



## PEACE BRIGADES INTERNATIONAL – GUATEMALAN PROJECT

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#### 1. NOTES ON THE CURRENT SITUATION

##### IMPUNITY

##### **Advances: Creation of the Support Commissions of the International Commission Against Impunity in Guatemala (CICIG) and the declassification of the military archives**

Guatemala, 11.03.2009 (PL, CA).- On 10 March 2009 President Alvaro Colom was inaugurated into office of the members of the two presidential commissions of investigation. One of them, the Presidential Commission of Accompaniment and Support to the CICIG, will be lead by Carlos Menocal and will consist of representatives from the Presidential Secretariat, the National Ombudsman (PGN), the Public Prosecutor (MP), the Institute of the Public Defender (IDPP), the Director General of the National Civil Police (PNC) and the Inspector General of the Army, Anibal Flores, who will also lead the Commission of Declassification of the Military Archives, which consists of two members of the Army, representatives of Government secretariats and the Presidential Commission for Human Rights (CORPREDEH).

##### **Human Rights Ombudsman (PDH) lays bare the repression of now-defunct National Police (PN)**

Guatemala, 25.03.2009 (PL).- On 24 March 2009, the Human Rights Ombudsman, Sergio Morales, presented the report "The Right to Know", based upon documents hidden in the archives of the now-defunct National Police. It is the first such report since the discovery of the archives four years ago, when they were revealed to contain vast amounts of documentation dealing with the structure and functioning of police between 1975 and 1985. Of the 80 million sheets of paper that are in within the archive, 7 million have now been processed. The report presents a clear picture of the National Police's unlawful activities during the internal armed conflict in Guatemala. Documents reveal the carrying out of illegal detention orders, the 'framing' of innocent persons and records demonstrating the monitoring of the population. From 24 March, access to the archive is public, and it can be consulted by survivors from the war and families of victims, investigators and journalists.

##### **Gladys Monterroso, wife of the Human Rights Ombudsman, is kidnapped and tortured the day after the report "The Right to Know" is published**

Guatemala, 27.03.2009 (PL, LH, SV).- Gladys Monterroso Velasquez, wife of the Human Rights Ombudsman – Sergio Morales – was kidnapped on 25 March 2009, tortured and later freed by her captors. Sergio Morales declared in a press conference that he did not know the motives of the abduction, Three unknown persons wearing balaclavas kidnapped Mrs Velasquez while she was driving to a restaurant in zone 10 of the capital. She was freed 14 hours later in the Colonia Atlantida, in Zone 18. Morales confirmed that Gladys Monterroso had suffered physical and psychological trauma during the kidnap. The ombudsman stated that a month earlier he had formally reported a plan to assassinate him and related the recent attack on his family with these threats. Monterroso Velasquez, who is also a member of the political party Encuentro por Guatemala (Guatemalan Unity), entered a private medical centre, and remained in a 'stable' condition, according to unofficial sources.

## **LAND**

### **Social Organisations and Campesinos: Integral agrarian reform cannot be postponed a second longer**

Guatemala, 24.03.2009 (AC).- Due to the threats that the rural population face because of mining, extensive cattle farming, and monocultivation, an integral agrarian reform is an urgent priority, stated the National Coordinator of Campesino Organisations (CNOC) and the Coordinator of NGOs and Cooperatives (CONGCOOP). In their publication "Rural Development, A Way Out of the Crisis" they indicate that 17 departments of the country are the object of mining exploration and exploitation, and denounce that extensive cattle farming weakens the land and results in vast expanses of deforestation. Furthermore, both activities contribute to the displacement of the campesino and indigenous communities that inhabit the land, using "legal" arguments and armed pressure. The extension of monocultivation for export – sugar and palm oil – not only devastates vast zones of the North and South of the country and evicts 100s of families from these lands daily, it also fails to generate employment on anything but a minor scale. Meanwhile, according to the study, the campesinos and indigenous persons living in poverty receive no help from the state, lacking access to credit and basic services whilst resources are focused on the agriculture business. The lack of attention towards campesino production has resulted in unemployment, malnutrition, lack of food, a high concentration of land and productive resources in the hands of a few and uncontrollable violence and exclusion, giving rise to the demands of social and campesino organisations to establish a new model of rural development. Reports of both national and international organisations indicate that malnutrition is now affecting 49% of the population, and that the proportion of extreme poverty is now 19.7%, statistics which have their origin in the incapacity of the population to sustain themselves due to the lack of resources, principally, land.

### **Police, Army and Public Prosecutor (MP) displace 80 families from one finca in Coatepeque, Quetzaltenango**

Colomba, 31.03.2009 (PL).- On Monday 30 March 2009, the National Police, the Army and the MP displaced 80 families that had occupied the finca Begonia, in the municipality of Coatepeque (Quetzaltenango), effecting an order of the First Criminal Court of Coatepeque made following an official complaint made by the landowner in question, Leticia Pretti Marin. The families, that arrived on the land on 14 March, came from the area of La Verde, on land known as La Blanca, in the municipality of Ocos (Department of San Marcos). They did not resist the forced eviction.

## **GLOBALISATION**

### **The results of the popular consultation on mining in Santa Barbara, Huehuetenango, are handed to the authorities**

Guatemala, 10.03.2009 (AC, BC PL, LH).- Representatives of the Municipality of Santa Barbara (Huehuetenango) and of its 49 communities, handed the results of a popular referendum which roundly rejected mining activities being carried out in the locality to Government representatives and members of congress. The consultation, which took place in November 2008, recorded the votes of 6,027 people against any mining activity which is being carried out in the municipality. On 10 March 2009 the results were handed to representatives of the Presidential Secretary for Social Communication, the Ministry of Energy and Mines and members of congress.

### **Communities fail to receive multi-million mining profits**

Guatemala, 15.03.2009 (PL).- Montana Exploradora de Guatemala, the mining company, has paid more than 23 million quetzals in taxes, but this is very little in comparison with the 4000 million quetzales or more that the company has received in income during four years of operations in the country. According to the annual report of Goldcorp Inc, of Canada – of which Montana Exploradora de Guatemala is a local subsidiary – the company recorded more than 250 million dollars in income in 2008 for the Marlin Mine in San Marcos, Guatemala, and an operating profit of 100 million dollars. Rosa Maria de Frade, member of the Congressional Commission of Energy and Mines, stated that the principal benefit that Goldcorp Inc. has in operating in the country is that it uniquely pays taxes of around 18%, whilst elsewhere in the continent it is obliged to pay far higher rates (between 42% and 64% in countries such as Canada, the US, Mexico and Argentina). Carlos Meany, Minister of Energy and Mines, agrees that the taxes Guatemala receives are low. He stated that communities should receive most of the benefits, suggesting that Departmental Development Councils receive between 60% and 70% of the tax income. The Mining Law, passed in 1997, requires companies to pay the Government 1% of the price of mining products in taxes. Of the money received, 50% is supposed to be paid to the municipality in which the mine is located. Nicolas Aguilar, mayor of San Miguel Ixtahuacan, indicated that the community receives between 0.9 and 1 million quetzals in taxes. The official statistics show that between November 2005 and December 2008 the Marlin mine, of Montana Exploradora Inc., had profits of over 4,456 million quetzals.

### **Four Years On: Negative Impacts of the Free Trade Treaty of Central America, the Dominican Republic, and the USA (DR-CAFTA)**

Guatemala, 23.03.2009 (AC).- Four years after the ratification in Guatemala of DR-CAFTA, the impact on the economy of the country has been negative, particularly for the rural sector, according to a study on the "Impacts of the Imposition of the TLC-CAUSA and the neoliberal economic model" by the Coordinator of NGOs and Cooperatives (CONGCOOP). The same report shows that the trade deficit with the USA reached a negative balance of 406 million dollars in 2006, and that, more generally, the treaty has caused imports to grow at the expense of exports. The country also lost food security as a result of the liberalisation of tariffs for staple grains, imposed by DR-CAFTA and the conventions of the World Trade Organisation

(WTO/OMC). According to the calculations of the Institute of Agrarian and Rural Studies (IDEAR), in the last year 90% and 70% of the national consumption of rice and yellow corn respectively came from imports. Almost 100% of wheat flour is now imported from overseas. Faced with this, CONGCOOP considers it essential that, on the one hand, the agreements reached in the dialogue with the Government regarding rural and agrarian development are complied with, and on the other hand, basic foodstuffs should be considered as public necessities, not subject to the fluctuations of the market, in order to avoid vulnerability to the impact of the World financial crisis and the further endangerment of the population's right to food.

Sources: Cerigua Agency (AC), Guatemalan Studies Centre (CEG), La Hora (LH), Prensa Libre (PL), El Periodico (EP), Siglo Veintiuno (SV).

## 2. PBI-GUATEMALA ACTIVITIES – IN GUATEMALA

**Team:** Maria Giovanna Tejido Vazquez (Spain), Caroline Tessier (Canada), Silvia Weber (Germany), Jean-Jacques Ambresin (Switzerland), Valerie Elsig (Switzerland), Marina Comandulli (Italy/Brazil), Christopher Moye (UK), Jessica Fujan (USA).

### 2.1. DIALOGUE WITH GUATEMALAN AUTHORITIES AND DIPLOMATIC CORPS

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

International Institutions and Diplomatic Corps:

- Leeann McKechnie, Ambassador of Canada
- Lars Ole Vaagen, Ambassador of Norway

Guatemalan Authorities:

- Gloria Porras, Secretary General of the Public Prosecutor

### 2.2. MEETINGS WITH CIVIL SOCIETY ORGANISATIONS

The team out in the field periodically meets with civil society organisations in order to follow up on the situation of human rights defence workers, to inform one another about the work being done, and to obtain useful elements for the internal contextual analysis. In March we met with the following:

Organisations and individuals from Guatemalan Civil Society:

- Abisaías Gomez, Representative of Agrarian Platform, San Marcos
- Julio Díaz, General Coordinator of National Union of Services and Constructions Workers of Guatemala (SINCSG)
- Luis Lara, Director of the National Front of Struggle (FNL), Guatemala City
- Javier Gurriaran, Independent Consultor, Guatemala City
- Julio Antonio Rosales Colon, Coordinator of the National Movement of Human Rights (MNDH), Guatemala City
- Luisa Pineda, Human Rights Defenders Unit (UDEFEQUA), Guatemala City

International Organisations and Agencies:

- Christina Papadopoulou, Office of the High Commissioner of the United Nations for Human Rights (OACNUDH), Guatemala
- Human Rights Commission of the International Organisations Forum, FONGI, Guatemala City
- Coordination of International Accompaniment in Guatemala (CAIG), Guatemala City

### 2.3 ACCOMPANIMENT

Since May 13th, 2005 we have accompanied **Carlos Morales**, leader of the **Union of Campesino Organisations for the Verapaces (UVOC)**, as well as other members of the organisation. During March we have seen a rise in radio communication workshops lead by female members of the the UVOC which are organised and facilitated jointly with Popular

Communicators for Autonomy (COMPPA) in Santa Cruz (Alta Verapaz). We have also observed a meeting between the UVOC and 14 communities in the Sierra de las Minas, at risk of being forcibly displaced by the National Council of Protected Areas (CONAP). We keep contact with different members of the organisation, through visits to their offices in the capital and in Santa Cruz. As a consequence of the increased military presence in the region, especially in the area of Santa Catalina La Tinta (Alta Verapaz), we have received various petitions for accompaniment that have increased our presence in Alta Verapaz. We remain attentive to the situation in the La Mocca finca, where the threats of possible displacement continue.

*Background: UVOC is a campesino organisation in the Verapaces (the departments of Alta and Baja Verapaz) and works principally on access to land for campesinos and providing support in the process of legalisation of the communities' titles to land. UVOC also offers training for communities affiliated with UVOC and supports development projects within those communities. For the next two years, UVOC will act as coordinating organisation of the National Coordinating body of Campesino Associations (CNOC). On 11 November 2008, CNOC submitted the National Rural Development System Bill to Jivaro Colom's government. Carlos Morales, leader of UVOC, has been a victim of death threats, acts of intimidation and persecution by unknown individuals. Due to an increase of personal death threats at the end of April 2005, which led to genuine fear for his life, Carlos Morales was forced into hiding in Guatemala City for a month, which was made possible with the support of the Human Rights Ombudsman (PDH). Following this, he requested 24 hour accompaniment from Peace Brigades International. In January 2006, Carlos Morales was being spied on and being followed on the block where he lives with his family. The situation in some communities affiliated with UVOC continues to be delicate: in February and April 2006, the campesino families that live in the La Moca Estate were violently evicted, leaving several people with gunshot wounds. In July 2006 there was a confrontation between two groups of campesinos leaving one dead and 39 injured of the evicted campesinos. The La Moca campesinos continue to live on the edge of the highway while negotiations at the national roundtable for agrarian conflict resolution continue with the owners of the estate and the authorities, in order to find a place for them to live. The case has been prioritised as urgent due to the situation of extreme poverty in which the families are living.*

The **National Coordinator of Guatemalan Widows (CONAVIGUA)**. Since August 2003 we have periodically accompanied the association with visits to its offices and to exhumations and burials in rural clandestine cemeteries. After seeing an increase in surveillance we increased the number of regular visits to the organisation's headquarters in the capital, and in February of 2009 we accompanied CONAVIGUA during an exhumation in San Jose, Chimaltenango. In March 2009, we have accompanied CONAVIGUA in the development of inhumation activities in the communities of Monte Maria, Lancetillo and La Tana, in the Department of El Quiche. In Lancetillo and La Tana we observed the inauguration of monuments in homage to the victims killed during the internal armed conflict.

*Background: CONAVIGUA facilitates the process of exhumations and inhumations in various departments throughout Guatemala, mostly in Quiche, Chimaltenango, and the Verapaces, as part of their efforts for the recuperation of the collective memory of Guatemala's recent troubled history. This process provokes tense situations in these small rural communities between victims and perpetrators, and the women of CONAVIGUA receive threats and intimidation to stop them from continuing this work.*

The **Organisation to Support an Integrated Sexuality to Confront AIDS (OASIS)** is an organisation which works with HIV/AIDS education and prevention, as well as promoting and protecting the rights of gays, lesbians, bisexuals and transgender people. In particular, we accompany **Zulma**, a member of OASIS and witness to the assassination of a sex worker. In January, we stepped up the accompaniment to Jorge LopezSologaitoa, Executive Director of OASIS, during the legal process initiated against him over the accusation of the attempted murder of sex worker Laila (Axel Leonel Donis Gonzalez). Judge *Nery Oswaldo Medina Mendez*, of the Ninth Supreme Criminal Court declared that there were no elements that linked the accused to the charge of attempted murder against sex worker Laila (Axel Leonel Donis Gonzalez); however he decided to keep Jorge linked to the process with the accusation of Accessory to the Crime, subjecting Jorge to substitutory measure of house arrest without surveillance for 6 months and is required to register with a judge every 30 days. Jorge Lopezsees this process as a new manifestation of the constant persecution and intimidation he has suffered in recent years with the intention of impeding the progress of the organisation's work and of the respect for the human rights of sexual minority communities. Fearing for his personal safety, we activated the Guatemala Project's Support Network and stepped up dialogue with Guatemalan authorities, international agencies and embassies present in the country. During the month of February the precautionary measures that were authorized to OASIS in 2006 have been brought into effect by the Inter-American Human Rights Commission (CIDH, see Background), as a result Jorge Lopez is accompanied by an agent from the National Civil Police (PNC) 24 hours a day. During March, we have continued accompanying him to his office, to meetings and in his obligatory registration with the judge every 30 days. At the start of the month, a representative of PBI Guatemala participated, together with human rights defenders from Mexico and Colombia, in an advocacy tour organised by PBI's Latin American projects in coordination with PBI United States, lobbying authorities and civil society actors in the United States on the theme of impunity. The representative of PBI Guatemala presented the situation of OASIS and its members, the work that the organisation does, and the reality of violence and impunity that the sexual diversity community in Guatemala is confronted with.

*Background: On 17th December 2005, Paulina, a transgender worker was killed and was the seventh murder of a transgender worker that year. Zulma was present when the crime was committed, and was seriously injured during the incident. She is a witness to the murder of Paulina and accuses members of the National Civil Police (PNC) of the killing. OASIS reported the case to the Public Prosecutor's Office (MP) in order to obtain justice for the killing, and has been awarded precautionary security measures for Zulma and the organisation by the Inter-American Human Rights Commission (CIDH). However, members of the organisation continue to be subjected to harassment and threats, and Jorge Lopez, Executive Director of OASIS, reported that he was pursued by a police car during the night of 22nd January 2006. Given the few advances made in the case in the Guatemalan courts, OASIS wishes to bring it to the attention of the CIDH with the support of other national and international organizations.*

**Lesbiradas.** We began accompanying the organisation in July of 2008 after the daughter of one of its members, also a human rights activist, was the victim of serious direct acts of intimidation with threats against her life by different State security agents. Throughout March we continued accompanying them in the capital and holding frequent meetings in which they informed us of the progress made by the Public Ministry in the investigation of their case.

*Background: The Lesbiradas collective is involved in the defence and promotion of human rights of Guatemalan lesbian women, promoting among other things, the self-determination of one's body and sexuality, for lesbians in their struggle against an exclusive, patriarchal system and particularly the discrimination and systematic violence that they face. The two women that we have been accompanying participate in various social movements, for which on three occasions in July, one of the activists was directly threatened with death at gunpoint by agents of the PNC on July 21, 2008. The events were denounced to the Public Prosecutor's Office (MP) and to the Human Rights Ombudsman (PDH) as well as to the Human Rights Defence Workers Protection Agency (UDEFEQUA). In principle, these threats relate to the women's activism and for Lesbiradas, it is proof that a strategy of social cleansing exists in the country.*

**Association for the Protection of Montaña de las Granadillas (APMG).** Since August 2008, we have accompanied this Association from the department of Zacapa after several of its members received death threats for their work to promote the designation of the area of Montaña de las Granadillas as a protected area. In March, we observed a meeting of human rights organisations and the Magistrate of the Supreme Court of Justice, Luis Fernandez. We also supervised the disciplinary tribunal of the region of Zacapa and Chiquimula. At the end of the month, we observed the General Assembly of the Association, organised in order to choose the new governing council.

*Background: The association was created six years ago when a group of residents realised that the ecosystem of the mountain was in danger due to logging, monoculture, and the extreme increase in cattle-farming. It was not only the mountain that was disappearing: they were alarmed above all by the disappearance of the water reserves, given that all of the region's water comes from the mountain's forests. The organisation sought the support of the Lutheran Church and the Madre Selva Collective. These organisations carried out an analysis of the deterioration of the area, and found that the lower part of the mountain had lost 70% of forest cover due to illegal logging and inadequate regional application of the Forestry Law. Now the principal objective is to protect 20-30% of the remaining forest and promote reforestation. The association's members want to convert the mountain into a protected area but this proposal has proven difficult and dangerous because of the economic interests involved. The threats began when the association tried to denounce the illegal timber trade.*

The **Association of Mayan Lawyers and Notaries of Guatemala (AANMG).** We have accompanied the association since August 2008 following threats and attacks against the lives of a number of its members. In March we have remained in contact with the AANMG.

*Background: The Association of Mayan Lawyers and Notaries of Guatemala supports and advises vulnerable indigenous leaders and mayors in their work in defence of human rights and indigenous rights, above all in the area of the defence of natural resources. The 80 members of the Association provide legal and political support in various departments of the country. As members and representatives of the organisation, Amílcar Pop, Carmela Curup and Mario Saper began to receive threats and intimidations while providing legal advice to the communities in the municipality of San Juan Sacatepequez, regarding the establishment of a popular consultation regarding the cement works proposed by the Progress Cement company in the area. The threats culminated on 2 August with the attempted attack on the life of Amílcar Pop as he left a meeting regarding the staying of proceedings brought by the company against a community leader of San Juan Sacatepequez. According to the Unit of Protection of Human Rights Defenders (report no. 10-2008, UDEFEGUA): "It is presumed that this attack occurred in the context of acts of intimidation that seek to limit the right of the communities to resist the installation of a cement factory in their community".*

We have been accompanying the **Association of Friends of Lake Izabal (ASALI)** and **Eloyda Mejía**, the organisation's Legal Representative, since 21st February 2004, when threats against her worsened. We accompany Eloyda and other members of the association in the Department of Izabal during their activities and meetings with communities concerned about mining activities in the area. ASALI is in a transition phase with the election of a new board of directors. In March 2009 we remained in contact with Eloyda who continues to carry out her work actively.

*Background: ASALI is concerned about the negative effects of mining activity in the region of El Estor, Izabal and also by the extensive agricultural use of the cultivation of fruit and the production of biofuels such as sugar and African palm. The companies active in the region are the Guatemalan Nickel Company (CGN), which is a subsidiary of the Canadian company Skye Resources Inc. recently acquired by HudBay Minerals Inc., MayaNiquel and Nicromet, with majority shareholders BHP Billington of the United Kingdom. Eloyda Mejía has suffered a number of threats as a result of her work. On 21st February 2004, during a conference on the future of the lake in El Estor, Izabal, she received yet more serious threats, which she reported to the Public Prosecutor's Office (MP) and the Human Rights Ombudsman's Office (PDH). In February 2006 Eloyda Mejía's restaurant wall was graffitied with the words "Yes to CGN" (Guatemalan Nickel Company). Since late 2006 Eloyda Mejía has had to deal with a legal process accusing her of usurping lands. This legal action is seen by her as a form of persecution and intimidation intended to force her to abandon her work against the mining company CGN in El Estor. In the months of January and February 2007 we accompanied Eloyda and ASALI during a worsening of the situation in El Estor, after a tense situation arose between groups of campesinos that had occupied lands, CGN and state actors who wished to remove them. In October 2007, Eloyda Mejía received a threatening letter that mentioned her and other active members of civil society organisations in Izabal as 'personas non gratas' in the town of El Estor and as enemies of the town and the State. The letter mentioned that the law of "an eye for an eye and a tooth for a tooth" would be applied.*

## 2.4 FOLLOW-UP

The **Guatemalan Association of Indigenous Mayors and Authorities (AGAAI)**. After a break-in of the office of AGAAI on March 20th we provided accompaniment through regular visits to the office and phone calls. In March, at the request of Association, we observed the handover to Congress of the results of the community consultation carried out in the Municipality of Santa Barbara (Huehuetenango), and the press conference at which the mayor informed the press that the population had unanimously rejected mining exploration and exploitation activities.

*Background: Carlos Guarquez has suffered from various forms of threats, accusations, and intimidations because of his work rejecting the Free Trade Agreement (DR-CAFTA) and mining activities. On 25th March 2005, in the village of El Tablon, Solola, his vehicle was doused in petrol and set on fire by unknown individuals. Death threats specifically naming Carlos Guarquez, Dominga Vasquez, the then Indigenous Mayoress of Solola, and her husband, Alfonso Guarquez, were found scattered around the vehicle. Part of the threat stated: "For your stupid meddling in society... tomorrow will be the day you disappear from this world.." As a result of this threat PBI activated its Support Network inside Guatemala. On 20th March 2007, AGAAI's office was broken into by unknown individuals who took only documentation and the petty cash box. The association denounced this incident as a clear act of intimidation against workers and members of AGAAI for their work in supporting and accompanying the mayors and indigenous authorities struggling for the protection of the land, and reported the act to the office of the Human Rights Ombudsman (PDH).*

The **Women's Sector**. We began accompaniment in June 2006 following various break-ins at the organisation's office. After several months, its security situation had improved sufficiently so that we could transfer the status of the accompaniment to that of follow-up. In March we maintained contact with the Women's Sector by means of visits and phone calls to their office.

*Background: The Women's Sector is an umbrella organisation for women's associations that works for women's economic development, in the struggle against violence against women, and denounces impunity and the murder of women (feminicide). In less than 10 days, between the end of May and the beginning of June 2006, the headquarters of the Women's Sector were broken into twice. The first time the intruders stole telephones and money and smeared blood on the walls; the second time they destroyed furniture, searched through files and left a bloody piece of glass on one of the desks. The Sector reported these acts as clear intimidation and was later provided with police protection.*

The **National Coordinator for Inhabitants of Marginalised Areas, CONAPAMG**. In particular, we accompany Roly Escobar, CONAPAMG's General Coordinator, after he received a death threat on September 10th, 2006, for which we activated our Support Network. Though we continue to be concerned for the families who live in precarious settlements that are subject to the risk of floods and landslides, the security situation for the CONAPAMG members improved this year prompting the decision to reduce the level of physical accompaniment toward the end of October. In March 2009 we have

maintained our contact with Roly Escobar and continue with our attention to possible forced evictions of urban communities in zone 21 of the capital.

*Background: CONAPAMG works on the issues of housing access, social infrastructure, and the legalisation of occupied land. We have accompanied CONAPAMG since July 2004 when its office was broken into and lists, invoices, floppy discs and money stolen. Many of the communities affiliated with CONAPAMG have either been evicted or are awaiting eviction. The security situation of CONAPAMG continues to be vulnerable. Miguel Zapeta Gonzalez, resident of the community Esquipulas in Zone 21 of the capital and member of the organisation, was murdered in March 2005. On 18th August 2006, Carmen Sagastume, another member of the organisation, was brutally murdered in the Carmen Del Monte Community. Following this, on the morning of September 10, General Coordinator Roly Escobar Ochoa was informed that armed individuals in the community Carmen del Monte were threatening to kill him, supposedly because of his denunciation of the murder of Carmen Sagastume. During the following weeks he and his family suffered threatening surveillance. Roly Escobar has also been the subject of defamations against him in the media.*

**Centre for Human Rights Legal Action (CALDH).** Since February 2007, we have accompanied **Jose Roberto Morales Sic**, Indigenous Peoples' Rights Program Coordinator of CALDH. At the start of March, we have accompanied two of the coordinators of the Youth Programme of CALDH who carried out a series of workshops about the genocide that occurred in Guatemala during the armed conflict, lead by students of Panajachel school and the Physical Education school of Solola, both of which are in the Department of Solola.

*Background: Since 1994 CALDH has had its headquarters in the capital, where it receives reports of Human Rights violations and directs investigations into the cases. The institution provides counselling, accompaniment and training to organisations, groups and communities. One of its main areas of work is promoting justice in genocide cases, and other crimes committed during the internal armed conflict. We have accompanied CALDH on various occasions between 2004 and 2006. In February 2007, members of the legal team received direct threats. Jose Roberto Morales Sic was the victim of a kidnapping on 2nd February. Two armed men kidnapped him in his car and threatened to kill him. He was later released and the CALDH vehicle recovered with all his belongings present (including personal documents, cheques and a laptop which belonged to the organisation).*

We accompany the **Commission of Peaceful Resistance of San Rafael Pie de la Cuesta (CRP)**. We received a request from Jose Manuel Morales, vice-president of the organisation after the commission's founding members were harassed and attacked by police during a meeting on September 15th, 2007 for expressing their doubts about the construction of a hydroelectric dam planned by the municipal mayor of San Rafael Pie de la Cuesta. Since December 2007, we have accompanied CRP members in their activities. In November 2008, following a positive assessment of their security situation, we decided to transfer the accompaniment to follow-up status. In March, we maintained contact with Commission members who are currently participating in the technical commission (including representatives of the Ministry of Energy and Mines (MEM) and of the Environment and Natural Resources (MARN)) in which the issue of regulation of hydroelectric and mining concessions will be considered.

*Background: 15 days before the general elections of 9 September 2007 the Mayor of San Rafael Pie de la Cuesta declared his intention during a public audience with mayoral candidate to seek the construction of a hydro-electric project during the first months of 2008, . This hydro electric project would be based on a previous project that never reached the construction stage and before the public meeting was not known by the local inhabitants. On 15 September the Campesino Association for Integral Development of San Rafael (ADICSR) organised a meeting with the local population in order to inform them regarding the construction plans for the hydro-electric project. The same meeting also realised the formation of the CRP in order to investigate and inform regarding the proposed project. Police officials entered the meeting and removed a man without explanation, in order to question him regarding the meeting and accusing those in attendance of planning illegal actions. Since this date, the members of CRP have regularly suffered threats and intimidations of various kinds. In August, the CRP, as part of the Council of Western Villages, met with representatives of the Ministry of the Environment and Natural Resources as well as with the Ministry of Energy and Mining.*

The **Movement of Campesino Workers (MTC)** of the Department of San Marcos. In particular, we have accompanied **Julio Archila**, co-founder of the MTC, in his consulting work with communities and during the judicial process against him. Following the dismissal of the case against Julio and his son in August 2008 and a significant reduction in security incidents suffered by the organisation, the case was passed to 'follow-up' status in November. During March 2009, we maintained contact with the movement, in particular with one of its members Julio Archila who is currently participating in the technical commission created to address the issue of land. This commission includes representatives of the Ministry of Agriculture and Livestock (MAGA), the Secretary of Agrarian Issues, and the Land Fund (FONTIERRA). In March we maintained contact with Julio Archila.

*Background: MTC is made up of peasant community associations that work in defence of their labour rights. Since the beginning of November 2005, Julio Archila, founding member of the MTC, has suffered various forms of intimidation and threats directed against him and his family. According to the MTC, his security problems are related to consultation he offers to peasants engaged in protest on the Las Delicias estate, San Marcos. On November 4, 2005, PNC officials arrested Julio, accusing him of stealing coffee. He was brought before a judge and freed since no proof of the accusation was found. Nevertheless, the accusation of the owners of the estate continued in force until finally, on 15th November 2007, the Las Delicias peasants came to an agreement with the estate's owners, who agreed to pay them 500,000 quetzals. The owners also agreed to drop the charges against Julio Archilla and his son. After further negotiations and setbacks, the peasants were able to buy a new estate in January 2008. The case against Julio Archila and his son was finally suspended in August 2008 after three cancellations of the hearing by the judge at the last moment, unnecessarily prolonging the case.*

## **2.5 OBSERVATION**

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

On 8 March, we observed the march in commemoration of the International Day of the Woman, attended by various organisations including the Women's Sector, Tierra Viva, AMES, Amisrael, CUC, CONDEG, Youth Engagement and Women in Resistance. The march was carried out in the capital, leaving the Plaza Italia and ending in the Central Square.

On 12 March, we observed the forum of the Community Development Council of the municipality of San Pedro La Laguna (Solola), carried out with the aim of discussing the increase in violence in the region.

On 24 March, we were present during the handover of the report "The Right to Know", based upon the archive of the now-defunct National Police, in which the Human Rights Ombudsman sets out the results of the investigation that has been carried out since 2005. It deals with the unlawful acts of the police which occurred during the armed conflict.

## **3. PBI-GUATEMALA ACTIVITIES – OUTSIDE GUATEMALA**

Regional Representatives, the project's Coordination Office in Madrid, other committee members and the project office, as well as PBI national groups, carried out public relations campaigns with numerous NGO's, agencies, national governments, parliamentarians, etc. These meetings translate into development and strengthening of a "Network of Support" for the project, an essential tool for the operation of international presence of PBI in Guatemala.

At the start of March, a representative of PBI Guatemala participated in an advocacy tour in the United States, on the subject of impunity, together with human rights defenders from Mexico and Colombia, organised by PBI's Latin America projects together with the PBI group in the United States. The representative of PBI Guatemala met with governmental authorities, politicians and representatives of US civil society, explaining throughout the tour the situation of OASIS and its members, the work that it carries out, PBI's accompaniment of them and the reality of violence and impunity that confronts the sexual diversity community in Guatemala.

Also during March, we carried out meetings with the Support Network of the project in Brussels, particularly with members of the Parliament and the European Commission. We have also maintained contact with the PBI Groups from Belgium, Switzerland and Spain through meetings and conference calls.

## **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.

### **La Unión Verapacense de Organizaciones Campesinas –UVOC– miembros de la Coordinadora Nacional de Organizaciones Campesinas –CNOC–**

Una vez más repudiamos y condenamos las acciones implementadas por el Gobierno y grupos que buscan sus propios intereses y por ello se intensifican los desalojos. Hoy 11 de marzo hermanos de San Juan Secomun y Las Pacayas del municipio de Panzós en las Verapaces fueron víctimas de un intento de desalojo.



Es de recordar que las familias habitan en el área desde hace varios años, lugar donde se ha declarado zona núcleo y ahora son amenazados en ser desalojados por personas que dicen llamarse Defensores de la Naturaleza, sin embargo sus actitudes muestran que su único interés es despojar a nuestros hermanos y hermanas de sus tierras y territorios.

Desde ya responsabilizamos al Gobierno de Álvaro Colom y a quienes dicen ser Defensores de la Naturaleza de lo que pueda pasar en la región especialmente en el área donde habitan nuestros hermanos Q'eqchies.

### **Exigimos**

A los entes como La Procuraduría de Derechos Humanos, y entes de justicia a velar por la vida y la integridad de nuestros hermanos indígenas y campesinos.

Al presidente Álvaro Colom: frenar la política de desalojos que ha implementado su gobierno, Implementar el Catastro Nacional, la Comisión Paritaria para la Resolución de la Conflictividad Agraria, Laboral y Ambiental (COPAC) y aprobar la Política y la Ley de Desarrollo Rural Integral.

Al Pueblo de Guatemala a unificar la lucha para exigir al Estado de Guatemala a respetar nuestros Derechos plasmados en los Convenios Nacionales e Internacionales

Guatemala, 11 de marzo de 2009.

## **Comisión de Seguimiento a la Consulta Comunitaria Ixcán**

Estimados compañeros y compañeras:

Por este medio les queremos compartir una situación de alerta en la que se encuentran las comunidades de la microrregión VI del municipio de Ixcán, en donde el ejército realiza una operación militar contra el narco. Los hechos:

- El 25 de marzo a las 21:00 horas dos helicópteros militares, sin luces, sobre volaron comunidades de la microrregión VI y II, causando gran alarma entre sus habitantes. El Comandante del resguardo militar confirmó que se trata de naves militares.

- Esa misma noche, a las 21:15 horas, aterrizaron dos helicópteros en terrenos de la comunidad El Porvenir, y desembarcaron unos 30 soldados. Al día siguiente el dueño de la parcela habló con los miembros del ejército, quienes le dijeron que estarían rastreando en las comunidades cercanas al río Copón.

- El día 26 marzo por la tarde, fueron vistos efectivos del ejército entre las comunidades Villa Linda y Asunción Copón.

- El día 27 de marzo desde las 6:00 de la mañana han estado sobrevolando varias aeronaves militares sobre los ríos Copón y Chixoy.

La PDH y COPREDH nos han reiterado que estas acciones forman parte de un operativo antinarco que el ejército realiza en municipios del departamento de El Quiché. Llama la atención que estas acciones inician precisamente en terrenos de comunidades que se han opuesto a la construcción de la represa Xalalá. De esta manera el gobierno pretende vincular la resistencia civil de las comunidades con el narcotráfico.

No dudamos que la presencia del ejército en las comunidades pretende intimidar a la población en su lucha contra las hidroeléctricas. La presencia militar alarma y recuerda a las comunidades el terror que vivieron en los años 80, como fue evidente la semana pasada, cuando un operativo del ministerio de gobernación contra las maras realizado en los municipios de Panzós y Rabinal, así como algunos retenes militares y las "visitas" de miembros del ejército en algunas comunidades de Ixcán, generó una situación de terror en comunidades q'eqchies de Alta Verapaz y Cobán. En algunas de las visitas el ejército se presentó como la máxima autoridad ante la ineficiencia de la policía y los jueces, y ha procurado que líderes comunitarios inviten al ejército a tener pláticas y realizar rastreos en las parcelas, aun en comunidades donde no ha habido ningún tipo de denuncia o incidente previo.

Hoy 27 de marzo, a las 8:00 de la mañana, las autoridades comunitarias de la microrregión VI se reunirán para analizar la situación y emitirán un comunicado.

Ante estos hechos solicitamos:

- a) Se mantengan al tanto de la información que les estaremos reenviando.
- b) Difundir el comunicado de las autoridades comunitarias que les estaremos reenviando a la brevedad posible (hoy por la tarde).
- c) Soliciten a los organismos de protección a los derechos humanos velen por el respeto a los derechos de las comunidades donde se está llevando a cabo el operativo.
- d) Rechazar la intención de criminalizar a la lucha social y la remilitarización de la sociedad.

Atentamente  
Comisión de Seguimiento a la Consulta Comunitaria Ixcán

Playa Grande, Ixcán, 27 de marzo 2009

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**- PBI GUATEMALA PROJECT -**

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