

via fax: 011 52 95 1501 8100, ext. 40068

Lic. Gabino Cué Monteagudo
Governor of Oaxaca State, Mexico

via fax: 011 52 55 5093 3414

Miguel Ángel Osorio Chong
Minister of the Interior, Mexico

February 12, 2013

Dear Sirs:

We are very concerned for the safety of **Mariano López Gomez, Lucila Bettina Cruz Velázquez** and other members of the communities Álvaro Obregón and San Dionisio del Mar in Oaxaca State. Members of these indigenous communities oppose construction of a wind farm because of its impact on their agriculture and land. There has not been an adequate consultation process to obtain their free, prior and informed consent in line with the UN Declaration on the Rights of Indigenous Peoples.

On February 2 police attempted to break up a protest camp maintained by members of the Álvaro Obregón community, which is blocking access to the strip of land where a private company is seeking to build 132 wind turbines. The police carried out the operation without a judicial order and in contravention of a legal decision (*amparo de suspensión*) on December 4, which suspended the construction work and access of the company to the site pending the resolution of a legal challenge. Community members and police reported minor injuries as a result of the confrontation. The police have remained in the area. Community members believe they may again attempt to use excessive force to remove the protestors.

On February 3, Mariano López Gomez, a community activist opposing the construction of the wind farm turbines, received a threatening telephone call from someone believed to be a local "gunman" who told her to stop going to Álvaro Obregón.

Amnesty International reports further threats against Lucila Bettina Cruz Velázquez, a member of the People's Assembly of the Isthmus in Defense of Land and Territory. In November 2011, the Ombudsman for Human Rights of Oaxaca State issued precautionary measures to protect her because of threats and attacks that she suffered for her human rights work related to the construction of the wind turbines (cf our letter of November 1, 2011).

Because of the continued intimidation described above, we **strongly urge** you to:

- guarantee the safety of Mariano López Gomez, Lucila Bettina Cruz Velázquez, members of Álvaro Obregón and San Dionisio del Mar, and human rights defenders protesting the construction of wind farms;
- carry out a full, prompt and impartial investigation into the attacks and intimidation, and bring those responsible to justice;
- ensure that consent of indigenous communities affected by the wind farm is obtained, that the existing legal order suspending construction is upheld, and that police respect the rights of the communities to protest peacefully.

Sincerely,

Brian J. Stefan Szittai
Coordinator

cc: Comité de Defensa Integral de Derechos Humanos Gobixha ~ via email
Arturo Sarukhan Casamitjana, Mexican Ambassador to the US ~ via fax: 202 728 1698
Earl Anthony Wayne, US Ambassador to Mexico ~ via fax: 011-52-55-5080-2834
Greg Sprow, Mexico Desk, US State Dept ~ via fax: 202.647.5752
Rodrigo Escobar Gil, Rapporteur for Mexico, Inter-American Commission on Human Rights ~ via fax: (202)458-3992
US Senators Brown & Portman and US Representatives Fudge, Gibbs, Johnson, Joyce, Kaptur, Latta, Renacci, Ryan ~ via email

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