

URGENT ACTION

ACTIVIST AND LAWYER THREATENED

Oaxacan political activist Juan Manuel Martínez and his lawyer, Alba Cruz, have been threatened. Juan Manuel Martínez, who was recently released from prison, is in danger of being arrested and charged a second time with the same crime on the basis of the same evidence.

Juan Manuel Martínez was detained in 2008 for the murder of US journalist Brad Will, but was released in February 2010 after a federal court ruled that the charges against him were baseless. While in prison he was threatened and intimidated by men who came to visit him. At the beginning of December 2009, one of these men told him, "Tell your lawyer to keep quiet, she's overdone it, she should stop making so much noise – we know where you, she, and your relatives live." (*dile a tu abogada que se quede quieta, que ya se paso, que deje de hacer tanto ruido –sabemos donde viven y sus familiares*). That month, men were seen taking pictures of Juan Manuel Martínez's children at school. Also in December, the family dog was shot dead in the night.

His lawyer, Alba Cruz has also been attacked and threatened repeatedly. Since September 2009, her car has been tampered with three times, once by unscrewing her wheels, once by slashing the tyres; once another car crashed into it while it was parked. Twice another car crashed into hers while she was in it, but the drivers drove off. In August, she received a text message saying, "you are on the list, bitch, you're next." (*estas en la lista, perra y tu eres la siguiente*). On 26 January 2010, she saw two men standing outside her office. Shortly afterwards she received a text message saying, "We've told you and that idiot... we are watching you, you are trash, stop it with your revolution or you'll be sorry." (*ya te hablamos y le dijimos a ese pendejo ... los controlemos ustedes son basura ya paren con su revolucion o lamentaran [sic]*). Alba Cruz filed a complaint about the threats and other security incidents, but has received no effective protection measures. The Inter-American Commission of Human Rights has called on the Mexican authorities to provide her with protection measures, but these have not been implemented.

PLEASE WRITE IMMEDIATELY in Spanish or your own language:

- Calling on the authorities to provide effective protection for Juan Manuel Martínez, Alba Cruz and their relatives, in consultation with them and in accordance with their wishes;
- Calling on them to order a full, prompt and impartial investigation into the threats and attacks Juan Manuel Martínez and Alba Cruz have suffered;
- Calling for the authorities to conduct an impartial investigation into the killing of Brad Will and ensure that Juan Manuel Martínez is not subject to arbitrary detention and unfair judicial process.

PLEASE SEND APPEALS BEFORE 21 APRIL 2010 TO:

Attorney General of the Republic

Arturo Chávez Chávez
Procuraduría General de la República
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Salutation: Dear Attorney General/Señor
Procurador General

Governor of Oaxaca

Lic. Ulises Ruiz Ortiz
Gobernador del Estado de Oaxaca
Carretera Oaxaca-Puerto Ángel, Km.
9.5, Santa María Coyotepec,
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Fax: +52 951 502 0530
E-mail: gobernador@oaxaca.gob.mx
Salutation: Dear Governor/
Señor Gobernador

COPIES TO: Human rights organization, Comité 25
de Noviembre, E-mail:
comite25noviembre@yahoo.com.mx

Also send copies to diplomatic representatives of Mexico accredited to your country. Please check with your section office if sending appeals after the above date

**AMNESTY
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ADDITIONAL INFORMATION

Juan Manuel Martínez was unfairly detained in October 2008 after a flawed investigation by the Office of the Federal Attorney General (PGR) that led to him being charged with the 2006 murder of Brad Will. He was released on 19 February 2010 after a federal court ruled that the charges against him were baseless and ordered the state trial judge to release him. However, according to his lawyer, the state judge included spurious claims about Juan Manuel Martínez's involvement in the killing in his release papers. Amnesty International is concerned that these claims may be used to file unfounded charges against Juan Manuel Martínez resulting in his arbitrary detention.

Widespread protests erupted in the state of Oaxaca in June 2006, in a campaign to force the state governor to resign. Political violence and demonstrations continued throughout the year. At least 18 civilians were killed during the conflict, including Brad Will; at least 370 were injured and 349 were arrested. There was widespread use of excessive force, arbitrary detention, torture and fabrication of criminal charges against protesters. In 2009, a special investigation by Mexico's Supreme Court concluded that senior state officials should be held accountable for human rights violations committed during the crisis. However, virtually none of the federal, state or municipal authorities responsible for abuses have been held to account. Human rights organizations are still campaigning for justice over the human rights violations.

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