligations in relation to the right to water". Violations follow also "from the failure of a State... to safeguard persons... from infringements of the right to water by third parties". "Any persons or groups who have been denied their right to water should have access to effective judicial or other appropriate remedies at both national and international levels ... All victims of violations of the right to water should be entitled to adequate reparation, including restitution, compensation, satisfaction or guarantees of non-repetition." (UN Committee on Economic, Social and Cultural Rights : General Comment 15: "The right to water", E/C.12/2002/11, 20.1.2003, paragraphs 42, 44 and 55)

## 6. RIGHT TO HEALTH

Governments shall make equally available to the indigenous peoples "adequate health services or provide them with resources to allow them to design and deliver such services under their own responsibility and control". "Health services shall, to the extent possible, be community-based... planned and administered in co-operation with the peoples concerned", organised with a "employment of local community health workers" (Article 25 of ILO 169)

"Ensuring effective access to health services by extending the coverage of the national system, using traditional medicine properly and as supporting indigenous nutrition feeding programs especially for children" (Indigenous law of the Mexican Constitution, article 2, B III)

"Equal and timely access to basic preventive, curative, rehabilitative health services... and... essential drugs", to "potable water and adequate sanitation, ... nutrition and housing, healthy occupational and environmental conditions" and "health insurance" "must be affordable for all" in an equal way. (UN Committee on Economic, Social and Cultural Rights : General Comment 14. "The right to the highest attainable standard of health", E/C.12/2000/4, 4.7. 2000. paragraphs 11, 12 and 17)

The siege has forced "the health clinic also closed, leaving the town with no health service since December of 2009" (Upside Down World, 1.8. 2010, "Mexico: San Juan Copala Again Under Fire"). Since then many people have been wounded.

Allowing the paramilitary siege and shooting to continue around San Juan Copala, the Oaxacan government is gravely violating the human right to health. Currently more than 10 women are wounded and recently bullets pierced the lung of 17 year old Selena and damaged the intestines of 15 year old Adela. Doctors say that Adela has a bullet lodged in her spine, has been in coma, and is paralysed, unlikely to walk again.

## 7. RIGHT TO EDUCATION

"Primary education shall be... available free to all" and also further education "shall be made generally available and accessible to all" (Article 13.2. of the International Covenant on Economic, Social and Cultural Rights). States shall ensure that members of indigenous communities "acquire education at all levels on at least an equal footing with the rest of the national community." "Education programmes and services for the peoples concerned shall be developed and implemented in co-operation with them" and with "appropriate resources". (Articles 26 and 27 of ILO 169)

The siege has however violated also the right to education as it has prevented the access to the schools, even though states parties have obligation to "take measures that prevent third parties from interfering with the enjoyment of the right to education". Now the town has lost its school cycle 2009-2010 for children in primary and secondary levels due to the violence by a third party, but the government has not taken measures to remove this violence.

The government is obliged to ensure "functioning educational institutions and programmes have to be available" and "accessible to everyone", "especially the most vulnerable groups". "Education has to be within safe physical reach", equally "affordable to all" and "culturally appropriate". States have to "take positive measures that enable and assist... communities to enjoy the right to education", providing "a specific right.. when an individual or group is unable, for reasons beyond their control, to realize the right themselves by the means at their disposal." (Committee on Economic, Social and Cultural Rights, General Comment 13, The right to education, E/C.12/1999/10, paragraphs 6 and 47)

## 8. RIGHTS TO FREE THOUGHT, SPEECH AND MOVEMENT

"Everyone shall have the right to freedom of thought, conscience and religion". "Everyone shall have the right to hold opinions without interference" and "right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds". "The right of peaceful assembly shall be recognized." "Everyone shall have the right to freedom of association with others." (articles 18-22 of the International Covenant on Civil and Political Rights).

"Everyone lawfully within the territory of a State shall, within that territory, have the right to liberty of movement and freedom to choose his residence". (article 12.1. of the International Covenant on Civil and Political Rights). Government has to "expand the network of communication that allows the integration of communities through the construction and expansion of roads" (Indigenous law of the Mexican Constitution, article 2, B VI).

But allowing the paramilitary siege to continue around San Juan Copala, the Oaxacan government is gravely violating these fundamental rights and freedoms, its own law and Constitution. The siege violates the freedom of movement and keeps the roads closed.

Also freedom of thought and speech are violated. On 7 of April 2008 paramilitaries murdered 2 young Triqui women journalists Felicitas Martínez Sánchez ja Teresa Bautista Merino of Copala's community radio "Voice Breaks the Silence".

## 9. RIGHTS OF AFFECTED COMMUNITIES TO PARTICIPATE TO THE DECISION MAKING

### a) People's right to participate to local governance of their community by their own decisions

Indigenous communities freely associated under the Autonomous Municipality of San Juan Copala have right to autonomy to govern themselves according to "their forms of social, political and governmental organization, their internal normative systems, the jurisdiction they have in their territory, the access to the natural resources and to their lands and territories". (Oaxacan Constitution, article 16)

For the people who live in an indigenous community, like San Juan Copala, the state has to ensure equal options for "the participation and co-operation of the peoples affected" to the "formulation, implementation and evaluation" of plans, which affect them. State shall "consult the peoples concerned... in particular through their representative institutions" regarding its "measures which may affect them directly" (Preface and articles 5-7 of ILO 169).

States shall ensure the affected communities' "participation in the ... plans and programs" according to "their internal normative systems" and "forms of social, political and governmental organization". (Oaxacan Constitution, article 16, see also Indigenous law of the Mexican Constitution, article 2 A, VII and B, IX). The people of the community "have the right to participate in decision-making in matters which would affect their rights, through representatives chosen by themselves... with their own procedures" following their "right to autonomy or self-government in matters relating to their internal and local affairs." (Articles 4 and 18 of UNDRIP).

**"Communities have a... right... to realise through autonomy all their rights this law recognises" as "rights that will be exercised directly by indigenous... communities' own authorities" recognized "on the basis of their normative systems" (Indigenous law of Oaxaca, articles 3.X, 4 and 7).**

People who live in the community have thus the right to participate to decide the authorities of the community and their mandate to represent the community or to make decisions on behalf of it.

The state is obliged to ensure that **"municipal authorities respect the autonomy of the indigenous communities** which are part of the non-indigenous municipalities" and search "for the agreement and the plural coexistence" with the indigenous communities. (Indigenous law of Oaxaca, article 12).

It does not comply with this law to appoint as municipal authority/agent for a community such people, who do not respect or recognise the autonomy of the community and whose selection has not been made or recognised by the majority of the people who live in Copala.

Having killed, wounded and violated many people of Copala by illegal shooting, paramilitary siege and take-over of the Copala town hall, UBISORT announces now from the violently conquered town hall as decision of 'San Juan Copala inhabitants' its own decision to appoint UBISORT man as the municipal agent of Copala.

The people who live in San Juan Copala have the right to control whether the decisions which are announced as decisions of "San Juan Copala inhabitants", are actually their decisions or decisions which are in reality made by others - like people and agents from other "10 agencies", presented as "residents... of San Juan Copala sympathising UBISORT" <http://www.xeouradio.com/2010/08/13/tiene-san-juan-copala-nuevo-agente-municipal-2/>

Communities' rights are to "be exercised directly by indigenous... communities' own authorities", recognized "on the basis of their normative systems" (Indigenous law of Oaxaca, articles 3.X and 7) and not appointed by people from other communities or by the municipality being brought to the community's town hall after it has been violently conquered:

**"The law protects the... democratic practices held in indigenous communities... for the election of their communal councils/town halls."** (Oaxacan Constitution, article 25).

The Oaxacan state has not fulfilled duly its obligations to respect and protect community's town hall and its authorities elected by the democratic practices of those who live in San Juan Copala.

State has on the contrary supported the violent paramilitary attack taking over the town hall and undermining thus the safe conditions for realising community's legal autonomy. State has allowed the shooting, killing and threatening of community's authorities to continue:

The indigenous leader chosen by the autonomous community in the town hall of San Juan Copala, Timoteo Alejandro Ramírez, was killed with his wife Cleriberta Castro in May. The other indigenous leaders, whom the autonomous community has chosen by its democratic practices in its town hall, have been threatened by the paramilitaries, for example Jorge Albino Ortiz has got death threats. Earlier on January 2010 the Town Hall had once already been taken over by the UBISORT paramilitaries to declare Anastacio as Copala's municipal president, which the community of San Juan Copala never approved him to be.

On 30.7.2010, the state-police supported UBISORT's paramilitary invasion and violent take-over of San Juan Copala town hall, wounded severely the 2 young woman who were defending their community's constitutional rights to its town hall. And so now after its paramilitary takeover of Copala town hall - UBISORT again nominated there illegally 'a new municipal agent' for Copala.

Allowing such others from outside, who are not elected by the people living in the community of San Juan Copala, to set themselves as community's ruling authorities and allowing them to take over its town hall violently by paramilitary force, supported by the police and paramilitary siege, is a violation of the Constitution, fundamental rights and freedoms and the rule of law on San Juan Copala.

"Within the framework of the current legal order the State respects the borders of the territories of the indigenous peoples and communities inside of which the autonomy is exercised". (Indigenous law of Oaxaca, article 8.)

The state violated this law by invading together with paramilitary force to the community's territory and by allowing the siege and shooting to continue at Copala.

The State has thus neglected also its obligations to "secure the protection and respect of the social rights to be implemented directly by the authorities of the indigenous... communities" and to "guarantee the access to effective and legal protection to indigenous peoples". (Oaxacan Constitution, articles 16)

When the state takes such measures affecting the community, the measures "have to be prior to that discussed, analysed and reached a consensus with the same... communities" (Indigenous law of Oaxaca, article 53).

State has neglected this and also its obligation to "maintain constant communication with the indigenous authorities of the towns and communities to assure that their internal normative systems are adequately recognized and respected by other people and institutions" (Indigenous law of Oaxaca, article 36).

#### **b) Rights of the communities to decide about their municipal resources**

"Indigenous... communities have right to free self-determination and... autonomy" - also to "select... their representatives in municipalities with indigenous population".

This has to be done so that "the constitutions and laws of the states recognize and regulate these rights... to strengthen the participation and representation ... in accordance with their traditions and internal rules". (Indigenous law of the Mexican Constitution, article 2 A VII and B, IX)

The state of Oaxaca has failed to ensure this in respect to San Juan Copala and has failed to ensure that:

"The municipal authorities determine fair budgetary allocations for being managed directly by the communities" for "construction and home improvement, and to extend coverage of basic social services", etc. (Indigenous law of the Mexican Constitution, article 2, B I and IV).

This includes under the Oaxacan law also the communities which are building their autonomy.

Now the funds for Triquis go however to the widest extent to UBISORT, leaving autonomous Triqui communities like Copala without their nominated share - even allowing their share to be consumed by UBISORT, which is allowed to illegally nominate the agents for Copala.

As Copala had since 1948 belonged through the decades of the PRI-administrations to the municipality of Juchitán in local PRI there exists also interests to keep Copala under the control of Juchitán authorities in a lower status of its 'agencia de municipio'. UBISORT supports PRI but has however also worked to get the municipal funds and governance of the whole Triqui area under its own direct control reducing thus the role of Juchitán municipality.

After the state elections 2010 different sections under PRI had in July 2010 in Juchitán mutual disputes: On 21 of July, a group of 150 UBISORT militants took over the Municipal Palace of Juchitán to demand town councilor Juan Beristaín Guzmán to resign and recognition of UBISORT-supported person as new interim president of the municipality ([http://bbmnoticias.com/index.php?option=com\\_content&task=view&id=21575&Itemid=28](http://bbmnoticias.com/index.php?option=com_content&task=view&id=21575&Itemid=28)).

UBISORT demanded also a release of the further resources of the Triqui areas including Copala (branches 28 and 33) through UBISORT - even though according to the law, however:

"To promote equal opportunities, the Federation, states and municipalities... ensure... the indigenous rights and development of the... communities, to be designed and operated jointly with them". The authorities shall "consult with indigenous peoples in preparing the development plans" so that "states and municipalities... establish... budgets... for involving communities in the implementation and monitoring." (Indigenous law of the Mexican Constitution, article 2, B and its part IX).

These constitutional rights of San Juan Copala are violated by giving the funds of Copala to the UBISORT and by not respecting the authority of the autonomy of San Juan Copala and its representatives chosen by the majority of the people who actually live in the autonomous Copala

#### **10. RIGHT OF INDEPENDENT INVESTIGATION of false charges / case of **Anastacio Juarez Hernandez****

Anastacio Juarez Hernandez died on 29 of July 2010. On that day a news agency reported that in the afternoon in Juchitán a white car with an Oaxacan register plate TKJ4118 had been shot and its passengers who were not wounded, were however in a "nervous break-down" for having been in the car which was shot aggressively:

"According to what was told by the affected passengers, Julio Cesar Martínez Morales, 25 years old and Maximiliano Bautista Martínez, 20 years old, the aggressors were identified as belonging to UBISORT".  
<http://www.nsoaxaca.com/regional/41-cat-reg-mixteca/44003-se-registra-balacera-entre-transportistas-de-juxtlahuaca>

But as the above-mentioned two passengers are themselves well-known as UBISORT members - which the reporter hardly knew -, we are left with a question:

Why had these 2 UBISORT men told to the public news that UBISORT shot their car - if UBISORT had not shot their car? It is hard to understand what benefit would have these UBISORT men got from reporting to the public that UBISORT shot their car - if UBISORT had not threatened them by shooting their car?

As these men were also known as Anastacio's UBISORT fellows, so it is evident that:

**Anastacio's UBISORT friends reported that UBISORT shot their car - on the same day when Anastacio was killed.** Some hours later Anastacio was then reported to have been killed in the evening:  
<http://www.xeouradio.com/2010/07/29/matan-a-agente-de-san-juan-copala/> .

His background includes also that: In November 2009, starting its paramilitary siege around Copala, to make "the autonomous municipality disappear", UBISORT's leader Rufino Hernandez had appointed his brother, Anastacio, to be a 'Municipal Authority' or even a 'Municipal President' of Copala - even though legally, San Juan Copala has not even had a status of official municipality after 1948. UBISORT has acted to establish by paramilitary force to San Juan Copala such illegal authority of 'municipality', which is governed neither by the official municipality of Juxtlahuaca, nor by the Copala community, but from outside by UBISORT itself in the name of Sabana and 9 other communities which UBISORT controls.  
(<http://www.xeouradio.com/2009/11/30/tiene-san-juan-copala-nuevo-agente-municipal/>). In January 2010 armed UBISORT troops took over the town hall of San Juan Copala to confirm there Anastacio - who did not even live in Copala - to be 'Municipal Authority' and '- President' of Copala.

Now Anastacio - falsely appointed as the municipal authority/president of Copala - was killed on 29.7.2010, one day after the Mexican Senate called the government "to recover... the Rule of Law" to San Juan Copala. Next morning UBISORT's leader declared to the news that Anastacio was killed "at his home" in San Juan Copala - and using words taken from the senate's statement that "material actors" of the murder would be the people, whom the community of San Juan Copala has elected as its leaders and that police and army must be sent to San Juan Copala. And at least 120 police and even secret police came immediately to San Juan Copala to support UBISORT's paramilitary invasion, which captured by force 2 men (still missing since that) and wounded severely 2 young women - by bullets piercing the lungs of the one and wounding the other to spine, causing permanent paralysis.

But the inhabitants of Copala say Anastacio did not originate or live in Copala and was likely to have got killed in Juxtlahuaca in 29.7. in the white car with requister plate TKJ4118, mentioned above - related to the quarrel between different PRI-sections. (where Juxtlahuaca representatives led by town councillor Juan Beristain Guzman had requested also the support and backing of the local taxi-agencies of the "United Sites of the Mixteca" in Juxtlahuaca to reduce the control of UBISORT over the transports to the area of San Juan Copala. This led to further disputes to which UBISORT answered by arresting 7 taxi-drivers of that agency).

Anastacio's dead body "was planted" to Copala from Juxtlahuaca by UBISORT according to the autonomous community of San Juan Copala. The community says the purpose of UBISORT was to bring his dead body to Copala to get the police forces there to 'investigate' the death and to make through this a police-supported invasion of UBISORT paramilitaries to San Juan Copala to take over its Town Hall and to demand Copala's elected community leaders to be arrested for Anastacio's murder.

UBISORT brought on 13.8. to the violently conquered town hall of San Juan Copala many people and agents from other areas of "10 agencies". It presented these people as "residents... of San Juan Copala sympathising UBISORT", as if these people from other areas were authorised to make decisions of "San Juan Copala inhabitants' and to confirm for Copala's municipal authority UBISORT-appointed Mauro Vázquez Ramírez, whom the community of San Juan Copala has already for long time announced to belong to UBISORT paramilitary "sicarios y pistoleros" who are shooting the community.  
(<http://www.xeouradio.com/2010/08/13/tiene-san-juan-copala-nuevo-agente-municipal-2/>).