

via fax: 011 52 55 53 46 09 08 Lic. Eduardo Medina-Mora Icaza Attorney General of the Republic of Mexico	via fax: 011 52 747 472 2328 Lic. Eduardo Murueta Urrutia Attorney General of the State of Guerrero, Mexico
via fax: 011 52 747 471 9956 Lic. Zeferino Torreblanca Galindo Governor of the State of Guerrero, Mexico	via fax: 011 52 747 471 21 90 Lic. Juan Alarcon Hernandez President of Human Rights Commission of Guerrero

December 2, 2008

Dear Sirs:

We are extremely concerned that five members of Me' phaa Indigenous People's Organization (OPIM) have unjustly remained in prison since April 17. They were detained and falsely charged with the January 1 murder of Alejandro Feliciano Garcia in the village of El Camalote, Guerrero State. On October 20, a federal review judge ruled that the evidence presented did not implicate four of the men: **Manuel Cruz, Orlando Manzanarez, Natalio Ortega and Romualdo Santiago** and ordered their release. However, the four innocent men remain in prison because the Federal Attorney General's Office (PGR) has filed an appeal against the ruling – even though they have no apparent role in the case and have not provided further evidence against the men.

The fifth member, **Raul Hernandez**, was denied an injunction by the federal judge on the grounds that two alleged witnesses had testified to his presence when the victim was shot. However, eyewitness testimonies that Raul Hernandez was not present at the time of the murder have not been taken into consideration

Accusations against these five men seem to stem from their alleged participation in an OPIM meeting that took place the day after the murder of Alejandro Feliciano Garcia. We are concerned that the authorities simply detained the first five OPIM members they could locate because arrest warrants for another ten OPIM members have also been issued in connection with the murder, but have not been acted on.

OPIM, founded in 2002, defends and promotes the rights of the Me' phaa (Tlapanecas) Indigenous People in Mexico. They have been subjected to a concerted pattern of harassment and intimidation. On September 1, 2007, we wrote to you about the attacks and threats suffered by OPIM members Ines Fernandez and Fortunato Prisciliano.

We remind you that the UN Declaration on the Rights and Responsibilities of Individuals, Groups and Institutions to Promote and Protect Universally Recognized Human Rights and Fundamental Liberties recognizes the legitimacy of the activities of human rights defenders and their right to carry out their activities without any restrictions or fear of reprisals.

Therefore, we **strongly urge that you**

- immediately and unconditionally release the five members of the OPIM named above;
- cancel the outstanding arrest warrants for ten other members of the OPIM accused of the same crime;
- carry out a full and impartial investigation into the murder of Alejandro Feliciano Garcia so that those responsible for his death can be brought to justice.

Sincerely,

Brian J. Stefan Szittai
Coordinator

cc: Centro de Derechos Humanos de la Montana "Tlachinollan" AC via US mail
Ambassador Arturo Sarukhan Casamitjana ~ via fax: 202 728 1698
Ambassador Antonio O. Garza, Jr ~ via fax: 011-52-55-5207-0091
Mary Stickles, 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
US Senators Brown & Voinovich ~ via email and US Reps. Kaptur, Kucinich, LaTourette, Regula, Ryan, Sutton,~ via email

UA314/08 Mexico

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