

PUBLIC

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UA 129/08 Fear for safety

MEXICO **Inhabitants of Santo Domingo Ixcatlán opposing the sale of communal lands
Workers for human rights organisation CEDHAPI**

The municipal authorities of the mainly indigenous Mixteca municipality of Santo Domingo Ixcatlán, in Oaxaca state, are preparing to sell off an area of communal land. Local people opposed to the sale have been attacked by armed men working for a local political boss (*cacique*) closely connected to the municipal authorities: three of them were killed on 30 April; their families are taking advice from a local human rights organisation, whose staff are also in grave danger.

On the evening of 30 April, a group of 40 armed men led by a local *cacique* stopped a local man opposed to the sale of the communal land, Gustavo Castañeda Hernández, as he drove through the centre of Santo Domingo Ixcatlán. They beat him, forced him back into his car and set fire to it. Two other men opposed to the sale, Melesio Martínez Robles and Inocencio Medina Bernabé, came to try to help, and were shot dead. The gunmen mutilated their bodies and dragged them through the streets, and remained at the scene of the crime celebrating for several hours. According to eyewitnesses, when state preventive police officers arrived, after six hours, they allowed the gunmen to drive away unmolested. During the attack, the *cacique* had shouted that he was "untouchable."

The *cacique*, who is a former municipal president and brother of the current municipal president, has supported the sale of the land, from which he seeks to profit. According local inhabitants, he had openly organized the group of armed men to intimidate the community and impose his control.

The organisation advising the families of the three dead men is the Centre for Human Rights and Advice for Indigenous People (*Centro de Derechos Humanos y Asesoría a Pueblos Indígenas*, CEDHAPI). They have been threatened since they took up the case: on the night of 2 May, gunmen repeatedly fired in the air outside the CEDHAPI offices.

The local political chief was arrested by investigative police officers (*Policía Ministerial*) on 8 May. According to a local human rights organisation, he was with a group of state preventive police at the time. However, the investigative police have since failed to serve outstanding warrants for the arrest of at least a dozen other people, including municipal officials. They are not known to have begun any investigation into links between the group of armed men and the state preventive police. As a result, the inhabitants of Santo Domingo Ixcatlán are living in fear of further attacks in retaliation for their opposition to the sale of communal lands.

BACKGROUND INFORMATION

Community leaders who try to strengthen local indigenous rights have frequently been threatened and harassed, particularly by state and municipal authorities. Those responsible are rarely identified or brought to justice. The authorities in states with sizeable indigenous populations, especially southern states such as Oaxaca, frequently fail to provide essential services to these communities, and allow *caciques* to maintain control over communities and commit crimes including murder with impunity.

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in Spanish or your own language:

- expressing concern for the safety of members of the community of Santo Domingo Ixcatlán, Oaxaca state, opposing the sale of communal lands, and staff of the human rights organization CEDHAPI, and calling on the authorities to protect them in accordance with their wishes;
- urging the authorities to carry out a prompt, independent and impartial investigation into the 30 April killing of Gustavo Castañeda Hernández, Melesio Martínez Robles and Inocencio Medina Bernabé;
- calling the authorities to arrest all those implicated in the killings and conduct a full and impartial enquiry into allegations of collusion between those responsible and the state preventive police;
- reminding the authorities that human rights defenders have a right to carry out their activities without any restrictions or fear of reprisals, as set out in the UN Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognised Human Rights and Fundamental Freedoms.

APPEALS TO:

Minister of Interior

Lic. Juan Camilo Mouriño Terrazo

Secretaría de Gobernación

Bucareli 99, 1er. piso, Col. Juárez, Del. Cuauhtémoc, México D.F., C.P.06600, MEXICO

Fax: +52 55 5093 3414

E-mail: secretario@segob.gob.mx

Salutation: Señor Secretario/Dear Minister

Attorney General of the Republic

Lic. Eduardo Medina-Mora Icaza

Procurador General de la República

Procuraduría General de la República, Av. Paseo de la Reforma n° 211-213, Piso 16

Col. Cuauhtémoc, Delegación Cuauhtémoc, México D.F., C.P. 06500, MEXICO

Fax: +52 55 5346 0908 (if someone answers please say "me da tono de fax, por favor")

Salutation: Señor Procurador General/Dear Attorney General

Governor of Oaxaca

Lic. Ulises Ruiz Ortiz

Gobernador del Estado de Oaxaca

Carretera Oaxaca-Puerto Ángel, Km. 9.5, Santa María Coyotepec, Oaxaca C.P. 71254, Oaxaca, MEXICO

Fax: +52 951 502 0530 (if a voice answers, ask "me da tono de fax, por favor")

E-mail: gobernador@oaxaca.gob.mx

Salutation: Señor Gobernador/Dear Governor

Oaxaca State Human Rights Commission

Lic. Jaime Mario Pérez Jiménez

Presidente de la Comisión para la Defensa de los Derechos Humanos en Oaxaca (CDDHO)

Calle de los Derechos Humanos no. 210, Col. América, C.P. 68050, Oaxaca, MEXICO

E-mail: correo@cedhoax.org

Fax: +52 951 503 0220 (if a voice answers, ask "me da tono de fax, por favor")

Salutation: Dear President/Estimado Presidente

COPIES TO:

Local Human Rights Organisation

Centro de Derechos Humanos y Asesoría a Pueblos Indígenas, Calle León, no. 15 Barrio San Diego, Tlaxiaco, Oaxaca, México, **Email:** cedhapi@yahoo.com.mx

and to diplomatic representatives of Mexico accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 27 June 2008.