



Monthly Information Pack Guatemala

Number 142 - July 2015

1. THE CURRENT SITUATION

Monthly selection of news on the situation in Guatemala as highlighted by the press, related to the main thematic areas of PBI Guatemala's work: the fight against impunity, land issues and the negative effects of globalization on human rights.

Supporting the CICIG and the fight against impunity in Guatemala

In recent months, the International Commission against Impunity in Guatemala (CICIG) and the results of their investigations appear almost daily in the national press. Many corruption cases have come to light thanks to the work of the CICIG. As a consequence of this, Guatemalans have begun a series of protests, the like of which are unprecedented in the history of Guatemala. Gradually it seems that the outrage caused by multiple corruption scandals, and the will to know the truth, have outweighed the fear of the urban classes and attempts to stop the investigations¹.

However, their work faces criticism from certain actors, for example, on Friday, 30 July, the presidential candidate of the Renewed Democratic Freedom Party (LIDER) Manuel Baldizón, told CNN that if "He wins the presidency, the International Commission against Impunity in Guatemala will continue in the country, but without Ivan Velasquez" (the current commissioner). The candidate denounced the interference of CICIG and stated that "there is no doubt that justice in Guatemala is biased and goes against a particular party."²

These statements are due to the fact that a few weeks ago CICIG launched an investigation into Edgar Barquin, vice presidential candidate of LIDER and two deputies of the same party for money laundering, illicit financing of political parties and assemblies. Baldizón said those accusations were baseless and were part of a plan to politically destroy the party.³ Also, Velasquez, head of the CICIG, confirmed the capture of Francisco Guerra Morales, known as "Chico Dollar" who allegedly led a criminal structure dedicated to money laundering between 2008 and 2011. According to Velasquez, "Chico Dollar" maintained an illicit association with the Barquín brothers and Member of Parliament Martinez whereby he funded political activities in exchange for protection. Due to these uncomfortable declarations Baldizón stated that "the Commission is politicized. There is an interference within the Public Ministry. The problem is not the CICIG, but Velasquez".⁴ Velasquez soon reacted to these statements saying that "those affected by investigations always question the investigator, that's something I'm used to." He promised that while he remains the head of the CICIG he will continue "fighting corruption and impunity."⁵

As for the reaction of the Guatemalan public, Velasquez referred to a "citizen awakening" that leads society to uphold the rule of law. Social media witnessed this "citizen wave" against corruption and impunity. Likewise, various sectors expressed their support for the international body and asked CICIG to continue investigations

¹ "El día que la indignación venció al miedo urbano" <http://cmiguate.org/el-dia-que-la-indignacion-vencio-al-miedo-urbano>

² "Manuel Baldizón vs. Iván Velásquez: las declaraciones de la discordia" <http://cnnespanol.cnn.com/2015/07/31/manuel-baldizon-vs-ivan-velasquez-las-declaraciones-de-la-discordia/>

³ "Manuel Baldizón vs. Iván Velásquez: las declaraciones de la discordia" <http://cnnespanol.cnn.com/2015/07/31/manuel-baldizon-vs-ivan-velasquez-las-declaraciones-de-la-discordia/>

⁴ "Cicig sí, pero sin Velásquez dice Baldizón", <http://elperiodico.com.gt/2015/07/29/pais/cicig-si-pero-sin-velasquez-dice-baldizon>

⁵ "Velásquez vs Baldizón en Twitter", <http://realidaddigital.com.gt/index.php/nacional/item/1362-velasquez-vs-baldizon-en-twtter>

against corruption.

Nery Rodenas, from the Human Rights Office of the Archbishop of Guatemala (ODHAG), said that Velasquez is doing a good job and Baldizón has a misconception of the CICIG, as well as the actions carried out against corruption. Similarly Marco Antonio Sagastume, president of the College of Lawyers and Notaries of Guatemala (CANG), considers that the attitude of the presidential candidate is due to the fact that large part of the leadership of his organization has been signaled for investigation and could be seen as a smear campaign. However, he stressed that the institution supports "the excellent work done by Velasquez" and noted the good work done in conjunction with the public prosecutors office, as they have uncovered corruption plaguing Guatemalan society. The National Coordination of Peasant Organizations (CNOC) announced its support for the CICIG and the MP in a public statement saying that "as a result of work done by these entities several public officials are under investigation for corruption, abuse of authority and money laundering". For his part, the President of the Supreme Court of Justice (CSJ), Felipe Baquix Baquix, stated that the "Commissioner is worthy of respect as is the Attorney General."⁶

Freedom of speech and the press undermined in Guatemala

The Journalist Observatory CERIGUA (Center for Informative Reports on Guatemala) stated in its 2015 report "The Situation of Freedom of Expression" which until May 2015 had documented 66 attacks against freedom of expression and press. The Observatory warned of increased attacks against the press during 2015, especially through judicial action to restrict the professional work of journalists and media communicators⁷.

The rise in violations of freedom of speech and press, mainly in the regions, demonstrates the deteriorating security of media professionals and little tolerance of different sectors towards the media. News organizations reported continued harassment and censorship of journalists in the capital and the provinces, by some officials, members of the security forces and the interests they represent within the structure of state power and economy of the country.⁸

In this situation, there have been many initiatives by journalists to create protection networks and between them and denounce cases. An example is the initiative created by Soy502 #LaVerdadPuedeMás, Plaza Publica, ContrPoder and Diario Digital together with Cerigua to investigate the violent death of three journalists in Suchitepequez earlier this year, and continue to report on issues that victims covered. In the same vein, the Association of Journalists of Guatemala (APG), the Chamber of Professional Broadcasters of Guatemala, the Guatemalan Chamber of Journalism (CPG), the National Press Circle (CNP), the Sports Writers Association (ACD) the Social Welfare Institute of Journalists (IPSP) and Cerigua have formed an alliance called "Voices for Justice". It holds meetings with various state authorities, where they expressed their serious concern about the security situation facing the press in general, which has been evident in several attacks against journalists.⁹

2. ACCOMPANIMENT

PBI accompanies social organizations and individuals who have received threats for their work in the defence and promotion of human rights. In this context we are accompanying social processes in the fight against impunity, land inequality and the negative impacts of globalisation on human rights¹⁰

⁶ "La CICIG recibe respaldo de sectores y organizaciones civiles"

<http://elperiodico.com.gt/2015/07/30/pais/la-cicig-recibe-respaldo-de-sectores-y-organizaciones-civiles/>

⁷ "Observatorio de los Periodistas alerta sobre aumento de agresiones" <http://cerigua.org/article/observatorio-de-los-periodistas-alerta-sobre-aumen/>

⁸ CERIGUA, "Embostida contra la prensa y mecanismos de defensa", Estado de situación de libertad de expresión en Guatemala" http://cerigua.org/media/uploads/libertad_expresion/estado_de_situacion_de_la_libertad_de_expresion_en_guatemala-mayo-2015.pdf

⁹ CERIGUA. *Ibíd*em

¹⁰ Further general information on accompaniment and the organisations and people we accompany available on our website: <http://www.pbi-guatemala.org/field-projects/pbi-guatemala/who-we-accompany/>

We continue to accompany **the peaceful resistance of La Puya** in the municipality of San Pedro Ayampuc, Guatemala. On 6 July we accompanied its members to a hearing in which an injunction brought by representatives of two communities of La Puya against the municipal licence of mining project PROGRESO VII DERIVADA El Tambor mine belonging to the US company Kappes Cassiday & Associates KCA-EXMINGUA. On 15 July the third level civil court resolved the appeal in favour of the communities, the municipal council of San Pedro Ayampuc was ordered to suspend construction of the mining project.

On Thursday 23 the municipal council of San Pedro Ayampuc reached an agreement to temporarily suspend the license of the mining project. Despite the appeal ruling and the municipal agreement, on 25 July three trucks attempted to enter the mine with building materials. On 29 July we accompanied a delegation comprising representatives of La Puya and delegates of the municipality of San Pedro Ayampuc which set out to take photographs as evidence that the mine had not complied with the injunction and continue to build. Also during the last week of July we frequently went to the protest camp due to the increased tension caused by the attempted entry of trucks with supplies and increased presence of riot police. Also throughout the month we have been in constant telephone contact with members of the Puya.



Hearing to resolve an appeal against the construction licence for El Tambor mine. 6 July. Photo: PBI



Accompanying a verification Mission in San Pedro Ayampuc, Guatemala. Photo: PBI

In the month of July we continued to accompany members of the **Central Campesina Ch'orti New Day (CCCND)**. On July 1 we observed a hearing of Agustin Diaz Ramirez and Timoteo Suchite de Rosa, members of New Day, in which they were sentenced to 25 years for the crime of murder. Members of New Day have expressed concern about the lack of due process in the trial, the defence mentioned that in several court hearings there were no Ch'orti Mayan language translators, a situation that violates a fundamental right of the accused to understand the judgment that is carried against them. Furthermore, New Day has expressed concern about the partiality of

justice of Chiquimula in this trial and therefore have decided to lodge an appeal in the Supreme Court (CSJ) in the capital for a retrial. We also accompanied and observed a meeting of the organization in the context of their work informing Ch'ortí indigenous communities, this was done in Jocotán. Also during the month, we have been in frequent telephone contact with members of the organization.

This month we continue to accompany members of **the village La Trementina defending the Merendon Mountain (Zacapa)**. We carried out physical presence once in the village and have maintained regular telephone contact with the Lutheran Reverend José Pilar Álvarez Cabrera and others in the community.

We continued international presence twice a week at the headquarters of the **National Coordination of Widows of Guatemala (CONAVIGUA)**, and maintained regular telephone contact with its members. On 3 July, we observed an activity conducted alongside other organizations to celebrate the International Widows Day, and this month we observed a sit-in in front of the Congress (See box *international observation*). In this sit-in at Congress also we observed the **Association of Indigenous Women of Santa María Xalapán, Jalapa (AMISMAXAJ)**. During the month we had weekly telephone contact with its members.

We continue to accompany the lawyers and the **Human Rights Law Firm**. This month we travelled with one of its members to Huehuetenango in the case of the closure of community radio Snuq Jolom Konob Santa Eulalia, Huehuetenango. We also accompanied the lawyer **Edgar Pérez Archila** in his weekly trips and visited the office. We observed several hearings where the lawyers and carried out their work. On 23 July we observed the re-opening of the genocide trial of former de facto, president Efraín Ríos Montt, and also the hearing which saw the acquittal of human rights defender Manuel Antonio Aguilar Mendoza, a member of the **Unit for the Protection of Defenders of Human Rights in Guatemala (UDEFEQUA)**.

Also, we continue our support to the **Council of Communities of Cunén (CCC)**, on 27 July we accompanied them to a meeting of representatives of communities of Quiché with local authorities to address the issue of how power lines in the area affect them. This meeting was in Santa Cruz del Quiché. Also throughout the month we have been in telephone contact with members of the organization.

In July we continued weekly visits to the office of Jorge Luis Morales, lawyer of the **Verapaz Union of Campesino Organizations (UVOC)**, who we also accompanied to a hearing in Cobán in the case of Santa Inés, an UVOC community. On 22 July we observed the official handing over of the deeds to the people of the Finca La Primavera, on 31 July we were also present in the community. On several occasions, we visited the headquarters of the organization in Alta Verapaz.

3. INTERNATIONAL OBSERVATION

PBI Guatemala provides international observation of those public events in which Guatemalan social organizations request it, to show international attention and interest and to communicate outside the country what we observe.

Protest camp outside Congress.

On July 6, we observed a march that ended with a sit-in in front of the Congress, with the participation of the University of San Carlos (USAC), several civil society and human rights defenders as well as some of our accompanied organisations (**AMISMAXJ** and **CONAVIGUA**). The protest camp lasted a week, during which time we visited frequently. This event demanded the Congress approve reforms to the Electoral Law, the postponement of the elections and the resignation of President Otto Perez Molina due to the corruption scandals that have rocked his government.



International Observation at the Congress, Photo: PBI

4. POLITICAL ACCOMPANIMENT

Meetings and other contact with the diplomatic bodies, international organisations and Guatemalan authorities

Meetings with national and international authorities are an important way for PBI to make known what we do and what our objectives are. Through these meetings, where necessary and in a reserved manner, we share our concerns about worrying situations that we have witnessed first hand from the work we do in the field.

In July we met with several members of international entities and people of the diplomatic corps in the country: Carlos Manuel Collazos, **Ambassador of Colombia**; Matthias Sonn, **Ambassador of Germany**; Roberta De Beltranena, **Assistant to the Defence of the Interests of the Swiss Embassy** and Kristine Erlandsson Juarez, **Second Secretary of the Embassy of Sweden**.

We also held meetings with the following Guatemalan authorities: Oscar Alfredo Marroquin Mota, **Governor of Quiché**; Ing. Herbert Paz Ax, **Governor of Alta Verapaz**; Chun Romeo Suram July, **Mayor of San Cristobal, Alta Verapaz**; Ing. Axel Lopez, **Director of the Secretariat of Agrarian Affairs (SAA)**; Raimundo Thomas, **representative of the Human Rights Ombudsman (PDH) of Nebaj, Quiche**; Comisioner Minero, **National Director of Advocacy PDH** and Onofre Carrillo, **regional advisor in Quiche of the Coordinating Presidential Commission of Executive Policy on Human Rights COPREDEH**). In addition we met with various officials of the National Civil Police (PNC): Higinio Coc Damien and Jaime Arturo Cruz, **Commissioners of Santa Cruz and Coban**, both in the department of Alta Verapaz, Edgar Alejandro Soc Tepeu, **Deputy Commissioner. Substation 71 Santa Cruz Quiche** and Commissioner Cepeda Davila, **12 Commissioner Guatemala**.

Meetings with civil society

The field team meets regularly with civil society in order to monitor the situation of human rights defenders human rights, inform each other about the work being done and to gather information to help analyse the internal situation. We maintain opportunities for co-ordination in the field of international accompaniment.

This month we have met with the **Human Rights Office of the Archbishop of Guatemala (ODHAG)**. We have held frequent meetings with **the Protection Unit Defenders of Human Rights in Guatemala (UDEFEQUA)** to share concerns about the work of the defenders of human rights, regularly visited their headquarters as well as the offices of **Madre Selva** and **Women Sector**.

Likewise, we had meetings with international organizations in Guatemala. We maintained constant contact with the **Coordination of International Accompaniment in Guatemala (ACOGUATE)**, with **Guatemala Human Rights Commission (GHRC)** with **Protection International (PI)**, the **Forum of International Non-Governmental Organizations (FONGI)** and the **International Platform against Impunity**.

5. ACTIVITIES OF PBI GUATEMALA



5th. Meeting of Women Human Rights Defenders

On 25 and 26 June in Coban, Alta Verapaz, PBI held a meeting with 30 women human rights defenders from 13 different organizations. The theme was "Healing as a means of integral protection to defenders." This was facilitated by Lorena Cabnal of AMISMAXJ.

5th meeting of Women Human Rights Defenders carried out by PBI in Coban, Alta Verapaz, Photo: PBI

6. NON- GOVERNMENTAL ORGANISATIONS

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

GAM demanda al gobierno de Otto Pérez Molina ante la Corte Interamericana de Derechos Humanos

Por masacre cometida en 1995

El Grupo de Apoyo Mutuo (GAM) demandará al Estado de Guatemala ante la Corte Interamericana de Derechos Humanos, por la última masacre cometida durante el tiempo de negociación de los Acuerdos de Paz, la llamada "Masacre de Xamán" en la cual once personas perdieron la vida (entre ellos varios menores de edad) y 27 personas resultaron heridas. Los hechos ocurrieron en Xamán ubicado en la comunidad 8 de octubre en el departamento de Cobán Alta Verapaz, el 5 de octubre de 1995.

Luego de ocurrida la masacre, la comunidad fue visitada por quien entonces era presidente de la república, Ramiro de León Carpio, quien durante la visita les prometió reparación integral y digna, después de 20 años no se les ha dado respuesta a estas 38 familias de la comunidad 8 de octubre.

El GAM ha acompañado este proceso a lo largo de los últimos años, habiendo gestionado dos reuniones con la Comisión Interamericana de Derechos Humanos con sede en Washington DC, 15 reuniones con el presidente de COPREDEH, 20 reuniones con el director del PNR Jorge Herrera, dos reuniones con el Presidente de la República, una reunión con el actual vicepresidente, además de reuniones con el ministro de la defensa, el vocero del presidente de la república, sin obtener respuesta concreta a la petición de las víctimas. Hemos dejado claro en todos estos años nuestra voluntad de llegar a un acuerdo conciliatorio sin que por parte del actual gobierno se pudiera concretar la atención y respuesta adecuada hacia las víctimas de este crimen de lesa humanidad.

El Presidente del PNR visitó con una numerosa comitiva la comunidad y prometió a las víctimas que se solucionaría su petición de reparación, sin embargo todo constituyó una burla, se victimizó nuevamente a las víctimas. Durante las visitas al Presidente no se obtuvo ninguna respuesta de las distintas peticiones realizadas. Por tal motivo a solicitud de las víctimas el GAM presentara el presente caso ante la Corte Interamericana de Derechos Humanos, evidenciando con ello el fracaso en materia de derechos humanos de Otto Pérez Molina.

GAM considera que el gobierno de Otto Pérez Molina, además de fallar en otros aspectos, ha tenido una nula política en materia de derechos humanos, además de considerar nefasta la dirección de COPREDEH por parte del Licenciado Arenales Forno, constituyendo una burla para las víctimas la actitud del Director del Programa Nacional de Resarcimiento Jorge Herrera.

Actuamos en el amparo de la Constitución Política de la República de Guatemala, la Convención Americana de los Derechos Humanos, los reglamentos de la Comisión IDH y Corte IDH.

TODAS LAS PERSONAS QUE HAN SIDO VICTIMAS MERECEAN QUE SE LES DEVUELVA LA DIGNIDAD.
Guatemala 28 de julio de 2015

PBI team in Guatemala: Roberto Romero García (Mexico), Silvia Parmeggiani (Italy), Eva Virgilli Rescasens (Spanish State), Anja Nielsen (Norway), Tamara Castro Pousa (Spanish State), Kim-Mai Vu (Switzerland), Irene Izquieta García (Spanish State) y Pedro Cárdenas Casillas (Mexico).

The following people voluntarily contributed in translating this publication into English: Danilo Guerrero.

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**GUATEMALA PROJECT
PEACE BRIGADES INTERNATIONAL**

Oficina del Equipo en Guatemala
3ª Avenida "A" 3-51, Zona 1
Ciudad de Guatemala, Guatemala
Teléfono/fax: (+502) 2220 1032
Correo-e: equipo@pbi-guatemala.org
Página web: www.pbi-guatemala.org

Oficina de Coordinación del Proyecto
Avenida Entrevías 76, 4º B
28053 Madrid, Estado Español
Teléfono: (+34) 918 543 150
Correo-e: coordinacion@pbi-guatemala.org