



PEACE BRIGADES INTERNATIONAL – GUATEMALA PROJECT

MIP - MONTHLY INFORMATION PACKAGE - GUATEMALA

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1. NOTES ON THE CURRENT SITUATION

IMPUNITY

Colonel involved in the assassination of Gerardi is murdered

Guatemala, 02.05.2009 (AC, SV).- Officials of the Public Prosecutor's Office (MP) announced to the press that the body of the man found on 22 April in Zone 5 of the capital had been identified as that of retired colonel Roberto Antonio de la Cruz Prado, who was being investigated for his alleged participation in the assassination of the Bishop Juan José Gerardi. According to the public prosecutor Jorge García, the body was found with two bullets in the skull and one in the chest. The investigator said that on the night of Gerardi's assassination, De la Cruz had replaced Waldemar Reyes Palencia, who was then chief of the State (Presidential) Guard, and for unknown reasons had requested this substitution. Garcia added that the MP had some clues about De la Cruz's participation in the crime.

Carlos Castresana, chief of the International Commission Against Impunity in Guatemala (CICIG), did not rule out the possibility that the Commission would support the Human Rights Prosecution office's investigations into the bishop's murder.

Threat received by activists from SEDEM and UDEFEGUA

Guatemala, 05.05.2009 (AC).- Two human rights activists and some personnel from institutions that direct and participate in the Convergence for Human Rights in Guatemala group, received a series of death threats between 30 April and 5 May. Iduvina Hernández, director of Security in Democracy (SEDEM), Claudia Samayoa from the Unit for the Protection of Human Rights defenders (UDEFEGUA), and six other people who work in these organisations, have been victims of serious harassment by means of text messages containing death threats received on their mobile phones. In a press conference, Iduvina Hernández suggested that the motive for these intimidations was the organisations' demand for information about military and police archives relating to the armed conflict. She said that the threats had occurred as advances were being made in the judicial processes of cases of state crimes during that period, which could involve ex-members of the state's security forces.

European Union Member States and Canada concerned for the deteriorating situation of violence and impunity

Guatemala, 19.05.2009 (CEG, CA, PL, EP, SV).- Ambassadors from member countries of the European Union have presented to President Colom a copy of a document signed by European and Canadian foreign ministers, in which they urge an impartial and independent investigation into the acts of violence in Guatemala and express their support for the International Commission Against Impunity in Guatemala (CICIG). In the declaration they emphasise their concern about the worsening situation of violence and impunity and the increasing political and social tensions. They also appeal to Guatemalan society to face this crisis with common sense, prudence and maturity, and suggest that an independent judicial system is fundamental to combat impunity. At the end of the

meeting Swedish Ambassador Eva Wegner said that the President had received the declaration and thanked them for it, without making reference to its contents.¹

LAND

Agrarian Platform demands attention towards campesino communities to avoid a food crisis

Guatemala, 15.05.2009 (CA).- Around forty five thousand families could experience a “severe food crisis” due to lack of employment and the scarce opportunities for renting land for cultivation, according to Agrarian Platform leaders, who have urged the Government to turn its attention towards this group of the population in order to avoid a crisis. Omar Jerónimo, spokesman for the organisation, expressed his concern about the country’s situation, saying that the struggle against impunity could not be postponed nor could the application of welfare-based public policies be continued.

580 agrarian conflicts in Alta Verapaz

Alta Verapaz, 19.05.09 (AC). – In the department of Alta Verapaz incidents of land conflicts are high, with 580 registered cases. Their resolution is tackled in negotiating tables, or through specific tribunals, according to Osmin Revolorio, departmental auxiliary officer of the Human Rights Ombudsman Office (PDH). Land conflicts irreparably involve populations with scarce economic resources, said Revolorio, who also referred to different features of the diverse cases, such as the historical factor, or their treatment in the negotiating tables and tribunals involved in agrarian conflict issues. These negotiating tables are made up of campesino organisations working to promote the right to access to land, such as the Union of Campesino Organizations of the Verapaces (UVOC), the National Coordinator of Indigenous and Peasant Organizations (CONIC), and the Campesino Alliance and Highland Campesino Committee (CCDA). Currently the auxiliary office of the PDH is working with these entities to resolve more than 80 agrarian conflicts relating to the regularisation of vacant lands and to occupations of private estates.

NEGATIVE EFFECTS OF GLOBALISATION

Drop in taxes collected in Central America

Guatemala, 06.05.2009 (EP).- According to the observatory of the Central American Institute of Fiscal Studies (ICEFI), recent tax collection statistics have begun to reflect the economic deceleration being experienced in the region, and which is reflected in a drop in foreign trade, in family remittances and in a reduced dynamism in the labour market. These variables are related to income via indirect taxes such as duty, taxes on sales of goods and services and other consumer taxes. The information available in each country allows for a comparison of taxes collected in 2009 with the same period in the previous year, which shows a drastic fall in El Salvador (18.1%), Guatemala (17.7%) and Costa Rica (15.2%), and a less severe one in Nicaragua (13.6%) and Panama (8.9%).

Communities from Huehuetenango monitor the effects of mining activity around the River Cuilco

Huehuetenango, 14.05.2009 (PL, EP).- Communities from the municipality of Cuilco (Department of Huehuetenango) will increase the monitoring of the Cuilco river to verify that their water is not contaminated with heavy metals resulting from mining activity, which could also affect the production of certified honey. Mario Gonzalez, member of the organisation Ceiba, said the 30 communities that produce Cuilco’s certified honey could lose their exportation agreements with Europe if the river contained heavy metals. On 13 May, before meeting with the Congress Energy and Mining Commission, Guatemalan environmental organisations announced that they would demand that the discussion of the new mining law be “transparent, public and accessible to the communities”. Lidia González, of the Pastoral Peace and Ecology Commission of the San Marcos Diocese (COPAE) said that monitoring of the region’s rivers had shown that “the water is still not suitable for human consumption”. Water is one of the natural resources threatened by opencast mining, as part of this activity uses substances such as cyanide and arsenic, both causes of risks and damage to health. More than half a million people in 35 municipalities of Huehuetenango, San Marcos and El Quiché have so far protested against mining activities.

Strategies of coercion and land usurpation by Montana Exploradora denounced in San Miguel Ixtahuacán

San Marcos, 21.05.2009 (AC).- Leaders from several communities of the municipality of San Miguel Ixtahuacán (San Marcos) have reported that the mining company Montana Exploradora has begun a strategy of coercion and threats against the population, as well as usurping land that residents have not wanted to sell. In a press conference, leaders from communities affected by opencast mining reported that a number of women that had been threatened by representatives of Montana Exploradora, even using judicial processes as a form of intimidation so that they would sell their land. The Mam Population Movement insisted on peaceful dialogue between the affected sectors and the need for a suspension of Montana’s activities, given that three deaths have been registered, caused by the toxic contamination of water sources and other natural resources. The situation was denounced as representing a grave violation of human rights and an attack against the personal integrity and sovereignty of the indigenous population.

Sources: Cerigua Agency (AC), Congressional Bulletin (BC), Central America Daily (CA), Guatemalan Studies Centre (CEG), La Hora (LH), Prensa Libre (PL), El Periodico (EP), Siglo Veintiuno (SV)

¹ Full declaration of the EU and Canada at http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/es/cfsp/107862.pdf (in Spanish), and http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/cfsp/107861.pdf (in English)

2. PBI-GUATEMALA ACTIVITIES – IN GUATEMALA

Team: Silvia Weber (Germany), Jean-Jacques Ambresin (Switzerland), Valerie Elsig (Switzerland), Marina Comandulli (Italy/Brazil), Christopher Moye (UK), Jessica Fujan (USA), Simone Gessler (Switzerland), Juliane Walter (Germany)

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 known our objectives and nature of work. 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 in the country.

Diplomatic Corps:

- Lucy Chang, responsible for Human Rights, and George Mathews, Political Affairs Officer, United States Embassy
- Michèle Ramis, French Ambassador and Philippe Moreau, First Counsellor, French Embassy

Guatemalan Authorities:

- Rudy Cardona Chavez, Governor of Huehuetenango
- Leonel Arturo Chacón Barrios, Mayor of Coban, Alta Verapaz
- Nancy Lourdes, community support worker, Governor's Office, Alta Verapaz
- Lourdes Escobedo, general technical director of the National Council of Protected Areas (CONAP)
- Cesar Belletón Chacón, director of the Department of Forest Management, CONAP
- Gerardo Páiz, Executive Subsecretary, CONAP

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 internal processes of contextual analysis.

Organisations and individuals from Guatemalan Civil Society:

- Mario Minera, director of the Centre for Human Rights Legal Action, Guatemala City
- Claudia Samayoa, director of the Human Rights Defenders Unit (UDEFEQUA), Guatemala City
- Luisa Martínez and Javier Zabala, members of UDEFEQUA, Guatemala City
- Iduvina Hernández, director of the Association for the Study and Promotion of Security in Democracy (SEDEM)
- Juan Tinay, general coordinator of the National Coordinator of Indigenous and Peasant Organizations (CONIC)

International Organisations and Agencies:

- International Non-Governmental Organisations Forum (FONGI), Guatemala
- Coordination of International Accompaniment in Guatemala (CAIG), Guatemala
- Christina Papadopoulos, Office of the United Nations High Commission on Human Rights (OACNUDH), Guatemala

2.3 ACCOMPANIMENT

Union of Campesino Organisations for the Verapaces (UVOC). In May we accompanied a member of UVOC, Carlos Felipe Cruz Arqueta during a visit to an area of land, proposed by the Secretary of Agrarian Affairs (SAA) for the relocation of families that were evicted from the La Mocca Estate three years ago. Additionally, we observed the monthly dialogue roundtable on land issues in Cobán, in which participate several Alta Verapaz communities, UVOC, the SAA, the Human Rights Ombudsman Office (PDH) and the Land Fund (FONTIERRA). We continue our contact with various members of the organisation through office visits in the capital and in Santa Cruz.

Background: A campesino organisation based in the departments of Alta and Baja Verapaz, UVOC works principally to defend and promote access to land for the peasant population and advises communities about the land legalisation process. 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. At the same time we continue to pay attention to the*

delicate situation of some of the communities that are part of the organisation. In February 2006 peasant families assisted by UVOC, who were living in the La Mocca estate, were evicted violently and several were wounded by gunshot. The families of La Mocca continue to live on the side of the highway.

National Coordinator of Guatemalan Widows, CONAVIGUA. We have recently increased our presence in CONAVIGUA's offices in Guatemala City due to the organisation's concern that it is being watched by unidentified persons. In various occasions throughout the month we have also met with representatives of the Mayan Youth Movement (MOJOMAYAS), an organisation that is part of CONAVIGUA, and whose members have recently been victims of threats and aggressions. Also in May we accompanied CONAVIGUA during their exhumation activities in Chimaltenango, where the remains of four people killed 28 years ago were recovered.

Background: CONAVIGUA carries out processes of 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 small rural communities where both victims and perpetrators live, occasionally culminating in threats that seek to stop the work of the CONAVIGUA women. We have periodically accompanied the association since August 2003, with visits to their office and accompaniment during exhumation and inhumation activities in clandestine cemeteries in rural areas.

Organisation to Support an Integrated Sexuality to Confront AIDS, OASIS. During May we continued accompanying OASIS and closely monitoring the evolution of the judicial process against its director Jorge López, who continues to be under house arrest without surveillance, obliged to periodically present himself to the judge and awaiting the summons for his next hearing. The maximum period the Public Prosecutor can continue investigating the case is six months, counted from the initial hearing with the judge. This was held on 23 January, thus the period should finish at the end of July.

*Background: OASIS is an organisation that works with HIV/AIDS education and prevention, as well as promoting and protecting 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) and Zulma, as a witness to the murder, identified alleged agents of the National Civil Police (PNC) as the perpetrators of the crime.*

*Members of the organisation continued to suffer harassment and threats. Executive Director **Jorge López** reported being pursued by a police car during the night of 22 January 2006. On 3 February 2006 the Inter-American Commission of Human Rights (CIDH) granted protection measures for Zulma Robles, Jorge López, and another eleven members of OASIS, requesting that the Government of Guatemala adopt the necessary measures to guarantee their lives and physical integrity. We have been accompanying OASIS since the beginning of 2006. In January 2009, we intensified the accompaniment of Jorge López after he was accused of the attempted murder of sex worker Laila (Axel Leonel Donis González) and a legal process opened against him. The Ninth Court of the First Criminal Instance found that there were no elements linking Jorge López to the charge of attempted murder; but decided to keep him within the process for the possible offence of 'Accessory to the Crime², subjecting him to a substitutive measure of house arrest without surveillance for 6 months, and required to register with a judge every 30 days. Jorge López interprets this process as a new manifestation of the constant persecution and intimidation he has suffered in recent years, which aims to impede the progress of the organisation's work and the respect for the human rights of sexual minority communities.*

Fearing for his physical safety, we activated the Guatemala Project's Support Network and stepped up dialogue with Guatemalan authorities, international agencies and embassies present in the country. Between August 2008 and March 2009, with PBI's Mexico and Colombia projects and in coordination with PBI groups in Europe and North America, we organised speaking tours in Europe, Canada, and the United States, for human rights defenders accompanied by our Latin-American projects. Jorge López and Zulma Robles had the opportunity to present to various audiences the situation faced by OASIS and by sexually diverse communities in Guatemala. In February 2009, protective measures granted to OASIS in 2006 by the Inter-American Human Rights Commission (CIDH) went into effect providing Jorge López with 24-hour accompaniment by an agent of the National Civil Police (PNC). The next hearing has yet to be called.

Association for the Protection of Montaña de las Granadillas, APMG. In May several members of the association's board of directors have been raising awareness of the struggles of the Granadillas communities, in the United States and various countries in Europe. We continued in regular contact with the Association through the project's administrators at the Casa Campesina in Trementina and APMG's office in Zacapa.

² According to the Criminal Code, Article 474 (Accessory to the Crime) : "One is responsible for accessory who without agreement, collusion, or prior arrangements with the perpetrators or accomplices to the crime but with knowledge of the crime, intervenes with anticipation doing any of the following: 1. Hide a fugitive or facilitate his flight. 2. Deny the authority, without justification, access to a suspect, fugitive or criminal that is found in his residence or dwelling of the sought-after person."

*Background: The association was created six years ago in Zacapa, when a group of residents realised that the ecosystem of the Las Granadillas mountain (Zacapa) was in danger due to logging, monoculture, and large-scale cattle farming. They were concerned above all that the water reserves would disappear, given that all of the region's water comes from the mountain's forests. The organisation sought the support of the Lutheran Church, specifically from Reverend **José Pilar Álvarez Cabrera**, 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 to 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. Threats against members of the association began when the association tried to denounce the illegal timber trade. We have accompanied the APMG since August 2008. At the beginning of 2009, Reverend José Pilar Álvarez and two members of the APMG faced legal accusations connected to their work of protecting the mountain; The charges were dismissed in the first hearing before a judge.*

Human Rights Defenders Protection Unit (UDEFEQUA)

From 30 April and during the first few days of May, three members of UDEFEQUA received death threats via text messages on their mobile phones. These events occurred within a wider context of threats, on the same dates and by the same medium, to six members of the association Security in Democracy (SEDEM). The messages make reference to both organisations' work in promoting human rights and the search for justice. In this scenario, UDEFEQUA's role in the verification of aggressions against human rights defenders is considered a key element in the possible motivations behind these threats. At UDEFEQUA's request, we have recommenced our international accompaniment of this organisation (which PBI previously accompanied in 2007), through weekly visits and presence outside the office, monitoring of the security situation during the investigation of these events, and providing support to its members.

Background: The Human Rights Defenders Protection Unit (UDEFEQUA) was founded in 2004 with the objective of promoting the security of human rights defenders in Guatemala and to contribute to the protection of the political space in which they work. The Unit's programmes support threatened human rights defenders and their organisations, and advise them about prevention and response to threats and attacks, through the provision of information, training, monitoring and psychological support. In addition, UDEFEQUA promotes the protection of these people on the part of government institutions and the international community. For many years PBI has maintained a close collaborative relationship with UDEFEQUA, and in 2007 provided the Unit with international accompaniment during another period of threats. Following the threats received in May, those affected have denounced the incidents to the Public Prosecutor's Office. Several international organisations have expressed their concerns about what they describe as a "serious pattern of persecution".³

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 and open a more secure space in 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 and 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 following up on the situations of the following social organisations:

Association of Friends of Lake Izabal, ASALI.

ASALI, an association in El Estor, Department of Izabal, works to protect Lake Izabal as a source of life and work for the communities in the area. Its concerns centre on the negative effects of mining in the region and the use of extensive agriculture, such as fruit cultivation and the production of biofuels (sugarcane and African palm). Between 2004 and 2007, the president of the organisation, Eloyda Mejía, received various kinds of threats related to her work as an activist. These included legal proceedings against her for usurpation of lands, an action that was seen by her and by ASALI as an act of persecution and intimidation on the part of the Guatemalan Nickel Company (CGN), to make ASALI abandon its work. The activities of the CGN project in El Estor have been suspended and continue paralysed for the moment. We accompanied ASALI and Eloyda Mejía from 2004 and in 2007 we intensified the accompaniment due to a deterioration in the security situation in the region. Recently the organisation has elected a new Board of Directors and Eloyda Mejía continues actively involved in campaigns on mining related issues at a national and international level. Following an analysis of the organisation's security situation a significant reduction in the threats has been observed, allowing us to pass the accompaniment to the follow up phase.

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.

The Association of Mayan Lawyers and Notaries of Guatemala (AANMG).

The Association of Mayan Lawyers and Notaries supports and advises indigenous leaders and mayors who are in a vulnerable situation due to their work in defence of human rights and indigenous rights, above all relating to the defence of natural resources.

As members and representatives of the association, Amilcar Pop, Carmela Curup and Mario Saper began to suffer threats and intimidation after giving legal advice to the communities of San Juan Sacatepéquez municipality regarding a social consultation about the cement factory project of the company Cementos Progreso in the area. The threats culminated on 2 August, with the attempted attack on the life of Amilcar Pop. Since August 2008, we have accompanied members of the organisation to San Juan Sacatepéquez and in several judicial hearings. We have also kept in regular contact through visits to the office and phone calls. During recent months the threats have diminished and, as of April 2009, we have entered the follow up phase of accompanying the security situation of AANMG. The Association continues to develop its work of advising the communities.

Lesbiradas

The Lesbiradas Collective works to defend and promote the rights of Guatemalan lesbian women, promoting, among other things, women's right of self-determination of their bodies and sexuality. Lesbiradas oppose discrimination, the exclusive patriarchal system and the systematic violence that lesbian women face.

The two accompanied members participate in various social movements, and on three occasions during July 2008 one of them was threatened with death directly by officers of the army and of the National Civil Police (PNC), having a gun pointed at her on 21 July 2008. The events were denounced at the offices of the Public Prosecutor (MP) and the Human Rights Ombudsman (PDH), as well as before the Human Rights Defenders' Protection Unit (UDEFEQUA). We began to accompany the organisation in the same month. Seeing a reduction in the risk to the security of the accompanied members, as of May 2009 we continue the accompaniment in the follow up phase

Centre for Human Rights Legal Action (CALDH).

CALDH has had its headquarters in the capital since 1994. It receives reports of Human Rights violations, directing investigations into the cases and pushing for access to justice. One of its main areas of work is in seeking justice in genocide cases, and other crimes committed during the internal armed conflict.

We have accompanied CALDH workers on various occasions between 2004 and 2006. In February 2007, members of the legal team received direct threats. That same month, Jose Roberto Morales Sic, Coordinator of CALDH's Rights for Indigenous Peoples Programme, was the victim of a kidnapping by two armed men who threatened to kill him. At that point we began to accompany him on a regular basis. In February 2009, we began to observe some of the organisation's other activities. This came following an increase in threats and security risks because of its active role in the truth process, the recuperation of historical memory and the release of classified military archives relating to its actions during the internal armed conflict. In April 2009, we attended a press conference in the offices of CALDH, where several social organisations expressed their concern about the assassination of the journalist Rolando Santiz and the situation of insecurity in the country.

The Guatemalan Association of Indigenous Mayors and Authorities (AGAAI).

AGAAI's mission is to facilitate policies and strategies to strengthen indigenous municipal governments and authorities politically, technically, legally and in their administration, aiming to contribute to the construction of a State that reflects the pluricultural, multi-linguistic and multiethnic nature of the country. In this context, AGAAI works through local indigenous mayors and authorities to raise public awareness of issues such as community consultations on mining activities. It also advocates strongly about the municipal legislative agenda so that indigenous authorities can become part of the official system.

Carlos Guárquez, the executive coordinator of the association, has suffered from various forms of threats, accusations, and intimidation because of his work rejecting the Free Trade Agreement (DR-CAFTA) and mining exploitation. On 20th March 2007, AGAAI's office was broken into and raided by unidentified intruders. As a result of this first threat, PBI activated its Support Network (SN) inside Guatemala, and we continued to accompany the organisation in the following years. Currently, although physical accompaniment of Carlos Guárquez has stopped, we continue to follow the situation closely, due to the organization's relevant role in key current processes in Guatemala's, especially those relating to community consultations in various departments of the country. On 22 May we observed a presentation, organised by AGAAI and NUM-AJPU, of the eighth edition of a book by Carlos Guzmán-Boeckler and Jean-Loup Herbert. All of the speakers highlighted the historical importance of this publication, written in 1970, as one of the first studies of the discrimination towards the indigenous community.

The National Coordinator for Inhabitants of Marginalised Areas, CONAPAMG

CONAPAMG works on issues of housing access, social infrastructure, and the legalisation of occupied land.

We have accompanied the organisation since July 2004 when its office suffered a break-in. Two members of the organisation were assassinated in 2005 and 2006. In particular we accompany the general coordinator **Roly Escobar**, for whom we activated our Support Network (SN) following death threats he received on 10 September 2006. In May, in light of a reduction of threats and a significant improvement in the security situation, the accompaniment and follow up phase of this organisation were concluded.

The Commission of Peaceful Resistance of San Rafael Pie de la Cuesta (CRP)

The CRP, founded in 2006 in the Municipality of San Rafael Pie de la Cuesta (San Marcos), focuses on the investigation and reporting about a particular hydroelectric project, whose proposed construction in early 2008 was announced by the mayor in September 2007. The project was based on another earlier one that had not been realised, and about which the municipality's population had not been informed.

We began accompanying members of the CRP in December 2007, after some of them were attacked and interrogated by police officers during a meeting held by the organisation and following the incident several members later received threats. As a result of a positive evaluation of their security, the accompaniment has been in the follow up phase since November 2008. We continue this accompaniment as part of our objective to accompany the social processes of defence and promotion of human rights relating to the use and exploitation of natural resources, in particular water and mineral resources.

The Movement of Campesino Workers (MTC)

The MTC is made up of peasant community associations that work in defence of their labour rights. Since reporting various forms of threats and intimidation against him towards the end of 2005, we have accompanied MTC coordinator, **Julio Archila** in his work of advising communities, and throughout a legal process that was mounted against him. Since the case was dismissed in August 2008, and the security incidents suffered by the organisation also diminished significantly, we continued our accompaniment in the follow up phase. In 2009 we maintained contact with the MTC, especially with Julio Archila, who now participates in the technical commission, set up to address the land issue, with representation from the Ministry of Agriculture and Livestock, the Secretary for Agrarian Issues, and the Land Fund (FONTIERRA). This follow up falls under our objective to accompany processes around the struggle for access to land.

The Women's Sector

The Women's Sector is a coordinating body of associations that work for women's economic development and campaigns for the end of violence against women, denouncing impunity and *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. We began to accompany the organisation in June 2006. Several months later, their security situation improved noticeably, making it possible to move to the follow up phase.

We are currently making weekly visits to the Women's Sector office in the capital and regularly observing its public activities, following an increase in risk to the security of a number of the organisation's members. In May we also observed a press conference held at Women's Sector headquarters the Collective of Social Organisations (COS), on the serious political crisis Guatemala is experiencing.

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 May 20 we observed a meeting of the Council of Western Peoples, and the following day a community referendum on mining concessions. Both events were held in the municipality of San Mateo Ixtatán, department of Huehuetenango. Members of 67 communities participated in the referendum. This municipality has added itself to the list of 33 community consultations against mining carried out in the department.

3. PBI-GUATEMALA ACTIVITIES – OUTSIDE GUATEMALA

Regional Representatives, the project's Coordination Office, 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 "Support Network" for the project, an essential tool for the functioning of PBI's international presence in Guatemala.

During May the project's European representative participated in meetings with other international organisations in Brussels and has shared information with various country groups and other PBI projects about the situation in Guatemala, coordinating this with advocacy work outside of the country.

The project also published an *Alert*⁴ regarding the extreme fragility of Guatemala's democratic institutions and the increased risk of attacks and threat against human rights defenders. It will be sent to the project's support network outside of the country and distributed during June.

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.

MADRE SELVA ¡NOTA INFORMATIVA URGENTE!

Las comunidades en resistencia al proyecto hidroeléctrico Sisimite, San Buenaventura, Santa Catarina, El Salitre, Los Olotes, San Bernardo y El Tablón del municipio de Chuarrancho denuncian ante los medios de comunicación nacional e internacional que desde aproximadamente 15 días han quedado sin el servicio de luz que oferta la compañía transnacional DEORSA.

En las comunidades, que se han opuesto al proyecto hidroeléctrico El Sisimite, persiste gran preocupación y duda ante la interrupción del servicio de energía eléctrica como una medida represiva de UNIÓN FENOSA y el promotor del proyecto hidroeléctrico, Álvaro Aguilar, de cara a su proceso de defensa del patrimonio natural.

Todos los vecinos y familias exigen a Unión FENOSA que repare urgentemente su deficientemente servicio y lo restaure lo más pronto posible. El daño ocasionado por la compañía, ha representado complicaciones y grandes pérdidas económicas para las familias y los comercios locales.

Por lo tanto les invitamos a que nos acompañen el día de mañana 19 de mayo, a las 9:30am, frente a las oficinas de UNIÓN FENOSA, 7ª Av. 1-00 z.9, en la entrega pública de nuestra denuncia y reclamo frente al ineficiente servicio de energía eléctrica.

Guatemala, 18 de mayo de 2009

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⁴ The Alert is an irregular mailing by the PBI Guatemala Project, which aims to raise awareness of worrying or violatory human rights situations in Guatemala, from a non-violent, non-interventionist and non-partisan perspective. It is an informative document that is distributed among individuals, organisations and institutions that have expressed support for the project.



UNIÓN SINDICAL DE TRABAJADORES DE GUATEMALA - UNSITRAGUA

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Guatemala, C.A.

Miembro: Movimiento Sindical, Indígena y Campesino Guatemalteco -MSICG-

Afiliada a la Confederación Sindical Internacional -CSI-

EL SINDICATO DE TRABAJADORES DE LA FINCA SANTA CECILIA

Miembro Activo de: LA UNION SINDICAL DE TRABAJADORES DE GUATEMALA -UNSTRAGUA-
Ante la Opinión Pública Nacional e Internacional

HACE SABER:

Que ante el lento proceso de aplicación de la Justicia, el viernes 22 de mayo de 2009, se vieron obligados a realizar una marcha pacífica frente a las oficinas administrativas de la Finca Santa Cecilia, ubicada en San Francisco Zapotitlán, Mazatenango; con el propósito de demandar y exigir a la parte patronal que cumpla con el pago de la Indemnización (prestaciones laborales) a 60 trabajadoras que fueron despedidas hace más de 10 años; ya que el juicio que iniciaron en su momento las trabajadoras ante los Juzgados de Trabajo es favorable a ellas; al igual que muchos casos, este ha sido un largo proceso, debido al SISTEMA DE CORRUPCIÓN E IMPUNIDAD IMPERANTE, no obstante por la permanente lucha y resistencia de las 60 trabajadoras, hasta hoy día han logrado que las distintas resoluciones judiciales sean favorables a su causa, sin embargo, la patronal se niega a cumplir con las Resoluciones Judiciales emitidas, toda vez que el SISTEMA DE CORRUPCIÓN E IMPUNIDAD le favorece para violar los derechos de la clase trabajadora.

Además para que otros 34 trabajadores que fueron despedidos hace más de 6 años, sean reinstalados, ya que no hay justificación para tales despidos, toda vez que el cultivo de café y caña de azúcar se mantiene de manera normal, además la patronal contrata trabajadores temporales, aunque las labores no sean temporales, violando la norma legal de contratación según el Código de Trabajo, de esta manera evade las obligaciones de la patronal.

Las Demandas de las trabajadoras y trabajadores fueron para que los empresarios, sus representantes y asesores asuman y cumplan las Resoluciones de las Autoridades de Trabajo y las Leyes Laborales vigentes de Guatemala; ya que solo de esa manera se podrá combatir el desempleo, la pobreza y delincuencia imperante, principalmente el SISTEMA DE IMPUNIDAD, que tanto daño está causando a la sociedad guatemalteca en general.

Guatemala, 25 de mayo de 2009



FRENTE LA ACTUAL CRISIS POLITICA DE GUATEMALA QUE PUEDE DESENCADENAR EN UNA RUPTURA CONSTITUCIONAL, EL CONSEJO POLITICO 13 BAKTUN MANIFIESTA

Las mujeres y hombres mayas unificados en el CONSEJO POLITICO 13 BAKTUN luego de darle seguimiento a los distintos acontecimientos, sobre todo el asesinato del Lic. Rodrigo Rosemberg, el 10 de mayo pasado, ante la sociedad guatemalteca, los medios de comunicación nacional e internacional, expresamos nuestra opinión:

1. Condenamos el asesinato del Lic. Rodrigo Rosemberg, el cual ha generado la actual crisis política de Guatemala. Ante la incapacidad del Estado de Guatemala de aplicar la ley, valoramos y nos atenemos a los resultados de las investigaciones que está realizando la COMISION INTERNACIONAL CONTRA LA IMPUNIDAD EN GUATEMALA –CICIG- para dar con los responsables intelectuales y materiales de este crimen político.
2. Con la información que ha ido saliendo en los medios de comunicación durante las últimas dos semanas, se ha hecho cada vez más evidente que alrededor de este asesinato político se mueven grandes intereses económicos, comerciales, financieros y políticos en el manejo del presupuesto de ingresos y egresos de la nación y en los grandes proyectos como la Carretera de la Franja Transversal del Norte, los numerosos proyectos de Hidroeléctricas en distintas regiones del país, la exploración minera y de petróleo, todos grandes negocios del Estado que podrían ser la razón principal de la confrontación entre sectores empresariales y políticos y el actual gobierno de Guatemala.
3. A partir del asesinato del Lic. Rosemberg, sectores influyentes de la sociedad guatemalteca han pedido la renuncia del Presidente Álvaro Colom y sus funcionarios acusados en el asesinato de otro empresario, han amenazado con realizar un paro empresarial, han recogido firmas y han seguido impulsando las manifestaciones para pedir la renuncia del actual presidente de la República. El partido político UNE, por su lado, también ha llamado a manifestaciones públicas para defender al Presidente Colom. La demanda por la investigación, la justicia y el combate a la impunidad es la demanda general, aunque hay otros que anuncian el inicio de una confrontación que tenderá a agravarse en los próximos meses y años. De hecho se percibe el objetivo de debilitar al actual gobierno y sustituirlo, posiblemente por su intento de aplicar la reforma fiscal, sus políticas de cohesión social y el recurso financiero que implican, entre otras razones.
4. Sin embargo, mientras la crisis se ha ido profundizando, hay otros temas que están quedando fuera de atención como es la REFORMA FISCAL tendiente a que quienes más ingresos tengan paguen sus respectivos impuestos. Finalmente se aprobó la normativa para la elección de los magistrados de la Corte Suprema de Justicia. El anunciado resarcimiento a las víctimas de violación de derechos humanos durante el conflicto armado se está cubriendo con préstamos del país mientras se aumenta el presupuesto del ejército de Guatemala. Se anuncia una Política de Desarrollo Rural pero que no contiene la participación y la decisión de las comunidades indígenas y campesinas. La inseguridad ciudadana sigue creciendo. Las políticas de cohesión social están convirtiéndose en un asistencialismo clientelar más.
5. Frente a esta situación, El CONSEJO POLITICO 13 BAKTUN rechaza cualquier intento de cerrar la apertura política que trajeron los Acuerdos de Paz y que vino a ampliar las posibilidades de construir una verdadera democracia en Guatemala. El crimen político debe ser investigado y los resultados deben darse a conocer públicamente y la manipulación política debe terminar porque en nada beneficia al pueblo guatemalteco. Los grandes negocios del Estado deben transparentarse. El gobierno debe dar respuesta a las grandes demandas de las comunidades indígenas y campesinas como son las consultas comunitarias sobre los megaproyectos y la defensa de sus recursos naturales, suspender la remilitarización de regiones enteras en función de los megaproyectos y la persecución a líderes comunitarios, campesinos e indígenas, entre otras.

POR EL DERECHO A LA JUSTICIA
Y A LA CONSTRUCCION DE LA DEMOCRACIA PLURICULTURAL EN GUATEMALA.
CONSEJO POLITICO 13 BAKTUN
Ixim Uleu, 12 TZ'IKIN, AÑO 10 IQ'.
Guatemala, 26 de mayo del año 2009.

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