

ENTREVISTAS PBI MÉXICO

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Threats and harassment against Juan Manuel Martínez Moreno and his family

“I have switched a small jail for a bigger jail. I still haven't been given my freedom.”

After being held in prison for 16 months, accused of the murder of Indymedia cameraman Bradley Roland Will, Juan Manuel Martínez Moreno was released on 18 February 2010. Although he has been freed, Mr Martínez Moreno and his family continue to suffer threats and harassment. They have been granted precautionary measures by the Mexican National Human Rights Commission, and have requested precautionary measures from the Inter-American Commission on Human Rights.



Juan Manuel Martínez Moreno (centre), his wife, children and family, together with other relatives and friends. Photograph taken on 18 February, the day he was released from prison.

How is life for you outside of prison?

I am happy to be with my family, to be able to enjoy being close to my children and my wife.

But even though I am free, the repression continues against us – harassment, persecution. We are

learning to live with this unfair situation. We don't accept it because you can't accept injustice; we continue to demand justice.

Which mechanisms do you believe helped bring about your liberation?

There were a lot; from my lawyer, international support, support from the Section 22 (the Oaxacan branch of the Mexican teachers' union), to the support of the people, and from Catholic priests. They knew I was innocent, my innocence was shown from the moment I was accused. The support of all these people, and the support at the international level – the declarations made by Amnesty International and many other international organisations – gave me my freedom. The Mexican government didn't free me to do justice, but rather out of shame, because they saw the evidence and knew they had nothing against me.

Are you going to ask for compensation for the damages caused?

Yes, we will ask for compensation for damages, but our main concern is to demand justice. The authorities violated the constitution; I was scapegoated, accused of murder. Murder is a serious accusation in this state, and they have not apologised or asked for pardon. The case was a public one and the apology should also be public.

What does your case represent in Oaxaca?

My case demonstrated the situation that Oaxacans face in the administration of justice. In Oaxaca, justice is bought. My case shows the reason we went out [to protest]: because there is no justice.

And what does it represent internationally?

At the international level, my case showed how Mexico, which beats its chest claiming it defends human rights, is one of the countries which most seriously violates them. It showed that Mexicans' cries for justice are valid.

I also have a message for the family of Brad Will. We continue to insist that justice be done for his death, that the real criminals pay. Until now, [the government] has been mocking justice, because the power is in its hands. I want to tell Brad Will's family that they should stay strong, that justice is sometimes slow in coming but sooner or later it will be done.

Have you been harassed since your release?

When I spoke at the rally that was held in the town square on 18 February, one of the people who shot Brad Will made an appearance. He sat down in front of me and started to laugh. They started to keep my house under surveillance, taking photos of who went in and out. We went to Tlacolula, a community outside of the city of Oaxaca, to take a break; they located us immediately and did the same things again. We moved to where we are now, and it's still just the same.

They've started to harass us, there's surveillance at [my children's] schools. Whenever they enter or leave the school, there's someone watching. My wife receives phone calls, they threaten her and tell her to shut her mouth. They've told her, "bitch, damn woman, damn bitch, shut it already, we're going to fucking give it to you". One time, a dark-coloured jeep stopped next to her and they yelled, "stop fucking with us, damned bitch, I'm going to fuck your shit up!".

We cannot move freely because we fear for our lives. I fear for the lives of my children and my wife. I have switched a small jail for a bigger jail. Because freedom itself still hasn't been given to me; they continue to harass me.

How have you responded to the harassment?

We have requested precautionary measures from the Inter-American Commission on Human Rights, reporting all the [rights] violations we have been subject to.

What support are you receiving at the moment?

I'm afraid they'll arrest me again, but we have support from the neighbourhood we live in, from our neighbours, from people who will drop by with a small bag of beans, from our Catholic community and our priests. We have political support from the Section 22, the teachers' union. We have the support of our lawyers, Alba Cruz of the *Comité de Liberación 25 de Noviembre*, and also of many organisations associated with the APPO. We don't feel alone because we have the support of the Oaxacan people, and of many other people abroad who will spread the word about risky situations or other arrests.

On 18 February 2010, the Oaxaca Collegiate Tribunal on Penal Matters (Tribunal Colegiado en Materia Penal de Oaxaca) granted the appeal in favour of Juan Manuel Martínez Moreno, declaring the incarceration order illegal and establishing the lack of evidence against him. He was accused of the murder of the American Indymedia cameraman Bradley Roland Will, who was shot in October 2006 during a mobilisation organised by the Popular Assembly of the Peoples of Oaxaca (Asamblea Popular de los Pueblos de Oaxaca, APPO). His defence lawyer, Alba Cruz Ramos, of the Comité de Liberación 25 de Noviembre, stated “there is not a single direct imputation in the accusation made by the Federal Attorney General’s Office (...) however there are political interests behind this accusation, as well as the State’s obvious willingness to hold Juan Manuel hostage.” Amnesty International, Physicians for Human Rights, and the Mexican National Human Rights Commission, all considered the evidence against him to be without foundation.

For more information on Juan Manuel Martínez Moreno and the work of the Comité de Liberación 25 de Noviembre (an organisation accompanied by PBI Mexico):

The Comité de Liberación 25 de Noviembre's campaign, *Libertad para Juan Manuel Martínez* [*Freedom for Juan Manuel Martínez*], available here in Spanish: <http://comite25denoviembre.org/category/campanas/juan-manuel/>

Amnesty International urgent action for Juan Manuel Martínez Moreno and his lawyer Alba Cruz Ramos: www.amnesty.org/en/library/info/AMR41/018/2010/en

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