

Via fax 011 52 55 5277 2376
S.E. Presidente Enrique Peña Nieto
 President of the Republic of Mexico

via fax 011 52 95 1501 8100, ext. 40068
Sr. Gobernador Lic. Gabino Cué Monteagudo
 Governor of Oaxaca State, Mexico

September 26, 2014

Dear Sirs:

We are writing to express our deep concern for the freedom and civil rights of environmental and indigenous rights defender **Lucila Bettina Cruz Velázquez** in Oaxaca. As a member of the Assembly of the Isthmus of Tehuantepec Indigenous Peoples in Defense of Land and Territory (APIITDIT), she has been active since 2007 in the movement to respect the land rights of the *Ikjoot* and *Binnizá* peoples and their decision not to accept the establishment, development and operation of wind farms on the Isthmus of Tehuantepec.

Lucila Bettina Cruz Velázquez is facing criminal charges for her legitimate work defending human rights. She was charged with acts or omissions gravely affecting the "national consumption and national wealth" and with illegally detaining individuals. The charges were brought in February 2012 but referred to events allegedly occurred during a peaceful protest at the Federal Electricity Commission (CFE) in April 2011. The Sixth Judge of the District Court in the State of Oaxaca is expected to hand down a verdict in the upcoming days.

The security risks faced by Lucila Bettina Cruz Velázquez have been widely recognized. Since she was released from detention on bail in February 2012, she has been granted protection measures by the Public Defender of Human Rights for the People of Oaxaca and, in November 2012, by the Federal Government's Protection Mechanism for Defenders and Journalists. Moreover, the Human Rights Ombudsman of the State of Oaxaca had previously granted protection measures in her favor in November 2011.

We have previously written on behalf of other members of APIITDIT and the Popular Assembly of Juchitán (APPJ) who have suffered threats, harassment and intimidation because of their opposition to wind farms on communal lands in Tehuantepec. Fourteen wind farms already exist. Gas Natural Fenosa (GNF) of Spain is now planning to construct the first aquatic wind farm, off the coast of San Dioniso de Mar, which would threaten the environment and the livelihood of the indigenous *Ikoot* people who have lived there for more than 3,000 years. The indigenous residents did not give free, prior and informed consent to the project, which is required by international law.

We **strongly urge** authorities in Mexico to:

- acquit Lucila Bettina Cruz Velázquez, as it is believed that the charges against her are solely motivated by her peaceful and legitimate work promoting and protecting human rights;
- guarantee in all circumstances that all human rights defenders in Mexico are able to carry out their legitimate human rights activities without fear of reprisals and free of all restrictions;
- ensure that the free, prior and informed consent of indigenous communities affected by the wind farms is obtained on the basis of reliable and accurate information on the impacts of the projects.

Sincerely,

Brian J. Stefan Szittai
 Co-Coordinator

copies: Miguel Ángel Osorio Chong, Minister of the Interior, Mexico, via fax ~ 011 52 55 5093 3414
 APIITDIT: Asamblea de Pueblos Indígenas del Istmo en Defensa de la Tierra y el Territorio, ~ via email
 Eduardo Medina-Mora Icaza, Mexican Ambassador to the US ~ via fax: 202 728 1698
 Earl Anthony Wayne, US Ambassador to Mexico ~ via fax: 011-52-55-5080-2834
 Chris Andino, Mexico Desk, US State Dept ~ via email: andinocl@state.gov
 James Cavallaro, Rapporteur for Mexico, Inter-American Commission on Human Rights ~ via fax: (202)458-3992
 Rose-Marie Belle Antoine, Rapporteur on the Rights of Indigenous Peoples, Inter-American Commission on Human Rights ~ via fax: (202)458-3650
 US Senators Brown & Portman and US Representatives Fudge, Gibbs, Johnson, Jordan, 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: