

<p>via fax 011 52 (55) 52 77 23 76 <i>Estimado Sr. Presidente</i> Enrique Peña Nieto President of the Republic of Mexico</p>	<p>via email: ofproc@pgr.gob.mx <i>Estimada Sra. Procuradora</i> Arely Gómez González Attorney General of Mexico</p>
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February 23, 2016

Dear President and Attorney General:

We are deeply concerned for the safety of **Damián Gallardo Martínez**, a teacher who has worked to defend the rights of indigenous communities and the right to education in the Mixe and Zapoteca regions of the Oaxaca Hills. On February 4 he was placed in solitary confinement for allegedly disrespecting prison rules in CEFERESO prison in Jalisco.

Damián Gallardo Martínez was arbitrarily detained on May 18, 2013 after his home was raided by seven men carrying military-issue weapons; they presented no warrant and did not identify themselves. He was held incommunicado for 30 hours and tortured until he signed a false confession, incriminating members of the 22nd Section of the National Union of Education Workers (SNTE) in making allegations of organized crime and kidnapping against him. Detention orders were issued against Damián Gallardo Martínez and his colleagues on May 25, 2013 and June 16, 2013. Both orders were later repealed but were re-issued on January 28, 2014. Damián Martínez's challenge to the validity of the re-instatement of these orders remains pending before the Fourth Court of the Third Circuit of Zapopan Jalisco.

In prison Damián Gallardo Martínez has suffered numerous instances of ill treatment and serious physical abuse. In November 2014, the UN Working Group on Arbitrary Detention issued an opinion holding his detention to be arbitrary, and called for his immediate and unconditional release.

Because of escalating mistreatment and threats of transfer to other prisons that would significantly hinder their legal processes, Damián Gallardo Martínez and fellow detainees filed a writ of protection (*recurso de amparo*) on December 10, 2015 against the newly-appointed Director of the CEFERESO prison. On the same date, the Fifth District Court of Amparo and Criminal Matters of Jalisco, the court in Zapopan granted a preliminary decision ordering the prison authorities to cease the abuses. In retaliation, Damián Gallardo Martínez was sent to solitary confinement on February 4, for 15 days.

We believe that Damián Gallardo Martínez is being detained as a result of his legitimate and peaceful work in the defense of human rights. In view of this information, we **strongly urge** that you

- immediately and unconditionally release and drop all charges against Damián Gallardo Martínez
- carry out an immediate, thorough and impartial investigation into the torture and ill treatment of Damián Gallardo Martínez, publish the results and bringing those responsible to justice;
- guarantee in all circumstances that all human rights defenders are able to carry out their legitimate human rights activities without fear of reprisals and free of all restrictions.

Sincerely,


Brian J. Stefan Szittai and
Co-Coordiñators


Christine Stonebraker-Martinez

copies: Mexican Commission for Defense and Promotion of Human Rights ~ via email
Dr. Miguel Basáñez Ebergényi, Mexican Ambassador to the US ~ via fax: 202 833 4320
William H. Duncan, Acting US Ambassador to Mexico ~ via fax: 011-52-55-5080-2834
Vaida Vidugiris, Mexico Desk, US State Dept ~ via email
James Cavallaro, Inter-American Commission on Human Rights, Rapporteur for Mexico and for the Rights of Persons Deprived of Liberty ~ via fax: (202)458-3992
Francisco José Eguiguren Praeli, Inter-American Commission on Human Rights, Rapporteur for the Rights of Indigenous Peoples ~ via email
US Senators Brown & Portman and US Representatives Fudge, Gibbs, Johnson, Jordan, Joyce, Kaptur, Latta, Renacci, Ryan ~ via email

Frontline Defenders 2/10/16_Mexico

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