



Cairo-Mexico City-Delhi-Nairobi, 11 October 2005

Transmitted by e-mail

Vicente Fox Quesada
President of the Republic of Mexico
Mexico City D.F., Mexico

Dear Mr. President,

The Coordination Office of the Habitat International Coalition's Housing and Land Rights Network (HIC-HLRN) and the organizations working in the defense of economic, social and cultural rights united in *Espacio DESC* of Mexico would like to express their deep concern about the recent murder of Tomás Cruz Zamora, communal farmer from the town of Huamuchitos in the state of Guerrero and member of the Consejo de Ejidatarios y Comuneros Opositores a la Parota (CECOP), the organization of rural residents opposed to the construction of the Parota Dam.

The murder occurred after an Assembly in the community of Aguas Calientes, municipality of Acapulco, on 18 September, at which a dialogue had been scheduled with the Guerrero State Governor Zeferino Torreblanca, but who failed to arrive. As he was driving home from the assembly meeting, along with 30 other CECOP members, Cirilo Cruz Elacio, a resident of the same community and an outspoken supporter of the proposed dam project tried to intercept Zamora. After Zamora failed to stop, Mr. Cruz Elacio reportedly opened fire, killing Zamora with a shot to the head.

The Parota Hydrological Dam project has been both a violation to the local community's rights and a source of division among the inhabitants. Federal and State institutions have failed to provide timely, reliable and objective information to the area residents. Further, the community has not been adequately consulted about the proposed Parota Dam project. The Federal Commission of Electricity (CFE) is also responsible for fomenting these divisions within the local community by discriminately offering public works and services to those who support the dam, as well as offering money to those who vote in favor of the dam at the Assembly of Communal Farmers held on 23 August 2005, as well as previous Assemblies such as those held on 25 April 2004 and 14 August 2005. Responsibility is also shared by the Agrarian Procurator's office and the Ministry of Agrarian Reform, for failing to protect the agrarian rights of the communal farmers, as required by Agrarian Law (Ley Agraria), 23 February 1992 (D.O.F., 26-II-1992) The state government is equally responsible, for failing to address the legitimate demands of the communal farmers and promote investment in the state of Guerrero, and for using the police force to threaten and intimidate those opposed to the dam. These institutions have instigated an atmosphere of rapidly growing tension that has overcome the community, rent the social fabric and provoked violent acts ranging from verbal confrontations

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to the murder of Tomás Cruz.

This pattern amounts to a clear violation of Mexico's obligations under numerous international human rights instruments that Mexico has freely ratified, whereby your government bears the duty to respect, protect and fulfill all of the right contained therein. These include the International Covenant on Economic, Social and Cultural Rights; the International Covenant on Civil and Political Rights International; the Convention on the Elimination of All Forms of Discrimination against Women; the Convention on the Rights of the Child; and the Convention on the Elimination of All Forms of Racial Discrimination.

For the reasons noted above, HIC-HLRN and the organizations of *Espacio DESC* call on the federal and state authorities immediately to respond in accordance with their respective responsibilities, urging that:

1. The Mexican Government comply with its obligations to perform so as to avoid and to safeguard against any violation of the human rights to life; personal safety and integrity; legal protection, including remedy for victims; timely and reliable information, and adequate consultation and participation in public policies that directly or indirectly affect the communal farmers and other rural residents, in relation to the construction of the La Parota Dam.
2. Local and federal authorities diligently investigate and prosecute the murder of Tomás Cruz Zamora in strict compliance with the law, establishing and enforcing penal responsibilities to all intellectual and material authors of the crime.
3. Your government demonstrate that all necessary, adequate and sufficient measures be taken to assure that similar violence not be repeated. Such measures include that the Agrarian Court (*Tribunal Unitario Agrario*) address the demands to nullify votes taken in official assemblies in relation to the dam project in which opponents were illegally prohibited from submitting their votes (e.g., General Assemblies of 25 April 2004 and 23 August 2005).
4. Federal Commission of Electricity (CFE) personnel immediately withdraw from the community of Bienes Comunales de Cacahuatpec.
5. Law-enforcement and other public officials enforce a call for an immediate end to threats and intimidation between parties in opposition over the dam construction, and to all actions that may provoke further unrest in the community.

We thank you in advance for your careful consideration of this serious matter. We also look forward to receiving information confirming the measures taken by your government to address this situation in accordance with international human rights law.

Please be assured of our highest consideration,

Joseph Schechla
Coordinator
Habitat International Coalition – Housing and Land Rights Network

Signed in cooperation with the members of Espacio DESC:

1. CASA y CIUDAD of HABITAT MEXICO COALITION
2. CATEDRA UNESCO DE DERECHOS HUMANOS DE LA UNIVERSIDAD NACIONAL AUTONOMA DE MEXICO (UNAM)

3. CENTRO DE ESTUDIOS SOCIALES Y CULTURALES ANTONIO DE MONTESINOS (CAM)
4. CENTRO DE DERECHOS HUMANOS MIGUEL AGUSTÍN PRO JUÉREZ, A.C. (PRODH)
5. CENTRO DE REFLEXIÓN Y ACCIÓN LABORAL DE FOMENTO CULTURAL Y EDUCATIVO, A.C. (CEREAL)
6. COMISION MEXICANA DE DEFENSA Y PROMOCIÓN DE LOS DERECHOS HUMANOS, A.C. (C.M.D.P.D.H.)
7. DECA EQUIPO PUEBLO, A.C.
8. DEFENSORIA DEL DERECHO A LA SALUD
9. FIAN - SECCIÓN MÉXICO
10. LIGA MEXICANA DE DEFENSA DE LOS DERECHOS HUMANOS (LIMEDDH)
11. OFICINA REGIONAL PARA AMÉRICA LATINA DE LA COALICION INTERNACIONAL PARA EL HÉBITAL (HIC-AL)

Other signatory organizations:

National organizations

12. MOVIMIENTO AGRARIO INDÍGENA ZAPATISTA (MAIZ)
13. ALIANZA MEXICANA POR LA AUTODETERMINACIÓN DE LOS PUEBLOS (AMAP)
14. ASOCIACIÓN NACIONAL DE ABOGADOS DEMOCRÁTICOS (ANAD)
15. UNIÓN CAMPESINA EMILIANO ZAPATA VIVE (UCEZ VIVE)
16. UNIÓN DE COLONOS POPULARES DEL DF (UCP DF)
17. CENTRO MEXICANO DE DERECHO AMBIENTAL (CEMDA)
18. MOVIMIENTO DE AFECTADOS POR CONSTRUCCIÓN DE PRESAS Y EN 19. DEFENSA DE LOS RIOS DE JALISCO. (MAPDER-JALISCO)
20. INSTITUTO MEXICANO PARA EL DESARROLLO COMUNITARIO, A.C.
21. INSTITUTO DE DERECHO AMBIENTAL, A.C.
22. CIUDADANOS POR EL MEDIO AMBIENTE, A.C.
23. AMIGOS DE LA BARRANCA, A.C.
24. FUNDACIÓN CUENCA-LERMA-LAGO DE CHAPALA-SANTIAGO, A.C.
25. DEMOCRACIA INDEPENDIENTE POR UNA LIBERACIÓN ORGANIZADA, A.C
26. FEDERACION ESTATAL AGRONOMICA.
27. COMITÉ PRO-DEFENSA DE LA PRESA DE ARCEDIANO.
28. COMITÉ PRO-DEFENSA DE LA PRESA DE SAN NICOLAS.
29. COMITÉ PRO-DEFENSA DE LA PRESA EL ZAPOTILLO.
30. CONSEJO INDÍGENA CAMPESINO.
31. CONSEJO CIUDADANO DEL AGUA, A.C.
32. GRUPO VIDA, A.C.
33. TIANGUIS CULTURAL.
34. PASTORAL SOCIAL DE GUADALAJARA.
35. RED CIUDADANA.
36. FUNDACIÓN FIND, A.C .

37. EL BARZON REGIONAL, A.C.
38. FRENTE ESTATAL DE LUCHA URBANA Y SOCIAL, A.C.
39. EL BARZON REGIONAL, A.C
40. OMEPEKTLI. A.C.
41. COMITÉS DE PODER CIUDADANO DE TUXPAN, JALISCO.
42. COMITÉS DE PODER CIUDADANO DE MAZAMITLA, JALISCO.
43. COMITÉS DE PODER CIUDADANO DE SANTA MARÍA DEL ORO, JALISCO.
44. COMITÉS DE PODER CIUDADANO DE QUITUPAN, JALISCO.
45. COMITÉS PODER CIUDADANO DE VALLE DE JUÉREZ, JALISCO.
46. CENTRO REGIONAL DE DERECHOS HUMANOS DE VALLE DE JUÉREZ, JALISCO.
47. COOPERATIVA DE ARTESANOS UNIDOS DE JALISCO PARA EL MUNDO. SOLCAI, A.C.
48. VALLE DE LA DEMOCRACIA, A.C.
49. RED DE ALTERNATIVAS SUSTENTABLES AGROPECUARIAS DE JALISCO.
50. GRUPO CAMPESINO SAN ISIDRO DE JUANACATLÁN, JALISCO.
51. SEMBRADORES DE VIDA, DE CIUDAD GUZMÁN, JALISCO.
52. GRUPO RANCHOS MILAGROSOS, DE SAN ISIDRO, JALISCO.
53. COOPERATIVA LA ESPERANZA DE SAN ISIDRO, JALISCO.
54. GRUPO CAMPESINO DE LA EX HACIENDA DE ZAPOTLANEJO, JALISCO.
55. GRUPO CAMPESINO LA CIÉNEGA, JALISCO.
56. CENTRO DE INVESTIGACIÓN Y FORMACIÓN SOCIAL DEL ITESO.
57. FAMILIAS CAMPESINAS DE ZAPOTITLÁN DE VADILLO, JALISCO.
58. COOPERATIVA ECOVIDA.
59. COPERATIVA ECOCUEXCO
60. GRUPO CAMPESINO DE TLAJOMULCO DE ZARAGOZA, JALISCO.
61. GRUPO CAMPESINO DE IXTLAHUACAN DE LOS MEMBRILLOS, JALISCO.
62. TIENDA DE PRODUCTOS ORGÁNICOS ESCARDA.
63. DESARROLLO SUSTENTABLE Y SERVICIOS, S.C.
64. ALIANZA RESPLANDOR AZTECA
65. FRENTE METROPOLITANO DE ORGANIZACIONES SOCIALES
66. FRENTE DE MUJERES INDÍGENAS
67. MUJERES INDÍGENAS POR UNA VIDA DIGNA
68. FRENTE ÉTNICO DE LUCHA POR UNA VIVIENDA DIGNA

International organizations:

64. COHRE AMERICAS
65. SOCIAL WATCH
66. FORO DE MUJERES DEL MERCOSUR
67. ENVIRONMENTAL DEFENDER LAW CENTER
68. HIC-HLRN

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