

via fax: 011 52 55 50 93 53 21

Lic. Felipe de Jesús Calderon Hinojosa
President of the Republic of Mexico

via fax: 011 52 55 53 46 09 08

Lic. Eduardo Medina-Mora Icaza
Attorney General of the Republic of Mexico

November 1, 2008

Dear Sirs:

We are extremely concerned for the life of **Juan Manuel Martínez**, currently detained in Santa Maria Ixcotel state prison, where we fear he is at risk of torture or ill-treatment in order to force him to confess to the 2006 murder of US video-journalist Brad Will. We are also concerned that he may not be granted adequate access to a lawyer of his choice or to members of his family.

He and two other supporters of the opposition movement, the Popular Assembly of the People of Oaxaca (APPO), were arrested and detained on October 16, 2008 by the Office of the Federal Attorney General (PGR) for the murder of Brad Will, who was shot on October 26, 2006, while documenting a clash between teacher union supporters and state government supporters in the political uprising in southern Oaxaca.

The PGR arrests two years later contradict the findings and recommendations of the National Human Rights Commission (CNDH) and independent forensic experts from Physicians for Human Rights (PHR) who have both raised serious concerns about flaws in the murder investigation. These include the failure to adequately assess forensic evidence and investigate all possible suspects including state officials.

Two of the men arrested have been released on bail, but on October 22 a Mexican judge ruled that Juan Manuel Martínez must stand trial on homicide charges. Prosecutors have failed to give specifics about the ballistics evidence or to explain why Martínez would have fired at Will.

We therefore **strongly urge** that you

- guarantee the safety of Juan Manuel Martinez and ensure that he is not subject to torture or other ill-treatment;
- ensure that he has adequate access to independent legal counsel of his choice and to members of his family;
- publicly respond to criticisms and recommendations of the National Human Rights Commission and Physicians for Human Rights to demonstrate that the investigation into Brad Will's murder meets international human rights standards of competence, thoroughness, promptness and impartiality;
- guarantee the right to due process and fair trial of all those under investigation or charged with involvement in Brad Will's murder.

Sincerely

Brian J. Stefan Szittai
Coordinator

cc: Arturo Sarukhan Casamitjana, Mexican Ambassador to the US ~ via fax: 202 728 1698
Antonio O. Garza, Jr., US Ambassador to Mexico ~ via fax: 011 52 55 5207 0091
William Duncan, Mexico Desk, US State Dept ~ via fax: 202.647.5752
Paolo Carozza US member of the Inter-American Commission on Human Rights ~ fax: 202 458-3992
Dr. José Luis Soberanes Fernandez, President of National Human Rights Commission ~ fax: 011 5 2 55 5681 7199
US Senators Brown & Voinovich ~ via email
US Representatives, Kaptur, Kucinich, LaTourette, Latta, Regula, Ryan, Sutton ~ via email

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The following people hereby urge you to take action on this matter as indicated in this letter: