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Indigenous rights and wind farms in the Tehuantepec Isthmus, Oaxaca

The Tehuantepec Isthmus in Oaxaca is one of the regions included in Plan Puebla Panama, also known as the Mesoamerican Integration and Development Project, a development plan designed to promote the development and economic integration of Mexico with Central America. The geographic characteristics of the region, as well as the wealth of natural resources and biodiversity have opened the region to various economic development projects (also known as mega-projects since they are part of a large-scale development plan) that are now underway in this region, including the construction of wind farms such as Venta II, IV and La Ventosa. The affected communities demand that their right to information and consultation be respected on these projects – projects that often make promises for development that are not always fulfilled, or that do not satisfy the expressed needs of the communities they intend to serve.

The case of San Mateo del Mar, a community affected by the construction of a wind farm, is a vivid example of the agrarian conflicts and demands for legal recognition of agrarian rights that continue to be problematic in many indigenous communities. PBI interviewed Javier Balderas, Director of the Tepeyac Human Rights Center, in February 2009 in Tehuantepec. Tepeyac accompanies representatives of the community authorities in San Mateo del Mar, and PBI also had the opportunity to meet with them.

What are the concerns regarding the construction of a wind farm in San Mateo del Mar?

San Mateo del Mar is part of a plan to construct a large wind power project, and the Spanish company PRENEAL wants to contract land from the community in order to install this wind farm to generate electrical energy. The general assembly of San Mateo del Mar decided that it would not allow the installation of a wind power plant on its land, a decision made after having provided information to the general assembly during approximately one year, during which the community discussed the wind power project, and what effects and benefits this project could have for the whole community... this was discussed in their own language; they speak ikoot [huave].

What are the agrarian problems that make it difficult to respect the decision of the San Mateo del Mar assembly?

In 1945 San Mateo del Mar benefited by a presidential resolution that recognized its communal land, including an area of 7,462 hectares, even though they claim rights to more than 11,000 hectares, established by the original land titles given to them by the Spanish Crown. When the resolution was reached, the agrarian authorities did not take a census of the community landowners, and as a result the resolution does not

include the names of any of the landowners - a serious mistake. Even though there did not appear to be any landowners, in 1993 the Department of Agrarian Reform simulated the surrender of land appointing community representatives in a process which was completely illegal. Therefore, from a legal standpoint, San Mateo does not have legal recognition of their land, and public officials have taken advantage of this situation to avoid recognizing the decisions of General Assembly.

The federal, state, and municipal governments together with foreign companies do not want to respect the community's decision against the wind power project, and instead they keep insisting on trying to sell the idea that the community will greatly benefit from this project. Despite the agreement reached in the community assembly, the officials in one way or another, are trying to undermine this agreement and are giving millions of pesos to promote the wind power project. When a town accepts a wind power project, they are given between 8 and 10 million pesos (600,000 and 750,000 USD), which is a lot of money for a highly marginalized village, that does not have paved streets, a drainage system, water pipes...



Javier Balderas and Claudia Vera with representatives of the community authorities from San Mateo del Mar and PBI. Photo: PBI

How would you describe the case of San Mateo del Mar in the context of the Isthmus region?

The problem facing San Mateo del Mar regarding the lack of recognition of its communal land is another example of agrarian politics and of the [lack of] respect for the rights of our native villages. Other communities have come to Tepeyac with similar problems - the government does not recognize the limits of their land, or has taken away their land through the program, Procede. When the community representatives are critical and question government projects, government authorities will not recognize them [as community authorities], and will do everything possible to dismiss them, and will not allow them legal recognition as representatives of the community.

Today in the Tehuantepec Isthmus, plans from fifty years ago are being implemented. One example is the first plan called Alfa – Omega, which was specifically contemplated as the dry

inter-oceanic canal, a roadway infrastructure project that places our region's natural resources into private hands. We believe that the battle, the war of the government and businesses, whether national or transnational, against our communities is a fight to acquire its natural resources, and this is one problem in San Mateo.

What does Tepeyac believe is necessary prevent and resolve these conflicts?

From the point of view of the Tepeyac Human Rights Center, which works within a legal framework, one step to resolving these problems is adequate rule of law. And one, that the villages be informed [of these projects]. Two, that the villages be consulted as to whether or not they want this type of project. Regarding the exploitation of resources, it is important that communities know that it is legally possible for them to participate in their own development projects.

The government and businesses say that these development projects will only work with foreign investment, and that they will contribute to the development of our communities, but we have already checked and denounced this lie. One example is the case of La Venta: the wind farm does not require very many personal to maintain the project - five people work there. What solution do these projects offer to the lack of employment?, we ask ourselves. Another important aspect that must be acknowledged is the lack of respect for their own neoliberal trade agreements. We say this given that they are mostly European companies, and there is a free trade agreement between Europe and [Mexico], yet neither side respects this free trade agreement, which establishes in its so-called democratic clause "that if any of the two sides violates human rights, this treaty is annulled" and in the mega transnational wind power project, every part has violated the human rights of our native people.

The **Tepeyac Human Rights Center** belongs to the Tehuantepec Diocese, and accompanies the communities and indigenous villages in defense of their rights and natural resources. This accompaniment is accomplished on three levels: providing legal council; providing information about the cases nationally and internationally; and offering support in organizing and defending indigenous villages' right to autonomy, the rights established by the United Nations, such as in the International Labour Organization's Convention 169 on indigenous people, and in the Inter-American Human Rights System.

For more information on the **Mesoamerica Project**, consult the [Department of Foreign Affairs](#) web page.

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