

via fax: 011 52 983 832 4257 Lic. Felix Gonzalez Canto Governor of Quintana Roo, Mexico	via fax: 011 52 983 832 3174 Lic. Francisco Alor Quezada Attorney General of Quintana Roo, Mexico
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April 4, 2011

Dear Sir:

We, members of the InterReligious Task Force, are concerned for the safety of **Basilia Ucan** a poor 43 year-old monolingual Maya indigenous woman in Quintana Roo. She was arrested in March 2008 under unclear circumstances and committed for trial on charges of child corruption and procuring. She was convicted in April 2009 despite numerous irregularities in her trial, including lack of access to legal defense or an interpreter. Prosecutors and the trial judge also relied on fabricated and unsafe evidence. Lawyers are challenging her unfair trial, and the outcome of an appeal is pending.

In mid February 2011, a representative of the State Prosecutor's Office visited a key prosecution witness to pressure her to alter evidence and make allegations that Basilia Ucan's defense lawyer had coerced her into retracting her initial incriminating statement. The witness, whose initial evidence was unlawfully obtained in 2007 when she was under 18 and without the presence of an interpreter or an appropriate adult, subsequently retracted her statement before the trial judge.

On March 5, the deputy state prosecutor for the Maya Indigenous Zone of Quintana Roo, accompanied by two judicial police offices, visited a former neighbor of Basilia Ucan in the town of Felipe Carrillo Puerto. The deputy state prosecutor pressured the former neighbor to make public statements against Basilia Ucan. We believe that the visit was intended to intimidate the former neighbor, who has now left the town.

We believe that Basilia Ucan's prosecution and unfair trial may be a result of discrimination on the basis of gender, social status and race. We know that indigenous people in Mexico are particularly vulnerable to arbitrary detention and unfair trial because their right to an interpreter and effective defense council is routinely ignored, particularly in state courts.

Therefore, we **strongly urge** you to

- initiate a full, prompt and impartial investigation into the pressure on a witness and neighbor of Basilia Ucan to make false statements, and ensure the safety of both in accordance with their wishes;
- undertake a full investigation into the conduct of public officials in the treatment of Basilia Ucan, the manner in which evidence has been obtained and witnesses treated;
- order a full, independent and impartial review of the prosecution, trial and conviction of Basilia Ucan to ensure that she receives a fair trial according to international human rights standards, including equal treatment before the law, access to translators and defense lawyer from the moment of detention.

Sincerely,

Brian J. Stefan Szittai
Coordinator

cc: Centro de Derechos Humanos Miguel Agustín Pro Juárez ~ via email
 Arturo Sarukhan Casamitjana, Mexican Ambassador to the US ~ via fax: 202 728 1698
 Carlos Pascual, US Ambassador to Mexico ~ via fax: 011-52-55-5080-2834
 Mary Stickles, Mexico Desk, US State Dept ~ via fax: 202.647.5752
 Dinah Shelton, US member of the Inter-American Commission on Human Rights ~ fax: (202)458-3992
 José de Jesús Orozco Henríquez, Mexico member of the Inter-American Commission on Human Rights ~ fax: (202)458-3992
 US Senators Brown and Portman and US Representatives Fudge, Gibbs, Johnson, Kaptur, Kucinich, LaTourette, Latta, Renacci, Ryan, Sutton ~ via email

UA71/11/Mexico

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