

Date: Friday, July 10, 2009  
Time: 9:00 a.m.  
Place: 25 Calle Poniente No. 1332, Colonia Layco, San Salvador

## PRESS RELEASE

The Coalition for Peace, Dignity and Social Justice; Workers' Commission on Human Rights and Historical Memory; the National Working Group against Mining in El Salvador (*La Mesa*); and the rest of the supporting social organizations of this present denunciation, before the Salvadoran society and the international community, express:

Our indignation and firm condemnation of the murder of our fellow activist Gustavo Marcelo Rivera, social activist and defender of human rights, whose body was found with evidence of violence eleven days after his disappearance, which occurred this past June 18, 2009, and whose effective identification was notified July 8 of the same year.

Marcelo's homicide was confirmed after forensic tests established definitively the identity of the body, which was found inside a well in the village of Agua Zarca, Ilobasco.

According to the autopsy results, Marcelo was attacked and murdered by suffocation. The moment of the homicide was not clearly determined, but the forensic report showed that it happened "more than 72 hours" before the autopsy, which was done on July 1, 2009.

We deplore this despicable act of violence; we are in solidarity with the family, friends and companions of Marcelo Rivera, to whom we recognize a legacy of fighting for justice, the preservation of the environment, political liberties, and the development of the communities that he loved so much. The fight against metallic mineral mining, provoked in the region of San Isidro, Cabañas, by the company Pacific Rim and the mayor of the municipality, will be inspired by the work and sacrifice of this exemplary Salvadoran.

Through the media, we have learned of the detention of four people, allegedly gang members, suspected to be responsible for the assassination, the prosecutor's theory being that Marcelo Rivera may have been friends with one of them and was assassinated after an argument that was caused during the consumption of alcoholic beverages. The spokesperson for the prosecutor, the head of the Anti Organized Crime Unit, initially ruled out the existence of intellectual authors in the crime. This theory is not consistent with Marcelo Rivera's regular behavior patterns.

Because of this, we regret the public irresponsible handling of this case on the part of the prosecuting spokesperson because it shows flawed arguments that are not easily justified by that authority. The first of these is the evident interest in ruling out *a priori* the eventual participation of intellectual authors, despite previous suspicious events of the case.

It was precisely Marcelo's social activism that brought him to suffer harassment, threats, defamation campaigns, and an attempt on his life by someone trying to run him over in a car, situations that all should have been objects of investigation and that would have pointed to the theory of political motivation in this crime.

The absence of an investigation of these incidents is not justifiable and is linked to the irregularities of the preliminary police proceedings, characterized by negligence in the search for Marcelo and the investigation of his disappearance, an attitude that was overcome only when the other social leaders of San Isidro made public condemnations and demanded direct help before high ranking officials of the public security system. Above all, there has been no response from the Attorney General regarding the police's negligence.

The death certificate of the autopsy is not clear and refers to the fact that Marcelo was assassinated "more than" 72 hours before the autopsy was done; but Marcelo had already been missing for more than 11 days, which opens the possibility that he was captured and alive during those days, right when the police were being unhelpful.

For all the reasons mentioned, to the Office of the Attorney General of the Republic and the National Civil Police, we demand:

1. That they abstain from ruling out *a priori* theory of a planned assassination, without participation of intellectual authors and of separate motives of the social fight of Marcelo Rivera, without having exhausted the investigation of the preceding events of harassment, threats, and persecution that the victim suffered, like those who have affected other activists in the zone, especially the members of the Friends of San Isidro, Cabañas Association (ASIC), the Environmental Committee of Cabañas (CAC) and the Movimiento Unificado Francisco Sanchez (MUFRAS-32).
2. That the case is assigned to the Office of the Attorney General and to prosecutors who have not been under questioning for serious violations of due process and manipulation of the investigations of cases with alleged political motivation, like that of the antecedent of the Anti Organizing Crime Unit of the Attorney General's Office, which is accused by the Office of the Ombudsmen for Human Rights (2005) for instigating and covering up serious violations of due process in the case of the homicide of the trade unionist Gilberto Soto.
3. We demand respect for the good name of Marcelo Rivera from authorities and we demand the immediate protection of the social activists of the organizations previously mentioned, considering that their lives may be at serious risk.
4. That the Office of the Attorney General of the Republic and employees of Public Security seriously consider the conclusions about similar cases that were dictated to the Group for the Investigation of Illegal Armed Groups with political motives, in its June 28, 1994 report that was never adopted by the Salvadoran state. Said Group pointed to the mutation of the old structures of the death squads toward more nuclear cells that links common and organized violence, which could potentially trigger political violence, not to mention the hiring of assassins.

The Group stressed the imperative need of going into depth in the investigations of cases in which the victims, like Marcelo Rivera, are political opponents and in which social activists confronted powerful individuals or groups.

San Salvador, June 10, 2009