



PEACE BRIGADES INTERNATIONAL – GUATEMALA PROJECT

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1. NOTES ON THE CURRENT SITUATION

IMPUNITY

Death threats to members of the Guatemalan Foundation of Forensic Anthropology

Guatemala, 12.08.2011 (AC, EP).- The director of the Guatemalan Foundation for Forensic Anthropology (FAFG), Freddy Peccerelli, issued an official complaint stating that he and other members of the organisation had received death threats. The threats are likely to be linked to their work as forensic experts in the criminal prosecutions surrounding the massacre in the community Las Dos Erres in La Libertad (Peten). The threats were made only days before the Court condemned four ex-military officers to more than 6000 years in prison for their responsibility for the massacre.

Peccerelli declared that on 4 August 2011 he had been the victim of intimidation by persons travelling in a black vehicle who had followed his vehicle, forcing him to take refuge in a private car park to safeguard himself. Soon afterwards, on 8 August, Bianca Peccerelli found a message containing a death threat in the mailbox of her home (which neighbours her brother's home). This referred also to the pursuit of her brothers, to their vehicles and homes. It also referred to the monitoring of other workers of FAFG including Jose Samuel Suasnavar, who recently gave testimony before the Tribunal of High Risk regarding the archaeological survey carried out in the case of the massacre of Las Dos Erres.

Idivina Hernández, director of the Association Security in Democracy (SEDEM) stated that in the current context "it is worrying that it we are now seeing, in an open manner and with total impunity, an entire structure linked to crimes against humanity. For example, the Association of Military Veterans published a paid advertisement in a language apologising for the past practice of extrajudicial executions and genocide."

Fifth arrest connected to the massacre in the village Plan de Sanchez, Rabinal (Baja Verapaz)

Guatemala, 17.08.2011 (PL).- Julián Acoj Morales, 55 years old, was detained on 17 August 2011. He is the fifth person who has been detained for alleged participation in the massacre committed by the army and ex paramilitaries in the village Plan de Sánchez, in Rabinal (Baja Verapaz), on 19 July 1982.

Historical archives of the National Police found in El Quiche

Guatemala, 22.08.2011 (PL).- Hundreds of documents that are presumed to be archives of the now defunct National Police (PN) were found in the offices of the Departmental Government in El Quiche during first floor renovation works to create a museum where there previously existed a male prison.

Representatives of the National Convergence for Human Rights described the finding as a valuable one, emphasizing that the PN had always denied the existence of these documents, saying that they had been burned during the internal armed conflict.

Jointly with the Public Prosecutor (MP) and social organisations, it was decided to move the documents to the Historical Archive of the National Police (AHPN). Carlos Menocal of the Home Ministry explained that it has the technology and the capacity to handle, store and safeguard the papers.

LAND

The National Maya Convergence Waqib'Kej denounces attack on campesinos in the estate Paraná (Alta Verapaz)

Guatemala, 11.08.2011 (EP).- The National Maya Coordinator and Convergence Waqib 'Kej has publicly denounced an armed on 22 campesino farming families living on the verge of the highway opposite the Paraná estate in Alta Verapaz. The attack occurred on

10 August 2011. Martín Tec May, Carlos Ical, and a girl of 9 years, Elena Tec, were all injured in the attack. The armed men also beat with heavy blunt instruments María Pop, Carolina Rax Tiul, Carolina Caal Cuc and Juan Tiul Tiul.

Wakib 'Kej criticised the Presidential Commission for Human Rights (COPREDEH) for its failure to implement the protective measures that the Guatemalan state had been ordered to take in this case by the Inter-American Commission on Human Rights (CIDH) in March. The director of COPREDEH, Ruth del Valle, stated in response that they have commenced processes to identify the families that the CIDH had ordered to be protected.

300 campesinos forcibly displaced from the community Nueva Esperanza in the Sierra del Lacandón (Petén)

Guatemala, 26.08.2011 (PL, AC).- Some 300 campesino farmers were forcibly evicted from the community Nueva Esperanza, located in the area of the Sierra del Lacandón National Park (Petén). The Home Minister, Carlos Menocal, stated at a press conference that they had been removed "because they are considered to be assisting and collaborating with drug trafficking".

The International Commission of Jurists (CIJ) expressed its concerns regarding the evictions, the manner in which they had been carried out and the situation of uncertainty and vulnerability that the displaced people had been placed in. It stated in a press statement that Menocal was attempting to justify a displacement that has left children, women and the elderly in conditions of extreme poverty and vulnerability through a generally illegal act. It went on to state that "if the minister says that the community collaborates with drug trafficking, then we ask that they present the proofs and that a just judicial process follows". The CIJ stated that officials of the General Prosecutor with whom they had communicated had admitted that they had not considered preparing an area nor homes to re-house the displaced campesino farmers. The respected international body also stated that it possessed information that steps were being taken to carry out another forced displacement in the area, to evict the community 'Centro Campesino'. It considered that the situation continues to be very grave, particularly taking into account the State of Emergency in Peten decreed by the government in recent months – suspending constitutional protections, limiting rights and enabling measures such as this to be justified through the mantra of combatting drug-trafficking.

According to the CIJ the State of Guatemala is on the road to developing a systematic policy of "forced displacements" in various regions of the country, violating the principles and norms in the Basic Principles and Directives regarding Evictions and Displacement Due to Development. The CIJ spokesperson also observed that the majority of displacements in the country have been violent; an example is the Valley Polochic, in which various persons from the displaced communities have been killed notwithstanding the ordering of protective measures by the Inter-American Commission of Human Rights (CIDH). Such obligations have not been complied with by the state.

The CIJ called on the authorities to urgently resolve the problem of land and residences for the displaced persons, stating that the problem of land distribution is one of the foremost problems the country faces as well as being the cause of permanent social conflict; it concludes "lamentably, successive governments have opted to solve it through forced and violent displacements".

NEGATIVE EFFECTS OF GLOBALISATION

Amnesty International issues alert regarding death threats against members of the environmental organisation CALAS

Guatemala, 02.09.2011 (AC).- Amnesty International issued an alert regarding activists from the Guatemalan Centre for Legal, Environmental and Social Action (CALAS), who have denounced death threats received by them. According to the organisation these have taken place, due to its public campaign against corruption and against the construction of a gas plant in a nature reserve. Amnesty International stated that on 29 August 2011 Yuri Melini and Rafael Maldonado, the Director and Legal Adviser respectively of CALAS, received a number of envelopes containing the same items: including a threat, documents from the General Controller of Bills and photographs of 18 men apparently taken from the police archives. The note stated "they imprison anyone they want and who carry on making the show that they want (...) We will start to adjust our accounts after 14-01-2012 [the first day in office of the new government]; it will be a problem for those who come and you will stop making scandals"; it also stated "Yuri, Yuri, you don't learn that you have to live life in peace".

During recent months, CALAS has publicly campaigned against corruption and the construction of a gas plant in a nature reserve located in Punta de Manabique (Izabal, department in the North East of the country). As part of this campaign, the environmental organisation presented a complaint to the Constitutional Court (CC). It had also sought to gather support for the dismissal of a Government official responsible for the management of nature reserves on corruption charges.

Amnesty International asked that letters be written to Guatemalan authorities requesting that an independent and thorough investigation be carried out into the threats, that the results of that investigation be published and those responsible prosecuted. Amnesty International also invited the Guatemalan government to offer immediate, complete and adequate protection to Rafael Maldonado and the rest of CALAS according to their wishes, and to remind the public authorities that human rights defenders have the right to exercise their activities without any type of unjust restriction and free of fear of reprisals.

Sources: Prensa Libre (PL), El Periódico (EP), El Diario de Centro-América (CA) and Agencia Cerigua (AC). Siglo Veintiuno SV

2. PBI-GUATEMALA ACTIVITIES – IN GUATEMALA

Team: Engel Montuenga Peña (Spain/Colombia), Guillaume Riboulleau (France), Maïke Holderer (Germany), Kathrin Rüegg (Switzerland), Kathi Dunkel (Germany), Álvaro Zaldívar (Spain), María Cayena Abello (Colombia), Francisco Bernal (Colombia), Ilaria Tosello (Italy), Simón Yeste Santamaría (Spain).

2.1. MEETINGS WITH DIPLOMATIC CORPS AND GUATEMALAN AUTHORITIES

Meetings with national and international authorities are an important tool for PBI's efforts to make our objectives and the nature of our work known. Through these meetings, in cases where it is necessary, and with a reserved manner, we express our concerns about critical situations that we have come to know first-hand from the work we carry out across the country.

International Authorities and other international entities in Guatemala:

- Christina Papadopoulou, Human Rights Official of the Office of the UN High Commissioner for Human Rights in Guatemala (OACNUDH), Guatemala City.
- David McNaught, Chief of the Alternate Mission and Eduardo Smith, Political Official, both of the British Embassy, Guatemala City.
- Jennifer Echeverría, Cooperation Official and Human Rights Programme Official, Delegation of the European Commission in Guatemala, Guatemala City.
- Robert Kerr, Business Secretary, Canadian Embassy, Guatemala City.
- Alexandra Valkenburg, Chief of Alternate Mission and Director of Cooperation; and Jacques Remmerswaal, Specialist in Governance and Human Rights, Embassy of the Netherlands, Guatemala City.
- Stephen Steger, Alternate Consul for Political and Economic Affairs, US Embassy, Guatemala City.
- Michael Fabri, Chief of Alternate Mission, German Embassy, Guatemala City.
- Patrick Egloff, Chief of Alternate Mission, Swiss Embassy, Guatemala City.

Guatemalan Authorities:

- Óscar Vinicio Villar, Governor of Alta Verapaz. Cobán, Alta Verapaz.
- Rodrigo Alfonso Medina Xoc and Jorge Ernesto Ruiz Sosa, Secretary of Agrarian Affairs and Legal Adviser respectively, for the Valley of Polochic, La Tinta, Alta Verapaz.
- Hugo Marlon René Ac Nuila, Regional Adviser of Presidential Commission for Human Rights (COPREDEH) Alta Verapaz. Cobán, Alta Verapaz.
- Jacobo Gramajo, Officer for the Central Region, COPREDEH. Guatemala City.
- Francisco Guaré and Eddy García, Subdirector and Mediation Assistant respectively, Division of Mediation of the Office of the Human Rights Ombudsman (PDH), Guatemala City.
- Tomás Aguilar, Indigenous Mayor, Indigenous Mayor of Uspantán. Uspantán, El Quiché.

2.2 MEETINGS WITH CIVIL SOCIETY ORGANISATIONS

The team in the field meets periodically with civil society organisations to follow up on the situation of human rights defenders, to inform one another about the work being done, and to gather information that contributes to the processes of contextual analysis on specific issues in Guatemala.

Guatemalan Civil Society:

- Enrique Corral, Director of the Guillermo Toriello Foundation, Guatemala City.
- Domingo Tum, member of the Coordinator of Communities of Sacapulas in Resistance for the Defence of Natural Resources and the Environment, Sacapulas, El Quiché.
- Ernesto Menchú, member of the Committee of Victims of Uspantán, Uspantán, El Quiché.
- Eloyda Mejía, Independent Expert on Mining Activities, Guatemala City.
- Iduvina Hernández, Director of the Association Security in Democracy (SEDEM), Guatemala City.
- Mario Minera, Executive Director of the Centre for Legal Action for Human Rights (CALDH), Guatemala City.

International Organisations and Agencies:

- Anabella Sibrián, Representative of the Dutch Platform Against Impunity in Guatemala, Guatemala City.
- Coordination of International Accompaniment in Guatemala (CAIG), Guatemala City.
- Wilson de los Reyes Aragón and Leslie Figueroa, Coordinators of Capacity Building and Public Relations, Impunity Watch, Guatemala City.
- Ramón Cadena, Director of the International Commission of Jurists (CIJ) in Guatemala, Guatemala City.

2.3 ACCOMPANIMENT

National Coordinator of Guatemalan Widows, CONAVIGUA

In August we continued our accompaniment of CONAVIGUA, through visits and regular meetings with members of the organisation

in the capital. We currently consider their security situation to be concerning, due to the current context of prosecutions for crimes against humanity committed during the internal armed conflict, which are before Guatemalan courts.

Background: CONAVIGUA carries out exhumations and inhumations in different departments throughout Guatemala, above all in Quiché, Chimaltenango, and the Verapaces, as part of its work towards the recuperation of the collective memory of Guatemala's recent troubled history. These processes provoke very tense situations in rural communities where victims and perpetrators live side by side, occasionally culminating in threats aimed at stopping the work of the women of CONAVIGUA. Due to increasing requests from the communities in which CONAVIGUA works, the organisation has expanded its work offering legal and organisational advice to communities in the process of organising themselves. In 2010, CONAVIGUA accompanied this process in San Juan Sacatepéquez and in Uspantán, where CONAVIGUA supported the preparation of a "good faith" community consultation on extractive industry projects. We have periodically accompanied the association since August 2003 with visits to its office and during its members' journeys around the country. Various members of the organisation were subjected to grave death threats in 2010, due to the work that they were carrying out.

The Association for the Protection of the Las Granadillas Mountain, APMG.

In August we accompanied members of the organization to a meeting in Guatemala City with members of the National Institute of Forests (INAB) and the National Council of Protected Areas (CONAP), an activity to deal with the legal proceedings brought by the APMG to obtain the designation of the La Granadilla mountain as a protected area (water source). Also, we accompanied two members of the organization to a judicial hearing that took place in Zacapa regarding the threats that a member of the organisation had received due to his work with APMG.

Background: APMG was created in 2003 in Zacapa to protect the ecosystem of Las Granadillas Mountain (the principal source of water and natural diversity in the region) due to diverse threats identified by the local population: illegal logging, monoculture, deforestation, large-scale cattle farming and the diversion of water sources. The organisation is supported by the Lutheran Church in Guatemala (ILUGUA), led in the region by Reverend José Pilar Álvarez Cabrera, and the Madre Selva Collective. One of APMG's goals is to have the mountain designated a protected area. However, existing economic interests in the land have made APMG's work dangerous, and its members have faced diverse types of persecution and threats since they denounced the illegal logging trade and started, with the population of the La Trementina community, a permanent social monitoring process of licences granted and logging carried out on the mountain's private estates. We have accompanied APMG since August 2008 and, since then, have observed the spaces for dialogues in which the Association has participated with public authorities and private actors. At the beginning of 2009 and the end of 2010, the permanent conflicts between the owners of private estates on the mountain and the population of La Trementina and the APMG led to criminal accusations against members of the Association and the community, based on complaints lodged by, among others, Mr Juan José Olavarrueth, owner of the Tachoró Estate. In both cases, the accusations were linked to APMG's work promoting the protection of the mountain. Also, in both cases, the cases were thrown out in the first court hearing before the judge. In total nine people have been affected by unfounded criminal accusations (three in 2009 and eight in 2010). They were accused of illegal detentions, threats and psychological violence against women.¹ José Pilar Álvarez Cabrera has been the target of death threats and defamation in the local media during these conflicts. Based on this situation, we activated PBI Guatemala's international support network between October 2010 and April 2011.

The Association of Indigenous Women of Santa María Xalapán, AMISMAXAJ.

In August we held meetings with various representatives of the association in Guatemala City. We accompanied them to a meeting with the Xinka Government in Jalapa, to an internal meeting in the mountain Xalapán and to a meeting of female human rights defenders for the defence of territory, in Huehuetenango.

Background: AMISMAXAJ was founded in February 2004 as an association of women workers and became part of the Women's Sector in June of the same year. AMISMAXAJ is made up of 75 women leaders representing 15 Xinka communities from the Santa María Xalapán Mountain (Jalapa). They work at the local, departmental and national levels in opposition to all forms of patriarchal, neo-liberal, racist, homophobic and lesbophobic oppression, and have established strategic territorial and national alliances to promote their political actions. The association works actively in the region of Jalapa, promoting women's rights, the revitalisation of the Xinka ethnicity and the defence of land and territory. In particular, it is actively working to defend natural resources and to monitor and raise awareness about plans for mining and oil extraction in the region. We have accompanied AMISMAXAJ since July 2009. Various members of the organisation were subjected to grave death threats in 2009 and 2010, due to the work that they carry out.

The 'New Day' Chortí Campesino Central Coordinator.

¹ On 29 November 2010, eight people, members of the APMG and the Lutheran Church in Guatemala (ILUGUA), received a judicial summons to give statements relating to a criminal process initiated against them, in which they were accused of the crimes of illegal detention and threats. After the hearing was twice cancelled (on 26 January and 7 March 2011), community representatives of Zacapa and Chiquimula expressed their concerns in a letter submitted to the Supreme Court of Justice (CSJ), highlighting how the organisation's work was being limited by the ongoing judicial process. On 31 March, the wives of José Juan Olavarrueth and Gregory Miller, the original complainants, presented themselves as joint plaintiffs, as victims of illegal detention, threats and psychological violence against women. The hearing was finally held on 13 April, more than four and a half months after the first summons.

In August we maintained contact with members of the organisation. During a visit that we carried out in the community of Matasanos (Jocotan), where various members of Nuevo Dia live, we encountered an electoral campaign that was occurring on the same day and during which confrontations took place. The situation resolved itself without grave consequences. The following day we accompanied members of the community to register a complaint regarding the events with the Justice of the Peace.

Background: "New Day" Chortí Campesino Central Coordinator is part of the Agrarian Platform, working in the municipalities of Camotán, Jocotán, Olopa and San Juan Hermita in the department of Chiquimula. It trains and informs rural communities on issues relating to the rural economy, the environment, rights and land, in coordination with other local organisations. In 2006 New Day became aware of construction projects for three hydroelectric plants in two of the Department's municipalities: the projects El Puente and El Orégano in Jocotán and the project Caparjá, in Camotán. They form part of the largest project of the Electrical Interconnection System for Central American Countries (SIEPAC). As part of its work, the organisation has shared this information with communities in the area, enabling the evaluation and analysis of the environmental effects and impact on local economies that this, and other development projects planned for the region, may have. They carried out this work in relation to the project known as the "Technological Corridor", that is intended to link the Atlantic coast with the Pacific Coast in Guatemala, which in turn forms part of the biggest plan produced under the Mesoamerican Project (successor of the Plan Puebla-Panama, PPP). Members of New Day say the lack of information and consultation of Chiquimula's communities by public institutions is a constant source of conflict. PBI has accompanied New Day since 2009. Several members of the association have been threatened and attacked due to their work with the communities. In 2010, members of the organisation denounced death threats and intimidation by unknown armed persons. Also, a number of national and local media outlets carried statements from local authorities accusing members of New Day and the Camoteca Campesino Association as being linked to social protests demanding improved information regarding the construction of the Technological Corridor, due to affect the region.

The Camoteca Campesina Association.

During August we have visited members of the association in their community, in Camotan. Our concerns continue regarding the tense atmosphere generated by past threats, and for the limitations on the participation of some members in the organisation's work since the prosecution that concluded in March 2011 (see background below).

Background: The Camoteca Campesina Association was founded in 1988, made up of the then health promoters and midwives of Camotán (Chiquimula). Now the association is an active member of the Coordinator of Popular Indigenous Unions and Eastern Campesinos (COPISCO) Its primary objective is defending life and natural resources and its ultimate aim is well being of the people and the land they live on. It is now made up of 718 associates who watch out that laws are complied with and follow up violations of human rights in the eastern part of the country. They have a long-term relationship of cooperation and alliance with the 'New Day' Chortí Campesina Central Coordinator, especially with regards to community information about the land, agriculture and protecting the environment. When the association heard of the plans to build hydroelectric plants El Puente, El Orégano and Caparjá (see background to the accompaniment of 'New Day' Chortí) and the Technological Corridor project which affected several towns in the department, they started work informing the communities about the effects of these megaprojects on the environment and the economic situation.

PBI has accompanied the association since 2009. Two of its members were detained in November 2010, accused of crimes against internal security and illegal meetings and demonstrations, for participating in a public gathering carried out more than 6 months previously (30 March 2010), in which more than 70 persons demonstrated their opposition to the plans and projects for interconnecting electricity provision in the region. On 2 March we observed the second judicial hearing in Chiquimula in which the two accused persons were examined. The judge refused to impose a penal sanction and instead imposed a fine of 1,000 Quetzales respectively and prohibited the promotion or participation in illicit demonstration activities.

Q'a molo Q'i San Juan– People of San Juan Unite.

In August we have continued to be present in a number of the 12 organised communities in San Juan Sacatepéquez and during their weekly meetings. We have maintained permanent contact with members of the organisation following a new situation of threats in one of the communities.

Background: Q'a molo Q'i San Juan-People of San Juan Unite is an organisation that brings together neighbours from diverse communities in the municipality of San Juan Sacatepéquez, that participate in the struggle to defend territory and natural resources in the region. Since 2006, the Guatemalan company Cementos Progreso S.A. Has been working on "project San Juan", which includes the construction of a factory and a quarry in the San Gabriel Buena Vista estate and the villages of San Jose Ocaña and San Antonio Las Trojes I and II. Cementos Progreso has an 80% share in the project, while the remaining 20% belongs to the Swiss multinational company Holcim. On 13 May 2007, without the support of the municipality, the communities of San Juan Sacatepéquez carried out a community consultation on the factory's installation. 8,950 people participated, of which 8,946 voted against and four in favour of the factory. Although the mayor and the municipal council agreed to take into account the results of the consultation prior to the authorisation of any licence for construction, the construction work continued. During more than three years, the residents of San Juan Sacatepéquez have made numerous complaints about human rights abuses and a criminalisation campaign against them. The dialogue process in which various Guatemalan public authorities and institutions have participated has ended without reaching a resolution or

transformation of the conflict.² PBI has accompanied Q'a molo Q'i San Juan since December 2009, following a request from the organisation due to threats and persecution against several of its members and the communities it represents.

The Council of Cunén Communities

In August we visited the urban centre of Cunén and met with members of the Council. The dialogue meetings with the company Union Fenosa-DEOCSA (Electricity Distributor West Guatemala) which are being held to discuss the conditions of the Program of Rural Electrification (PER) have been suspended until after the national elections.

Background: The Council was established at the first communities' assembly in San Siguán. It consists of 22 directly elected members from eight micro-regions of Cunén. One of the main focuses of the Council's work is the defence of their land and natural resources. In October 2009 they organised a community consultation on mining exploitation and on the construction of hydroelectric plants, among other mega-projects, planned for the Municipality. PBI observed part of the preparation process as well as the consultation itself, in which approximately 19,000 people from 71 communities voted against the aforementioned projects. We began our accompaniment of the Council in February 2010, due to the security risks faced by persons actively promoting the right to land, territory and natural resources in the region.

The Guatemalan Human Rights Defenders Protection Unit (UDEFEUGA)

In August we periodically visited the office of UDEFEGUA in the capital. UDEFEGUA continues to follow-up on the land conflict in the Polochic Valley, Alta Verapaz which resulted in the eviction of various communities in March this year. UDEFEGUA continues with its work of investigating and verifying the attacks and aggressions which the communities and its members have fallen victim to.

Background: The Human Rights Defenders Protection Unit (UDEFEUGA) was founded in 2004 to promote the security of human rights defenders in Guatemala and helps protect the political space in which they work. The Unit's programmes support threatened human rights defenders and their organisations and advise them about preventing and responding to threats and attacks, through information, training, monitoring and psychological support. UDEFEGUA also lobbies for the protection of human rights defenders by government institutions and the international community. For many years PBI has maintained a close collaborative relationship with UDEFEGUA and in 2007 provided the Unit with international accompaniment during a period of threats. We recommended our accompaniment following further threats received during May 2009, which the Unit denounced to the Public Prosecutor's Office. Several international organisations have expressed their concerns about what they describe as a "serious pattern of persecution" of the organisation.³ We intensified the accompaniment again in March 2010 following break-ins to the home and vehicle respectively of Erenia Vanegas and Claudia Samayoa, increasing our visits to UDEFEGUA's office, carrying out periodic meetings with its staff and accompanying them during their movements to the interior of the country during their investigation and verification of reports of attacks against human rights defenders.

The Verapaz Union of Campesino Organisations, UVOC.

In August, we accompanied the organisation during the negotiation dialogue in Cobán (Alta Verapaz). This is being held on a monthly basis to solve the problem of agrarian conflict in the region. We are also accompanying the lawyer Jorge Luis Morales during his activities providing legal advice and attention to land conflicts in order to find institutional and legal solutions. We also regularly visit the offices of the organisation in Alta Verapaz and the capital.

Background: UVOC is a campesino organisation based in the departments of Alta and Baja Verapaz and that works principally to defend and promote access to land for the campesino population, as well as advising communities about the legalisation of their lands. UVOC also offers training and support to member communities in the management of development projects. We have accompanied Carlos Morales, leader of the UVOC, since May 2005 because he has been the victim of death threats, intimidation, and persecution by unidentified individuals. We also continue to observe the delicate situation of communities that are part of the organisation that are struggling for access to land.

Human rights lawyer Edgar Pérez Archila.

During the month of August we continued to periodically visit the office of Edgar Pérez Archila, holding meetings with him and members of his legal staff. At the start of the month we accompanied him and observed the hearing that ended in the sentencing of four ex-military officers for their participation in the massacre in the village Las Dos Erres (Peten) in 1982.

We continue to be concerned for the security of Edgar Perez, given the number of significant advances in various high profile prosecutions against members of the army for crimes committed during the internal armed conflict, and taking into account the press statement issued by the Association of Military Veterans (AVEMILGUA) on 22 July, in which they stated they were "ready to struggle anew if the circumstances call for it".

² You can find further information in the PBI Special Report published in 2010 at the following link:

http://www.pbiquatemala.org/fileadmin/user_files/projects/guatemala/files/english/Mujeres_Completo_ING.pdf

³ Human Rights First (HRF), Washington Office on Latin America (WOLA), Network in Solidarity with the people of Guatemala (NISGUA), Grassroots International, American Jewish World Service, Latin America Working Group (LAWG), Institute for Peace and Justice – University of San Diego, Carta al Presidente Álvaro Colom, 8 May 2009.

Background: In August 2010 we began the accompaniment of lawyer and human rights defender Edgar Pérez Archila in his work defending justice and battling impunity. He works on legal proceedings relating to massacres committed during the internal armed conflict and other cases of past and current human rights violations. We have specifically accompanied him during his work on criminal prosecutions relating to the following: the forced disappearance, torture and extrajudicial execution of the guerrilla commander Efraín Bámaca Velásquez in 1992; the massacre of the community Las Dos Erres in 1982; the massacre of the community of Río Negro in 1982; and the prosecution for genocide that has been pending before a number of Guatemalan tribunals since 2000.

The National Police Historical Archive, AHPN.

In August we held meetings and continued our communication with persons from the archive during the month of August. We visited the home of AHPN and observed the mural festival held on 6 August 2011.

During the month the historical archive of the National Police (PN) was discovered in Santa Cruz del Quiché. It was subsequently transferred to the AHPN in the capital so that the work of conservation, storage and digitalization could begin (see 'Notes on the Current Situation' above).

Background: The AHPN was discovered by chance in 2005, by staff of the Human Rights Ombudsman's Office (PDH), when they carried out preventative procedures relating to the storage of explosives in Guatemalan public security force buildings. In a building in Zone 6 of the capital (built during the internal armed conflict to house the National Police (PN) hospital, although never used as such), 80 million documents were discovered, abandoned, piled up and poorly conserved. This is the historical-administrative documentation of the PN, from its creation in 1881 to its closure in 1997. The institution's participation in the commission of human rights violations during the internal armed conflict was documented by the Historical Clarification Commission (CEH). In its report "Guatemala: Memory of Silence", CEH affirms that the PN was an operative body for army intelligence, serving as the facade of the G-2, and acted on its orders in the majority of cases. During the CEH investigation, various state bodies, including the Interior Ministry and the PN itself, repeatedly denied the existence of archives or documentary materials that would assist an investigation into human rights violations. Following the first phase of work headed by the PDH to recover the documentation and then create the conditions necessary to allow public access to it, work since 2010 has centred on the institutionalisation of the Archive, the search for political, legal and administrative certainty, the technical stabilisation of the resource and the initiation of procedures to ensure permanent, public access to its contents.

Today the AHPN forms part of the General Archive of Central America, its title and control is the responsibility of the Guatemalan Ministry of Culture, and it functions exclusively on the basis of donations and funds from international cooperation. The Archive is also a member of the International Coalition of Sites of Conscience, as the building which houses it was used as a clandestine detention centre by the PN during the armed conflict. Well-known Guatemalan human rights activists participate in the direction, coordination and documentation recovery work, and also promote public access to the information it holds. 150 people work on the tasks of conservation, organisation and archival description. As of 31 March 2011 more than 12 million documents have been digitalised, including more than 19,000 books. To that date they have received 4,503 requests for information, to which they have responded with the provision of 45,020 documents (1,001 to victims' relatives and 1,298 to the Public Prosecutor's Office (98% of these to its Human Rights Office)). Given that we consider the AHPN a key resource in the fight against impunity, the recovery of historical memory and the application of justice, and given its role contributing documentary and expert evidence in the investigation and clarification of concrete cases of human rights violations committed during the internal armed conflict, and considering its potential to determine the criminal responsibility of its perpetrators, we consider it important to contribute with our accompaniment, to protect the Archive, and to dissuade any kind of threat or attack against it.

2.4 FOLLOW-UP

We regularly receive requests for accompaniment from social organisations and human rights defenders who are/or who feel threatened. Through international accompaniment, we seek to reduce the threats they receive and to open up a more secure space within which they can carry out their work. Once the level of risk, the threats, and security incidents suffered by the accompanied organisations and individuals have diminished, we continue the accompaniment in the "follow up" phase. This means that we reduce the physical accompaniment but continue to maintain contact with them through visits and/or phone calls to their workplaces and offices. At the same time, we remain available to respond should they have specific requests for international presence.

We are currently providing our follow-up accompaniment to the social organisation(s):

Organisation to Support an Integrated Sexuality to confront AIDS, OASIS.

In August we continued in regular contact with the members of OASIS. Sadly, the organisation was forced to close its office during the month due to critical financial problems, although its work has continued.

Background: OASIS is an organisation that works with HIV/AIDS education and prevention and promotes and protects the rights of gay, lesbian, bisexual and transgender people. On 17 December 2005, a transgender worker, Paulina, was killed, the seventh murder of a transgender worker that year. Zulma Robles, who witnessed the crime, was seriously injured during the incident. OASIS reported the case to the Public Prosecutor's Office (MP). Zulma, as a witness to the murder, identified

alleged agents of the National Civil Police (PNC) as the perpetrators of the crime. Members of OASIS then continued to suffer harassment and threats for which, in February 2006 the Inter-American Commission of Human Rights (CIDH) ordered protection measures for thirteen members of the organisation, which were put into effect by the Guatemalan state three years later.

PBI started to accompany OASIS at the beginning of 2006. During almost all of 2009 Jorge Lopez, director of the organisation, was accused in the courts of the attempted murder of sex worker Laila (Axel Leonel Donis González) and subsequently of concealment of the crime. Jorge López viewed the prosecution as a further manifestation of the constant persecution and intimidation he had suffered for years, which were aimed at impeding the organisation's work and discouraging respect for the human rights of sexual minority communities. On 29 September 2009, Jorge's case was dismissed by the Ninth Criminal Court of the First Instance, and Jorge López was absolved of all charges, after two court hearings at which the members of various European embassies participated as observers.

2.5 OBSERVATION

PBI in Guatemala provides international observation of those public events in which Guatemalan social organisations require it, in order to demonstrate international attention and interest and to be able to communicate outside the country what we observe.

We maintained an international presence and observed the proceedings at a number of judicial hearings in the genocide prosecutions relating to the massacre in the community Las Dos Erres, and the massacre in the village Plan de Sanchez. At the genocide hearing, the defence sought the closure of the case, but that submission was declared to be without merit by the judge. We also were present at the sentencing of four ex-military officers – to more than 6000 years in prison – for their participation in the massacre in Las Dos Erres (Peten). Finally, in the indictment and evidence hearing in the prosecution relating to the village Plan de Sanchez (Rabinal), the judge ordered two further months of investigation to take place before re-convening the hearing.

We also observed a hearing in Zacapa relating to threats made against a member of APMG due to the work that they are carrying out.

We also observed a press conference organised by UDEFEGUA and the Guatemalan Centre for Legal-Environmental and Social Action (CALAS) regarding the grave death threats received by two members of CALAS (see *Notes on the Current Situation* above).

Finally, we also observed a women's meeting in Huehuetenango, between female human rights defenders currently working in the defence of land, territory and natural resources (see political declaration of the meeting in *Non-Government Organisations* below).

3. PBI-GUATEMALA ACTIVITIES – OUTSIDE GUATEMALA

Regional Representatives, the Project Office Coordinator and other members of the committee and the Project Office and national groups of PBI, conduct public relations campaigns with many NGOs, agencies and national governments, parliamentarians and others. These meetings result in the development and strengthening of the project's "Support Network", an essential tool in the international presence provided by PBI in Guatemala.

During August the Coordinating Office of the project distributed an alert to PBI Guatemala's International Support Network regarding the security of key individuals involved in the search for justice for crimes committed during the internal armed conflict. See the alert at the following link:

[http://www.pbi-guatemala.org/los-proyectos/pbi-guatemala/noticias/spanish-news-holder/?L=1&tx_ttnews\[tt_news\]=3045&cHash=ec0f07d2d13fe560a3b1f21d42305960](http://www.pbi-guatemala.org/los-proyectos/pbi-guatemala/noticias/spanish-news-holder/?L=1&tx_ttnews[tt_news]=3045&cHash=ec0f07d2d13fe560a3b1f21d42305960).

We also prepared a lobbying tour for a human rights defender whom we currently accompany, which is due to take place in September.

Finally, the project's European Representative maintained contact and regular dialogue with human rights organisations and social platforms.

4. NON-GOVERNMENTAL ORGANISATIONS

In this section we publish several communiqués (some abbreviated) from human rights organisations in which they express their concerns regarding recent events.

Comunicado de organizaciones sociales de Alta Verapaz - COMUNICADO URGENTE:

Las Organizaciones Sociales del Departamento de Alta Verapaz, ante las amenazas de parte de funcionarios del gobierno central de emitir órdenes de captura contra líderes comunitarios de San Cristóbal Verapaz, que se oponen a los abusos e ilegalidades de la empresa ENEL y otras empresas que violando el territorio y la propiedad de las comunidades mediante engaños y ofrecimientos de

proyectos que son obligación del estado de Guatemala, ha generado un clima de tensión entre las comunidades afectadas que justamente defienden sus derechos. Ante esta situación exponemos lo siguiente:

1. Que la movilización de las comunidades es en respuesta a la invasión del territorio de San Cristóbal Verapaz, por parte de la empresa italiana ENEL, que sin informar, consultar y pedir permiso a las comunidades, legítimos propietarios de la tierra, han irrumpido en sus tierras para construir las torres de conducción eléctrica, para el paso de la electricidad proveniente de la hidroeléctrica privada Palo Viejo 2, trabajos de cableado de la subestación Pamuc - Chixoy 2, realizado por ENEL y CC. Constructores, que viene desde Cotzal, hacia Uspantán, Chicamán y San Cristóbal para conectarse con la casa de máquinas de Quixal para su venta y distribución.
2. La empresa ENEL aprovechándose de la situación de pobreza de las comunidades, la falta de tierras para trabajar, el hambre, la falta de educación, el desempleo, y la falta de información, entra a las comunidades a través de empleados que traicionan a sus propios hermanos engañándolos para que vendan su tierra y den paso a la construcción de estas torres de alta tensión, con el ofrecimiento de proyectos para el desarrollo, aparentando ser generosos y benefactores de las comunidades, pero sin informarles (...).
3. El desarrollo como vemos es solamente para los empresarios y los funcionarios corruptos quienes (...) no solo se venden, sino que traicionan al país y a sus hermanos, lo que ofrecen y nos dejan son sólo pequeñas migajas en comparación con los millones que ellos ganarán por 20 o 50 años, y a cambio nos roban nuestra agua y recursos naturales por una miseria que no compensa el daño a la madre tierra, que se extenderá a nuestros hijos y futuras generaciones (...).

Por lo tanto:

- Denunciamos a la empresa ENEL y CC. Constructores por amenazar a las comunidades de pasar estas líneas de conducción eléctrica a la fuerza por sus terrenos, aunque no quieran, porque dicen que tienen el apoyo del gobierno. Lo que retrata la prepotencia el racismo y discriminación, de estas empresas frente a los derechos de los pueblos (...).
- Exigimos al gobierno central, a sus ministros y funcionarios, dejar de amenazar a los líderes y lideresas de San Cristóbal Verapaz y cumplir con el mandato constitucional de velar por el Bien Común, por la vida y seguridad de los ciudadanos y colocarse al lado del pueblo que los elige y no convertirse en sirvientes pagados por las empresas (...).

Solicitamos:

- a. A la comunidad internacional, estar atentos por las posibles violaciones a los derechos humanos, que conlleve la captura de los líderes y lideresas amenazadas.
- b. A la Procuraduría de los Derechos Humanos, mantener estricta vigilancia y control para proteger los derechos humanos de las comunidades, pueblos, líderes, lideresas y organizaciones sociales.
- c. A los movimientos sociales (indígena, campesino, sindical, mujeres, ambientalistas, jóvenes, etc.), pedimos solidaridad y estar atentos ante cualquier eventualidad, derivada de esta situación.

San Cristobal Verapaz, 10 de Agosto de 2011

Coordinadora del Movimiento Social de la Consulta Comunitaria de Lanquín
Coordinadora del Movimiento Social de Santa Cruz Verapaz para la Defensa del Territorio
Grupos ambientalistas de Alta Verapaz
Coordinadora de Organizaciones Sociales de San Cristóbal Verapaz

DECLARACIÓN POLÍTICA – ENCUENTRO DE MUJERES INDIGENAS CUERPO, VIDA Y TERRITORIO/ Chinab'jul Belejeb Tijax, Iajuj Kawoq

Huehuetenango, 7 y 8 de agosto 2011

En el marco de la conmemoración del Día Internacional de los Pueblos Indígenas, nosotras mujeres indígenas, de los pueblos maya y xinka de Xalapán, desde nuestras descendencias; Chuj, Q'anjob'al, Mam, Kiche, Ixil, Kaqchiquel, Sipacapense, Q'eqchi', Popti y mestizas, convocadas por las energías del Tijax, que nos invitó a reflexionar sobre nuestra memoria del dolor de las opresiones históricas contra nuestros territorios cuerpos-tierra, el patriarcado ancestral originario, el patriarcado occidental, el colonialismo, racismo y capitalismo, pero que junto con las energías de nuestras ancestras invitadas a nuestro Encuentro, por el nawal Kawoq; que representa las energías de las mujeres, reconocimos caminos recorridos desde el inicio de los tiempos ancestrales y presentes, por nuestras bisabuelas, abuelas, madres, tías, hermanas, hijas y las que nos acompañan hoy en nuestras luchas, rebeldías, atrevimientos, transgresiones, sueños e inspiraciones, pues nos acercan cada vez más a nuestra liberación, como mujeres y como pueblos.

Desde la autonomía de la palabra, el pensamiento y sentimiento, con miradas de mujeres de diversos territorios, analizamos, reflexionamos y cuestionamos, todo aquello que ha sido causante del desequilibrio cosmogónico, en las relaciones desiguales de poder entre mujeres y hombres, humanidad y naturaleza lo cual ha tenido como consecuencia; violencia psicológica, sexual, económica, física y simbólica, contra nuestro primer territorio cuerpo, así como la violencia contra la naturaleza, por la expropiación y explotación de nuestros elementos naturales, como pueblos originarios.

A pesar de nuestras historias de dolor, el Tijax, nos invitó a continuar el proceso desanación, armonización y articulación de nuestras energías para el equilibrio de las dimensiones de nuestros cuerpos, en relación con el territorio tierra, lo cual nos hace fuertes, nos revitaliza para recuperar nuestros saberes, conocimientos y poderes y así transformar estas realidades opresivas, y continuar la resistencia, lucha y propuesta. Energía: verde, las acciones de liberación de nuestras mentes y su relación con el cosmos, la energía roja que representa la liberación de nuestros cuerpos para reivindicar el placer, el arte y la creación, la energía amarilla que simboliza la inteligencia temprana de las niñas y mujeres jóvenes y la energía negra, que nos recuerda la sabiduría de nuestras ancestras, para la elaboración de estas propuestas y acciones:

1. Recuperar y reconocer las experiencias de luchas de las mujeres indígenas, como fuente de conocimiento
2. Fortalecimiento de nuestro pensamiento y posicionamiento político, para la defensa y recuperación de territorio cuerpo-tierra.
3. Reafirmamos que la lucha de territorio tierra, ésta incompleta, si no asumimos de manera colectiva y consciente, la erradicación de las violencias contra nuestro territorio cuerpo.

Por lo cual nos declaramos:

1. En lucha y resistencia permanente por liberar nuestros territorios de violencias contra las mujeres.
2. En lucha y resistencia contra todo aquello que continúe saqueando, expropiando y violentando a la naturaleza.
1. Como Defensoras de los derechos de la madre tierra y otros elementos cósmicos, ante el actual modelo de desarrollo económico neoliberal.
2. En alianza y complicidad para denunciar todo tipo de violencia que atente contra nuestros cuerpos y territorios.
- ▲ En promover y fortalecer acciones que nos lleven a construir nuevas vidas y formas de convivencia, para la vida en armonía y equilibrio.

¡Cuerpo, vida y poder/ Defendamos nuestro saber!/ ¡Mujeres reales, mujeres rurales/ Un mismo sentir, un mismo vivir!

Organización de Mujeres Guatemaltecas Mamá Maquín; Asociación de Mujeres Indígenas, Voz de la Resistencia CPR-Sierra; Asociación de Mujeres Indígenas Xinkas de Sta. Ma. Xalapán, Jalapa; Red de Organizaciones del Ixcán (ROMI); Asociación de Mujeres Ixkiq; Consorcio Ceiba-Coinde-Asede; Pastoral Social, Cáritas, Mazatenango; ADIJE, Champerico Retalhuleu; Organización campesina e integral Maya Mam Ixtahuacaneca (OSIMI)

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- PBI GUATEMALA PROJECT-

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