

Judith E. Somberg

Attorney at Law

48 Antrim Street
Cambridge, MA 02139 -1102

617-497-5364
Fax: 617-497-6775
judy_somberg@igc.org

December 18, 2011

Felipe Calderón Hinojosa
Presidente de la Republica
Palacio Nacional
Edificio 10, Planta Baja
Col. Centro, Deleg. Cuauhtemoc
C.P. 06067. México, Distrito Federal
Email: felipe.calderon@presidencia.gob.mx

Juan Sabines Guerrero
Gobernador Constitucional del Estado de Chiapas
Oficina del Gobernador
Palacio de Gobierno
1er. Piso, Centro
C.P. 29000, Tuxtla Gutiérrez, Chiapas
Email: semahn@chiapas.gob.mx

Diputada Ninfa Clara Salinas Sada
Presidenta de la Comisión del Medio Ambiente y Recursos Naturales
Email: ninfa.salinas@congreso.gob.mx

Dr. Hernando Guerrero Cazares
Procurador Federal de Protección al Ambiente
PROFEPA
Carretera Picacho-Ajusco 200
Col. Jardines en la Montaña
Del. Tlalpan
C.P. 14210, México, D.F.
Email: procurador@profepa.gob.mx

Re: Justice for the Violations of Human Rights and Environmental Rights in Ribera Cahuare, Municipality of Chiapa de Corzo; Colony Las Peras and the Rancheria Huitepec-Los Alcanfores, both located in the Municipality of San Cristóbal de Las Casas, Chiapas, Mexico.

Dear Sir or Madam:

I wish to bring to your attention three specific cases of violations of the rights of children, health, and the environment.

The first case is that of a limestone mine, located for more than 40 years in the town of Ribera Cahuare, Chiapa de Corzo, which has greatly affected the population in this municipality. Effects produced include the emission of lime dust; noxious fumes; deafening noise; and industrially induced earthquakes caused by the detonation of dynamite. As acknowledged by the Secretary of Health of the

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State Government of Chiapas, 46.2% of the people suffer from diseases of the respiratory tract due to exposure to the limestone mine. Life in Cahuare is dying – the vegetation, the River Grijalva, and the people themselves are covered in lime dust. Due to the use of dynamite during the process of limestone excavation, severe cracks have appeared in the houses of the townspeople. These detonations have gone so far as to produce cracks in the Sumidero Canyon, considered a Natural Wonder. Nonetheless, the Mexican government refuses to enforce the laws that protect the people and the environment.

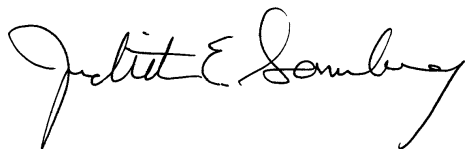
The second case centers on an asphalt plant, located alongside the Colony Las Peras in San Cristóbal de Las Casas, which produces highly cancerous fumes; fetid odors; and deafening noises. Due to these effects, the colony's population, especially the children, suffer from chronic coughing, migraines, irritation of the eyes, and pains in the chest, throat, and stomach. Despite the complaints presented by the people regarding these environmental and human rights violations, the Mexican government continues to favor the company and its business, rather than enforce the laws that protect the people and the environment.

The third case revolves around an act of ecocide at the beginning of this year in the Rural Agency Rancheria Huitepec-Los Alcanfores, located in San Cristobal de Las Casas. Viewed by real estate prospectors as a potential site of investment, these prospectors caused large-scale ecocide with the chopping down of hundreds of trees located within the Rancheria. These prospectors intended this act to be the first step in the construction of numerous residential condominiums within the Rancheria. To date, both those materially responsible and the intellectual authors of this act continue to enjoy impunity for their actions.

Due to the recent reform to the First Article of the Political Constitution of the United States of Mexico, this Article establishes that within Mexico, each person has the right to enjoy the human rights legally recognized both within the Mexican Constitution and within international treaties. The above-mentioned facts constitute transgressions of both national and international laws, including Articles 11, 12, and 13 of the International Covenant on Economic, Social, and Cultural Rights; Articles 3, 6, and 24 of the Convention on the Rights of the Child; and Articles 4 and 19 of the American Convention on Human Rights.

For all of the above, we recognize that you, as an authority of the Mexican government, have the obligation to guarantee both the environmental and human rights of the people of Ribera Cahuare, Colony Las Peras, and Rancheria Huitepec-Los Alcanfores. We trust that you will fulfill this obligation with the closure of the limestone mine and the asphalt plant, the achievement of justice for the ecocide perpetrated in Rancheria Huitepec-Los Alcanfores, and the recognition of the Uses and Customs of the Rancheria Huitepec-Los Alcanfores.

Sincerely,

A handwritten signature in black ink, reading "Judith E. Somberg". The signature is written in a cursive, flowing style with a long, sweeping underline.

Judith E. Somberg
Chair, Task Force on the Americas
National Lawyers Guild