

PEACE BRIGADES INTERNATIONAL – GUATEMALA PROJECT

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1. NOTES ON THE CURRENT SITUATION

IMPUNITY

Public Prosecutor accuses General López Fuentes of 11 massacres

After compiling evidence on the 11 massacres that occurred between 1982 and 1983 in the area of Ixil (north of the department of Quiché), the Public Prosecutor (MP) has formally charged General Héctor Mario López Fuentes, former Army chief of staff, with the crime of genocide. Juan Francisco Soto, member of the Centre for Human Rights Legal Action (CALDH), explained that among the 4,000 plus pages, there is proof that at least 317 deaths were directly accountable to General Efraín Ríos Montt's tenure as Head of State.

LAND

The Agrarian Platform highlights the Colom government legacy of 112 evictions

Guatemala, 31.08.2011 (AC).- Israel Macario, member of the Agrarian Platform (PA), confirmed more evictions (112) took place under the current government as its term comes to an end, than during the Óscar Berger administration (86 during 2004-2008). He criticised the government for having too few policies aimed at reducing poverty in rural areas, while it focused its efforts on welfare and market-oriented programmes.

According to PA, 14,800 *campesino* families in 139 estates run the risk of being evicted for owing 333 million quetzals (Q), the equivalent of 30 million euros (€). The situation is a result of land being asset-valued and marketed without the conditions of the *campesino* communities being taken into account.

In addition to this, Macario stated that the Colom government gave strong support to the economic sector. For example, loans tend to be awarded to finance megaprojects such as the Franja Transversal del Norte tollroad (FTN), rather than strengthening the economies for women, youth and agriculture. Finally, he believes none of today's presidential candidates have considered matters of concern to the *campesino* sector, despite the fact that they are longstanding problems that cannot be ignored.

NEGATIVE EFFECTS OF GLOBALISATION

Damages caused by mining in Guatemala reported to the European Union (EU)

Guatemala, 16.09.2011 (PL).- On 14 September, the bishop of the department of San Marcos (Guatemala), Álvaro Ramazzini, exposed the damage mining has caused in Guatemala to members of the European Parliament. "The EU speaks of inclusive growth and a green economy. But I ask myself whether their intentions are true or if it is just a façade, used to maintain a particular economic model," Ramazzini suggested in a press conference in Brussels. In his opinion, the EU is focused on economic growth rather than the promotion of human rights or the demands of indigenous populations.

The bishop highlighted how important it was for the international community to align its economic cooperation policies with Guatemala, in order to effectively combat the causes of poverty and starvation in the country. He urged the next Guatemalan government, due to be elected in the second round of presidential elections on 6 November, to guarantee the right to food and human rights.

Ramazzini also detailed the exploitative nature of Marlin's gold mining activities in Guatemala, which is owned by the Canadian firm Goldcorp and has Swedish shareholders. Last year, the Inter-American Commission on Human Rights (CIDH) ordered the company

to cease its operations, because of the impact they were having on the environment and the indigenous population. However, the Guatemalan government announced in June that it would not comply with the ruling.

The bishop considered it a paradox that countries such as Sweden provide important developmental assistance to poor countries such as Guatemala, but simultaneously benefit from “a company which extracts gold and silver, and then gives the country just 1% of its profits”.

GENDER

Report from the Human Rights Ombudsman's Office: statistics published on violence against females

Guatemala, 07.09.2011 (SV).- Guatemala, Escuintla, Izabal and Quetzaltenango are the four departments in which the highest number of reported incidents of women suffering violent deaths have occurred, according to the Statistical Report on Homicide, Injuries, Interfamilial Violence and Sexual Crimes Against Women. The report was prepared by the Human Rights Ombudsman's Office (PDH).

Ana Gladis Ollas, women's human rights defender at PDH, declared: “Between 2008 and July 2011, these departments have continued to exhibit the highest indices for violence. Other departments such as Petén, Chiquimula and Jutiapa are also being added to the list.” She pointed out that, on average, 58 cases of women suffering violent deaths are reported each month. This equates to approximately two women being murdered every day. She also highlighted that up until July of this year, according to National Civilian Police (PNC) data, 411 cases of women being violently murdered have been registered. The document stresses that in 2008 there were 686 murders, 720 in 2009, and 695 in 2010.

Ana María de Klein of *Madres Angustiadas* (Distressed Mothers) expressed the following: “The report presents highly regrettable conclusions. We believe that the institutions responsible for security and justice must develop a culture in which these crimes are reported, in order to counteract this situation.”

OTHERS

Amnesty International publishes alert on threatened environmentalists

Guatemala, 02.09.2011 (AC).- Amnesty International (AI) issued an alert regarding death threats received by activists from the Centre for Legal, Environmental and Social Action (CALAS). The organisation has promoted a public campaign against the construction of a gas plant in the nature reserve in Punta de Manabique, Izabal, in north-east Guatemala. It is also campaigning against corruption in the case.

CALAS presented a report before the Constitutional Court (CC) and attempted to garner support for the dismissal of a government employee, on the grounds of corruption. The individual concerned is responsible for the management of natural resources.

AI noted that on 29 August the director and legal counsel at CALAS, Yuri Melini and Rafael Maldonado, received sealed envelopes which carried death threats, documents from the Comptroller General's Office and photographs of 18 men. The photographs appeared to have been taken from police archives. The threats included the following: “... imprison whoever you want and carry on with your show... as of 14-01-12 (the first day of the new government's term), revenge will be taken. This will be an issue for those arriving in office and you will end the scandal.” It continued: “Rafael Maldonado, I bet you feel as if you've triumphed... Yuri, Yuri, you do not seem to understand that a peaceful life is the best way forward.”

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

2. PBI-GUATEMALA ACTIVITIES: IN GUATEMALA

Team: Engel Montuenga Peña (Spain/Colombia), Guillaume Riboulleau (France), Maike 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:

- Manuela Sessa, Head of International Technical Support for the United Nations Development Programme Guatemala (PNUD), Guatemala City.
- Jennifer Echeverría, Cooperation and Human Rights Programme Official, Delegation of the European Union to Guatemala, Guatemala City.

Guatemalan Authorities:

- José Vidal Cerceño Lemos, Director of the Centre for Preventative Detention in Zone 18, Guatemala City.
- Marta Sicán de Coronado, Mayoress of San Juan Sacatepéquez, San Juan Sacatepéquez, Guatemala.
- Officer Pérez, National Civilian Police Official (PNC), San Juan Sacatepéquez, Guatemala.
- Hugo Martínez, Head of the Human Rights Defenders Unit, Presidential Commission for Human Rights (COPREDEH), Guatemala City.
- Franklin Moscoso, Governor of Chiquimula, Chiquimula, Guatemala.
- Ronaldo Noriega, Human Rights Assistant, Human Rights Ombudsman's Office (PDH), Chiquimula, Guatemala.
- Sochon García, National Civilian Police Inspector (PNC), Chiquimula, Guatemala.
- Jorge Ricardo Putzeys, Director General for International, Multilateral and Economic Relations, Ministry for Foreign Affairs (MAE), Guatemala City.
- Leila Carolina Villatoro Rodríguez, Deputy Director for Multilateral Policy for United Nations, MAE, Guatemala City.
- Jacobo Gramajo, Officer for the Central Region, COPREDEH, Guatemala City.

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:

- Domingo Tum, Member of the Coordinator of Communities of Sacapulas in Resistance for the Defence of Natural Resources and the Environment, Sacapulas, El Quiché.
- Aura Lolita Chávez Ixcaquic, Member of the K'iche Town Council, Guatemala.

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

We continued our accompaniment of CONAVIGUA in September, attending meetings and conducting regular visits to members of the organisation. At present, we consider the security situation there cause for concern. Legal proceedings for the crimes against humanity that occurred during the internal armed conflict are ongoing in Guatemalan courts. Also of importance was our accompaniment of CONAVIGUA members in the Alta Verapaz region, to activities related to monitoring the community consultations.

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 September, we observed the workshop on Water Rights organised by the APMG and hosted by the collective *Madre Selva* (Mother Forest). It was the first in a series of workshops for the communities of the Las Granadillas Mountain. The workshops are part of *Madre Selva's* larger project; a legal initiative for water management, to be developed by the communities themselves, that will ensure their rights and practices are respected. We also accompanied organisation members to a meeting in Guatemala City with representatives from the National Coordinating Body for Protected Areas (CONAP). This meeting was marked by APMG as one step in the process to having the Las Granadillas Mountain declared a protected area (spring water reserve).

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.

This month, Lorena Cabnal conducted a tour of Ireland, where she met with various human rights authorities and leading human rights figures in Europe. She also travelled to Bolivia to sit on the panel at a Latin-American meeting on gender. We continued our meetings and permanent contact with several of the association members, who carried on with their activities in Guatemala City and the department of Jalapa.

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.

We continued our contact with members of the organisation this month. We conducted a visit to the community of Matazanos (Jocotán) in September. We observed an internal meeting at the organisation's Camotán headquarters and again presented our work to its members. At the end of the month, we attended an event in the Las Flores community, where its members expressed their concern at *Energía Limpia de Guatemala's* (Green Energy Guatemala) renewed attempts to purchase land in the region. The company has not yet informed the community about the hydroelectric projects it has planned in the area.

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

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.

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.

In September, we maintained permanent contact with association members. We are still concerned about the tense atmosphere the threats generate and the restricted involvement of some of the members since legal proceedings ended in March 2011 (see Background).

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 Caparí (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.

During September, we maintained our presence in several of the 12 organised communities of San Juan Sacatepéquez and were present at their weekly meetings. We also accompanied two of the organisation's members to court hearings related to the attacks suffered by members of El Pilar I Community on 26 and 27 February this year.

We have been in contact with three community members who were arrested and their respective family members. We accompanied the wife of one of the detainees on her monthly visit to the city's Preventative Centre 18. We are concerned about the preventative detention situation which has now been in effect for more than three years and fear the detainees' rights to legal proceedings are not being respected.

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.

This month we conducted several visits in the department of Quiché, including one to the Council's head office. Round table meetings with Unión Fenosa-DEOCSA (a Spanish transnational electricity provider) about the conditions of the Rural Electricity Programme (PER) have been suspended until the election comes to an end.

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

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

forementioned 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 (UDEFEGUA).

We continued our periodical visits to the UDEFEGUA office in September. We also observed the first workshop for “Self care - a means for protection and security in the political environment”. This is the first of four workshops organised by UDEFEGUA for human rights defenders. The organisation continues giving support in the agricultural conflict in Valle del Polochic, Alta Verapaz. This conflict resulted in several communities being evicted in March. UDEFEGUA continues its research and the verification of attacks reported by communities and their members.

Background: The Human Rights Defenders Protection Unit (UDEFEGUA) 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 recommenced 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.

We accompanied the organization to a monthly round table meeting in Cobán (Alta Verapaz), which takes place to address problems relating to agricultural conflict in the region. We attended a meeting in Santa Lucita (La Tinta, Valle de Polochic), where the Presidential Human Rights Commission (COPREDEH) called on representatives of the communities which benefitted from the preventative measures drawn up by the Inter-American Commission on Human Rights (CIDH).

We are also accompanying the lawyer Jorge Luis Morales in legal activities related to land conflicts, so that solutions can be found via institutional and legal means. We regularly visited the organisation's offices 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.

This month, Edgar Pérez Archila conducted an eight-day tour of Europe, which included meetings with authorities and representatives of the European Union in Brussels, London and Ireland. We continued periodic visits to Pérez's office, holding meetings with him and other members of his team. We also observed the San Juan Cotzal hearing in Room 1 of the High Court. The former mayor of the José Pérez Chen municipality is implicated in the case. Our concern for the security of Edgar Pérez remains, after significant advances were made in several high-profile legal cases investigating the actions of army members during the internal armed conflict. The Association of Guatemalan Military Veterans (AVEMILGUA) published a communiqué on 22 July which stated they were “ready to fight again, should the circumstances require it”. This does not ease our concerns.

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.

We continued our meetings and contact with Archive staff during September. We visited AHPN facilities and observed the Second *Muralista* Festival which took place on 24 September. There was an ecumenical play and a showing of the film “Judgment at

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.

Nuremberg". The National Police's historical archive was found in Santa Cruz del Quiché halfway through August and was passed over to AHPN facilities to start conservation work, treatment, and digitisation of the content.

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.

During September, we maintained regular contact with OASIS members. Regrettably the organisation had to close its office halfway through the previous month as a result of its critical financial situation. Nonetheless it continues its operations.

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 what we observe outside the country.

In September, we maintained our presence at several court hearings, among these the genocide case and the public hearing in the 'PERENCO' litigation. We also observed activities relating to gender and diversity, such as the event organised by the Women's Sector in Central Park to mark International Women's Citizenship Day (8 September) and the forum on transgender populations organized by *Translatina* in Mixco.

We maintained our presence on Election Day (a recurring role that PBI plays as international observers in Guatemala, set apart from other verifiers or electoral observers). We sought to foster a peaceful atmosphere through our presence at elections in the municipalities of San Juan Sacatepéquez (Guatemala) and Jocotán (Chiquimula).

On 30 October, we accompanied a delegation of people from several municipalities in Quiché to Congress, to hand over the results from the Consultation of Good Faith that took place in Sacapulas. The consultation looked into the exploitation of natural resources



and the construction of hydroelectric plants. More than 30,000 people from the municipality's communities and towns took part in the consultation, expressing opposition to the plans and projects for their land, projects which will also affect other municipalities such as Chicaman, Uspantán and Ixcán. We were also present at the press conference that subsequently took place (see photograph PBI 2011).

Following mediation from parliament member Héctor Nuila, Head of the Guatemalan National Revolutionary Unity (URNG-MAIZ), the Coordinator of Communities of Sacapulas in Resistance for the Defence of Natural Resources and the Environment organised the official handover of the consultation results. The following authorities were in attendance: Ministry for Energy and Mining (MEM), Ministry for the Environment and Natural Resources

(MARN), Secretary General for Planning (SEGEPLAN), Ministry for Agriculture, Livestock and Food (MAGA), National Electricity Institute (INDE), Presidential Human Rights Commission (COPREDEH) and the Human Rights Ombudsman's Office (PDH).

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.

On 8 September, the European Representative Kerstin Reemtsma had a meeting with the European External Action Service (EEAS). Present were: Charles-Michel Geurts, Deputy Head of Division Human Rights Policy Instruments; Wojciech Wysocki Human Rights Defenders Human Rights & Democracy Unit; Davide Zaru, COHOM Coordination; Desk Officer Peru (Monika Solis); Desk Officer Guatemala (Gerard Schulting). Representing civil society were: Emma Gomez, Cooperacion (Peru); Geraldine McDonald, CIDSE; Angela Bezzina Calderon, CIFCA; and Santiago Fischer, Justicia y Paz (Belgium).

4. NON-GOVERNMENTAL ORGANISATIONS

En esta sección reproducimos algunos comunicados (algunos abreviados) de las organizaciones defensoras de DDHH, donde expresan sus preocupaciones frente a algunos hechos recientes.

COMUNICADO DE PRENSA.

Alta Verapaz, 28 de Septiembre de 2011

Las organizaciones **UVOC, COPISCO, CONGCOOP, CNOC, CCDA y CONDEG**, denunciarnos el desinterés del Estado de Guatemala frente a la problemática agraria nacional, particularmente en la región norte del país y el Valle del Polochic.

Denunciamos que la continuidad del despojo de la tierra y los recursos naturales utilizan viejas prácticas coloniales, en cuyas raíces profundas se encuentran las grandes injusticias, desigualdades y miseria de la mayoría de la población indígena y campesina de Guatemala, bajo el argumento de "defensa de la propiedad privada". Lo único que protegen son los intereses de las empresas agrícolas de los terratenientes y empresarios agrícolas que imponen prácticas monocultivistas.

Este sistema económico profundiza la represión, violenta el derecho a la libre organización y el derecho fundamental a la soberanía alimentaria. Se profundiza el racismo, que sirve como justificación para negarle a la mayoría de personas la posibilidad de la existencia y que viola los derechos de los pueblos indígenas y campesinos. Esta indiferencia de la cual es cómplice el Estado de Guatemala se traduce en la negativa para investigar y dismantelar los grupos paramilitares y represores de estas empresas, como Chabil Utzaj, S.A. y terratenientes de la región; atacan a las comunidades, amenazan, intimidan y asesinan de campesinos.

POR LO TANTO:

1. Exigimos al Estado de Guatemala que se garantice el cumplimiento de las medidas cautelares de las 14 comunidades expulsadas por el Estado de Guatemala para responder a los intereses de la empresa Chabil Utzaj; principalmente darle continuidad a las visitas (censos), anteriormente acordadas como garantía para el cumplimiento de las medidas cautelares y que de manera unilateral COPREDEH ha suspendido sin que se tenga información de la fecha próxima para el seguimiento.
 2. Que se informe de manera concreta la forma en la que se hará efectivo el cumplimiento de las medidas cautelares, para garantizar la seguridad e integridad de las comunidades afectadas,
 3. Que la muestra desproporcional de fuerza y de recursos del Estado para la implementación de los Desalojos, es completamente contradictorio y desigual en cuanto al interés actual por garantizar la seguridad y el bienestar de las familias desalojadas, en especial la garantía al derecho a la salud, alimentación, acceso a la Tierra y medios de producción, albergue, etc. Detener los desalojos, como por ejemplo el anunciado en Malacatán.
 4. Exigimos al Estado que agilice el proceso de investigación de los más recientes hechos de violencia para dismantelar los grupos paramilitares que representan a la empresa Chabil Utzaj S.A, y que continúan con las amenazas y acciones de represión hacia las familias desalojadas, así como dar con los responsables de los campesinos asesinados durante y posterior a los desalojos.
 5. Demandamos el cumplimiento del Convenio 169 de la OIT, en relación a la validez de las consultas populares comunitarias que se han realizado alrededor de la llegada de megaproyectos que violentan contra los derechos humanos de los pueblos indígenas y campesinos.
 6. Respalamos la lucha de la población de San Cristóbal Verapaz en contra de la instalación del proyecto de conexión eléctrica de la empresa ENEL, y a la llegada de otros proyectos de exploración, que se realizan con engaños a los dirigentes
- Luchamos por la defensa de los derechos de los pueblos nacionales, por la resistencia a los megaproyectos que invaden los territorios indígenas y campesinos.

PBI GUATEMALA DOES NOT NECESSARILY IDENTIFY WITH THE OPINIONS AND CONTENT OF THE ARTICLES AND COMMUNIQUE HERE REPRODUCED. THE NOTES ON THE CURRENT SITUATION IN SECTION 1 ARE NOT FROM A LITERAL COPY OF THE SOURCES CONSULTED: THEY ARE SIMPLIFIED AND SYNTHESISED VERSIONS OF THE ORIGINAL ARTICLES.

- PROYECTO PBI GUATEMALA -

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