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“There remains a lot of ground left for us to cover” Three years of impunity in Santo Domingo Ixcatlán

On the 30th of April, 2008, the small community of Santo Domingo Ixcatlán, located in the Mixteca region of the State of Oaxaca, southern Mexico, was shaken by the news of a triple homicide. Amnesty International reported that dozens of armed men headed by the former Mayor of Ixcatlán, Freddy Eucario Morales Arias, brutally murdered three members of the community: Gustavo Castañeda Hernández, Melesio Martínez Robles and Inocencio Medina Bernabé¹.

Maurilio Santiago Reyes, President of the Centre for Human Rights and Legal Aid to Indigenous Peoples (Cedhapi), visited Santo Domingo Ixcatlán as soon as he heard about what happened. In this particular Mixteca community, “we came across a situation of impunity. For the victims of this act of repression, there were only two options; leave town to save their lives or stand strong with the knowledge that their lives would be at risk”. Cedhapi decided to provide legal assistance to the families of the three people killed.

María de la Luz Martínez García lost two people close to her on that fateful day; her father, Melesio Martínez, and her partner, Gustavo Castañeda, whom she intended to marry. Since then, she has found the courage day-to-day to fight for justice and the end of impunity. “At 7 o’clock in the evening, they closed any access to the centre of town, and then detained and tortured Gustavo Castañeda. I wanted to help him, but I couldn’t. So, my Father intervened, but when they recognised him as one of the adversaries to Freddy Morales, they took the opportunity to torture, kill and butcher him. After that, Inocencio Medina also went out to save him but ended up with a bullet in his head”.

Following the homicide, an arrest warrant was issued for the 16 men presumably responsible for these crimes. To this day only 4 people, including Freddy Eucario Morales, have been detained and no one has been sentenced. María de la Luz Martínez states that “we’ve been fighting so that the (other) 12 arrest warrants are carried out, but no one else has been detained yet. There haven’t been enough advancements to acquire justice”.



María de la Luz Martínez, human rights defender accompanied by PBI and relative of the victims of the Santo Domingo Ixcatlán triple homicide. © PBI - México

Three years have passed since the tragic events occurred and the families of the victims continue demanding justice and protection from the authorities, and that those responsible be sentenced for the crimes they committed and no longer continue to live with impunity.

María de la Luz Martínez affirms that, “there remains a lot of ground left for us to cover. There’s no way in which to recover from the loss of our loved ones, but we are going to get respect for indigenous peoples and make it difficult for anyone to kill a man, a fellow human being. Sometimes justice is attained”.

At risk for claiming justice

Since the 30th of Abril, 2008, María de la Luz Martínez and Cedhapi have had one goal in common; that the 2008 triple homicide does not remain unpunished. However, their path has been plagued by obstacles. Maurilio confides to PBI that “since the first minute of taking on the case, they were opening fire on the office”.

¹ Amnesty International: AU 129/08, *Fear for security*, 16th of May, 2008.



(Comuneros): Santo Domingo Ixcatlán inhabitants, beneficiaries of precautionary measures from the IACHR.
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The night of the 2nd of May, 2008, several men repeatedly shot into the air in front of the Cedhapi office. On the 16th of October of the same year, María de la Luz Martínez received a death threat from family members of Freddy Eucario Morales. Three armed men managed to enter the Cedhapi office when María de la Luz was alone there and told her that they were coming for her head for the Santo Domingo Ixcatlán case².

María de la Luz and Maurilio are two of the many human rights defenders threatened for their work in human rights and social justice. PBI has been providing international accompaniment to the members of Cedhapi since 2009 due to the high risk situation in which they work. Maurilio points out that *“international allies are important. A simple communiqué gives protection. In particular, PBI’s work is more direct because they are located in the area where this type of events occur, (so that) they have closer monitoring capabilities”*. María de la Luz also deems that when, *“PBI accompanied us to Santo Domingo Ixcatlán on the 11th of March, 2011, it was very important to the (precautionary measures) process that is currently still being carried out and because of the high-risk situation there”*.

Santo Domingo Ixcatlán, a community in danger

On the 18th of May, 2008, the Inter-American Commission for Human Rights (IACHR) ordered the Mexican authorities to adopt precautionary measures for 60 people, including María de la Luz, who were relatives and friends of the victims and witnesses of the murders. In August of the same year, the IACHR widened the precautionary measures to 177 people, making the Mexican State responsible for guaranteeing the protection of their lives and physical integrity³.

María de la Luz comments that *“thanks to the precautionary measures we can be and live again, as we have opened up*

² [En Ixcatlán, Oaxaca, amenazan a Luz Martínez, refugiada en OSC](#), Cimac, Noticias, 10th of October, 2008 (in Spanish).

a wide path to continue demanding justice”. Maurilio considers that *“for always having been overseen by the CIDH, the case has generated very positive results”*.

In spite of this, the attacks continue occurring to date against the beneficiaries of the precautionary measures. Men with high-calibre weapons come and go freely from Santo Domingo Ixcatlán, terrorising the population³. The community currently maintains a long-standing conflict with the neighbouring population of Chalcatongo de Hidalgo concerning the limits of their communal lands. In 1998, the Agricultural Land Tribunal emitted a resolution in favour of Santo Domingo Ixcatlán. However, the situation continued intensifying over the years.

According to Cedhapi, *“when Freddy Eucario Morales Arias arrived as Mayor of Santo Domingo Ixcatlán in 2005, an agreement was created with the then Governor of Oaxaca, Ulises Ruiz Ortiz, originally from Chalcatongo, for the buying and selling of the land in conflict between the two communities”*.

“In order to carry out this plan, Freddy Morales formed a group of armed men with the aim of getting rid of the people from Chalcatongo. This created a lot of division within the community between those that supported Freddy and those that rejected the use of violence and the selling of the land”. Cedhapi has documented that Freddy Morales repeatedly attempted to attack the group that did not conform to his strategy. The 2008 triple homicide took place under these circumstances and inhabitants of the community have continued to suffer from subsequent attacks.

³ Amnesty International: [AU 129/08, Fear for security](#), 5th of December, 2008 and [AU 283/09, Mexico: Villagers Threatened](#), 16th of October 2009; [Paramilitary group sow fear in Santo Domingo Ixcatlán](#), Oaxaca Día a Día, 31st of August, 2010 (in Spanish), [Paramilitaries block access to Ixcatlán](#), Noticias, 25th of January, 2011 (in Spanish).

Created in 2001, the **Centre for Human Rights and Legal Aid to Indigenous Peoples (Cedhapi)** is a civil organisation dedicated to the defence of the human rights of indigenous peoples through legal defence and public denouncement.

Cedhapi is based in the city of Tlaxiaco, located in the Mixteca region in the north-west of Oaxaca. Besides representing the relatives of the three people killed in Santo Domingo Ixcatlán in April 2008, amongst other cases, it has been the petitionary organisation for precautionary measures from the IACHR for 177 people from Santo Domingo Ixcatlán and for the entire community of Zimatlán de Lázaro Cárdenas. In addition, Cedhapi has participated in several public hearings before the IACHR in 2005, 2006 and 2011 to inform this regional body about the situation of indigenous peoples in Mexico.