



Monthly Information Pack from Guatemala

Number 127 – April 2014

1. 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 globalisation on human rights.

Concerns regarding the decision of the CANG to temporarily suspend the judge Yassmin Barrios as a lawyer

On April 4th the Tribunal of Honour of the College of Lawyers and Notaries of Guatemala (CANG, from its Spanish initials) announced its decision to suspend the right of the judge Yassmin Barrios to practice as a lawyer for the period of one year. She presided over the High Risk Tribunal A that in May 2013 convicted the ex *de facto* head of state José Efraín Ríos Montt for genocide and crimes against humanity. The suspension came about following a complaint made during the trial by Moisés Galindo, a lawyer for one of the other generals on trial, José Mauricio Rodríguez Sánchez¹. Galindo had complained to the magistrate on April 4th 2013 that the judge had acted unethically on March 19th in the session opening the oral debate in which she had ordered him to take up the defence of Ríos Montt following the expulsion from the court of Montt's named lawyer, Francisco García Gudiel².

As well as preventing Barrios from practicing, the resolution of the Tribunal of Honour of the CANG fined her and required the wide circulation of a 'public reprimand'. It referred the investigation to the Public Ministry (MP, from its initials in Spanish) for crimes that could have occurred by the remittance of resolutions that violated the Constitution for abuse of power or any other act³. Faced with this, Yassmin Barrios appealed to the Presidents' Assembly of the Professional Colleges and placed a legal appeal with the Supreme Court of Justice⁴.

The Human Rights Ombudsman (PDH, from its Spanish initials) and various international actors such as the delegation of the European Union in Guatemala and the Office of the High Commission of Human Rights of the United Nations expressed their concern regarding the ruling⁵. The PDH's press release referred to this as an attack on judicial independence and an interference in the competency of judicial power, reminding that the events on which the decision was based had already been viewed by a competent entity, the Assembly of Judicial Discipline.

The OHCHR expressed that *"in a context of attacks faced by those working independently and impartially in the Guatemalan justice system in the struggle against impunity, actions such as those taken by the Tribunal of Honour of the CANG put at risk the important and effective work of the high Risk Courts and Tribunals of combating impunity and grave violations of human rights, cases of organised crime, drug trafficking and other serious offences"*⁶.

¹ Prensa Libre, 04.04.2014, <http://www.prensalibre.com/noticias/justicia/suspension-temporal-Tribunal-de-Honor-CANG-Yassmin-Barrios-0-1114088773.html>

² El Periódico, 05.04.2014, <http://www.elperiodico.com.gt/es/20140405/pais/245373/>

³ Ibid.

⁴ El Periódico, 08.04.2014, <http://elperiodico.com.gt/es/20140408/pais/245526>

⁵ Press Release from the PDH, 10.04.2014, http://www.pdh.org.gt/archivos/descargas/Sala%20de%20prensa/Comunicados/comunicado_pdh_por_caso_contra_jueza_yassmin_barrios_100414.pdf

Statement from the OHCHR in Guatemala, 08.04.2014

http://www.ohchr.org.gt/documentos/comunicados/2014ACsobre_decision_CANG_jueza_Barrios%288ab14%29.pdf

Press release from the E.U. Delegation in Guatemala, 10.04.2014

http://eeas.europa.eu/delegations/guatemala/documents/press_corner/2014/20140410_01_es.pdf

⁶ Ibid.

Claudia Paz y Paz is excluded by the Nomination Committee from the list of six finalists for the position of Attorney General⁷

The nominations committee completed its work with the selection of six finalists put forward to take up the position of Attorney General for the next four years. On April 29th it selected as candidates Thelma Aldana, María Porras, Ronny López, Eunice Mendizábal, Edgar Lemus and Julio Rivera Clavería. The president Otto Pérez Molina is due to select the person for the role from this list.

The current Attorney General Claudia Paz y Paz, despite having achieved the second highest ranking in the process (behind Thelma Aldana) was left off the list. Out of a possible 13 votes, she only received four, though her worthiness had been unanimously recognised by the Committee. At the same time, the commission rejected a petition presented by the Guatemalan Human Rights Convergence and the Woman's Sector – signed by 6,780 people – calling for Paz y Paz to be included in the nomination. The petition was based on article 12 of the Natural Law of the MP that indicates that, "5,000 citizens can propose to the Nominations Commission a candidate for inclusion in the nomination". José Arturo Sierra, president of the Supreme Court of Justice and the Nominations Committee, indicated that, "the special law of the Nominations Commission overrules that of the MP (on which the petition was based)".

The International Commission against Impunity in Guatemala (CICIG, from its initials in Spanish) as well as the Human Rights Ombudsman, Jorge de León Duque, expressed their surprise at the decision to exclude the current head of the MP from the list of final candidates. Members of civil society organisations declared in the press that the members of the nominations commission had voted under the influence of powerful groups looking to prevent Pérez Molina from having to decide whether or not to elect Claudia Paz y Paz. Iduvina Hernández, director of the organisation Security in Democracy (SEDEM) commented about the selection process and the results that "confirm a pact of impunity, it's what we've seen and denounced before".

Further aggressions in the area of Monte Olivo. Six people are injured and one killed in the community Nueve to Febrero

On April 7th, seven Maya Q'eqchi' people (5 men and 2 women) were shot during a meeting in the community Nueve de Febrero in Cobán (Alta Verapaz). 13 days later one of them, Víctor Juc, died. According to the newspaper Prensa Libre, the people affected indicated that the aggressors were security personnel of one of the owners of the estate and that the confrontation was caused by conflict over land⁸. In a statement, leaders of the community clarified, accusing Sandino Ponce, son of the estate owner Leonel Ponce, of shooting at community members during a meeting that the estate owner had called in order to come to an agreement over the Q'eqchi land. They also expressed concern on behalf of the communities in resistance to the hydroelectric project Santa Rita, S.A.⁹. The community is close to Monte Olivo, where the Q'eqchi population have faced aggressions and threats for their resistance to the project. Amongst other attacks, there were two children killed in August 2013, an act which has seen no resolution¹⁰.

Establishment of the Cabinet of Indigenous People and Interculturality provokes criticism from various indigenous groups

On March 31st, following a Government Accord, the Cabinet of Indigenous People and Interculturality was formed. Led by the President of the Republic, according to the Government its aim is to generate proposals and public policy that allow for greater inclusion and participation by indigenous people in decision-making¹¹. It is made up of nine ministers, five secretaries, five directors and coordinators of other government dependencies, the defender of the Indigenous

⁷ El Periódico, 30.04.2014, <http://www.elperiodico.com.gt/es/20140430/pais/246549/>

⁸ Prensa Libre, 07.04.2014, http://www.prensalibre.com/alta_verapaz/heridos-enfrentamiento-finca-9_de_febrero_0_1115888681.html

⁹ Press Release from the leaders of the Nueve de Febrero community, Cobán, Alta Verapaz, 08.04.2014.

¹⁰ Alert, PBI Guatemala, february 2014, "Deterioration in the human rights situation in Monte Olivo", [http://www.pbi-guatemala.org/field-projects/pbi-guatemala/latest-news/news/?no_cache=1&tx_ttnews\[tt_news\]=4083&cHash=7adb127f72a6c46eb814af9ca4f8b416](http://www.pbi-guatemala.org/field-projects/pbi-guatemala/latest-news/news/?no_cache=1&tx_ttnews[tt_news]=4083&cHash=7adb127f72a6c46eb814af9ca4f8b416)

¹¹ Government of Guatemala, no date, <http://www.guatemala.gob.gt/index.php/2011-08-04-18-06-26/item/7773-presidente-p%C3%A9rez-molina-instalar%C3%A1-primer-gabinete-ind%C3%ADgena-y-de-interculturalidad>

Woman, a representative from the Guatemalan Academy of Mayan Languages and one from the National Advisor of Urban and Rural Development. It also includes one member from the indigenous population of Maya, Garifuna and Xinka. Amongst other functions it will be responsible for designing and coordinating actions so that government projects carried out by ministries and other dependencies of the government are equipped with cultural expediency¹².

The initiative has aroused criticism from various indigenous actors. Mario Itzep, of the Indigenous Observatory commented in an article published by the newspaper La Hora that the implementation of the cabinet didn't resolve the issues of the indigenous population, but was a government proposal that didn't have a plan or a budget, amongst other shortages. "The people had interest in the existence of an Indigenous Cabinet, but the problem is that this cabinet has shortcomings, and as it is the third year of this government there is no time for its proper installation". Amongst other worries, Itzep indicated that "the topic of indigenous people has been used by this government in a folklore manner", supporting the hypothesis that setting up the cabinet in the third year of a government is merely a vote winning gimmick¹³.

The Council of the Maya Kaqchikel people rejected the move, and distanced themselves from the body "that has the objective to cover up the governmental politic of repression, criminalization and exclusion of the Maya, Garifuna and Xinka people". They indicated that it is formed by sectors of the population who support only the interests of the ruling party. According to the Council, the Indigenous Cabinet doesn't represent the interests or the will of the Mayan or Kaqchikel people and by instituting it, the right to previous consultation and consent was not being respected¹⁴. Therefore they consider its formation an imposition and a government strategy, for the benefit of the international community, to feign interest in resolving social issues generated by structural and historical problems of Guatemalan society¹⁵.

2. ACCOMPANIMENTS

PBI accompanies social organisations 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, the issue of land and the negative impacts of globalisation on human rights¹⁶.

We continue to accompany the **Pacific Resistance of La Puya** that has maintained for more than two years a permanent blockade in front of the mining project El Tambor. This is one of many methods of social protest and revindication of their rights in the Municipalities of San José del Golfo y San Pedro Ayampuc. The threats and aggressions denounced by their members to the authorities and the criminalization of social protest are a central concern of national and international human rights organisations in Guatemala¹⁷.

In April we continued to observe the trial against three members of the resistance of La Puya. These three find themselves accused by people linked to the company Mining Explorations of Guatemala, S.A. (EXMINGUA) of the crimes of coercion, threats and illegal detention in respect of events that occurred in 2012. The trial opened on April 2nd, and was followed by a further hearing on 10th. On the 30th the three were condemned to nine years in prison, a term commutable on payment of 10 Quetzals a day. The Pacific Resistance of La Puya as well as international organisations have manifested their concern over the trial and verdict, alluding to irregularities in due process as well as violations of the principles of independence and impartiality of the investigators and the fairness of the trial¹⁸.

¹² Prensa Libre, 01.04.2014, http://www.prensalibre.com/noticias/politica/Definen-prioridades-gabinete-indigena_0_1112288784.html

¹³ La Hora, 31.03.2014, <http://www.lahora.com.gt/index.php/nacional/guatemala/actualidad/193609-instalan-gabinete-de-los-pueblos-indigenas>

¹⁴ Prensa Libre, 24.04.2014, http://www.prensalibre.com/noticias/politica/Indigenas-rechazan-creacion-gabinete_0_1126087412.html

¹⁵ Prensa Libre, 24.04.2014, http://www.prensalibre.com/noticias/politica/Indigenas-rechazan-creacion-gabinete_0_1126087412.html

¹⁶ You can consult general information about the accompaniment of organizations and individuals that we accompany, on our web site: <http://www.pbi-guatemala.org/field-projects/pbi-guatemala/who-we-accompany/>

¹⁷ PBI, "Resistance in La Puya", Bulletin No. 28, Guatemala, 2012, http://www.pbi-guatemala.org/fileadmin/user_files/projects/guatemala/files/english/PBI_Bulletin_28.pdf

¹⁸ Observatorio para la protección de defensores de derechos humanos, 09.05.2014,

Attempt to bring machinery into La Puya

On April 9th we maintained a presence at the permanent blockade of the Pacific Resistance of La Puya and observed the attempt to bring machinery into the mine Progreso VII Derivada, part of the "El Tambor" project. Due to the arrival of the trucks carrying the machinery, backed by the Civil National Police (PNC), hundreds of people collected in the area.

Representatives of the Human Rights Ombudsman (PDH) were also present, as well as personnel from the Office of the high Commission of Human Rights of the United Nations (OHCHR) in Guatemala and members of Guatemalan organisations such as the Unit of Human Rights Defenders (UDEFEQUA), Madre Selva and the Committee of Campesino Unity (CUC). International organisations such as Protection International were also present.

At the end of the day the trucks that transported the machinery, the PNC agents and the EXMINGUA representatives withdrew¹⁹. Following this situation, the table for dialogue has been reactivated between the Pacific Resistance of La Puya and representatives of the National System of Permanent Dialogue in order to find a solution to the conflict.



Personnel working for the company and PNC patrols in La Puya, 09.04.2014

Photo PBI: 2014

In April we maintained periodic contact and have held various meetings with the **Council of the K'iche People (CPK)**. On April 14th we accompanied them to Santa Cruz del Quiché (El Quiché) at a conciliatory meeting relating to an allegations against Lolita Chávez. The meeting was postponed as the complainant never presented himself. The same day, close to the Public Ministry (MP), we observed a peaceful protest by CPK against the criminalisation of their work in defence of life, nature, land and territory. At the end of the month we accompanied Lolita Chávez to a meeting she had with the PNC in Santa Cruz Quiché.

We have also continued accompanying the **Association of Indigenous Women of Santa María de Xalapán, Jalapa (AMISMAXAJ)**. We maintained weekly phone contact with their members. At the beginning of the month we accompanied a group of them who participated in a feminist meeting in Mixco around the concept of "buen vivir" (literally, "good living"). Between the 13th and 14th of April we accompanied a delegation of AMISMAXAJ who travelled to Santa Cruz del Quiché in a show of solidarity with Lolita Chávez and to attend the conciliatory meeting mentioned in the previous paragraph (see CPK). In the vein of solidarity and support to other social movements, we accompanied members of the organisation to the village La Choleña in the municipality of San José del Golfo, where they facilitated a workshop in which women from the Peaceful Resistance of La Puya participated.

We continued accompanying the **Verapaz Union of Campesino Organisations (UVOC)**. Their work is centred on denouncing the problems of land in the Verapaz region and in supporting the search for alternatives and solutions in face of the existent conflicts in the area. The organisation and its members continue to denounce criminalisation as an obstacle to the work they carry out in seeking to have campesino land rights recognised. In April 4th we accompanied members of the UVOC to Cobán (Alta Verapaz) where they participated in a conciliatory meeting between the community Nueva Seamay and the energy company TRECSA. We also travelled twice to La Tina (Alta Verapaz) accompanying members of the organisation who attended meetings with community members in the area regarding the situation there. Hundreds of families are still without land or homes following the evictions in 2011. The communities have also expressed concern regarding the increased military presence in the area, in particular in the area of San Miguelito Cotoxá in the municipality of El Estor (Izabal), where the threat of eviction remains present (see *part 6, non governmental organisations*). At the end of the month we accompanied members of the UVOC to a meeting with the Secretary of Agrarian Concerns (SAA) regarding the problem of land in the communities of Tres Cruces, Nueva

<http://www.fidh.org/es/americas/guatemala/15297-guatemala-faltas-al-debido-proceso-en-la-sentencia-contra-los-sres-alonzo>

¹⁹ El Centro de Medios Independientes (CMI) on 15th April published a report regarding the same. Link: <http://cmiguate.org/caso-puya-y-esta-es-la-paz-que-pregona-el-estado/>

Seamay, Santa Inés, La Primavera, Secamquin, San Miguelito and 12 Águilas.

We accompanied the **'New Day' Chortí Campesino Central Coordinator (CCCCND)** in the east of the country. Their members continue to express concern for the criminalization of members of their organisation, the communities of the area and their members, those involved in the defence of the land, territory and natural resources. In the development of this work they have registered an increase in intimidations, threats and defamations against them. We were present



in Chiquimula on the 7th, 21st and 28th of April to observe the trial against two members of the community Las Flores, Jocotán (Chiquimula). They have been held on remand since 2014 (see details in MIP 120 and following versions). On April 11th we accompanied members of the organisation to Cajón de Río, Camotán (Chiquimula) where they participated in an assembly of communities of the municipality and Jocotán. Amongst the topics discussed were their concerns regarding the possible installation of a hydroelectric plant in the area, the protection of the environment, their right to be recognised as an Indigenous Population and their right to previous consultation about mega projects that affect them.

Community Assembly in Cajón del Río, Camotán (Chiquimula), 11.04.2014. Photo PBI: 2014

We observed the weekly meetings of the **Twelve Kaqchikeles Communities of San Juan Sacatepéquez** on two occasions in April. On the 7th we accompanied members of the organisation to a trial hearing that was suspended when the complainants failed to attend. It was put back to April 25th and then again until May 19th. The three people that are on trial have been held on remand since July 2013²⁰. Towards the end of the month we observed a meeting between the Twelve Communities and the PDH. Their central concerns are the campaigns of criminalisation against them and the increase in violence this month²¹. In this context they are maintaining a process of community resistance in face of a cement project that is being installed without the consent of the Maya Kaqchikel people and call on the state to fulfil their obligations.

We also maintained our accompaniment of the **Council of Communities of Cunén (CCC)**. We maintained weekly telephone contact with various members of the organisation. At the beginning of the month we held a meeting at the organisations base in Cunén (El Quiché) providing international presence to the area.

On April 25th and 26th we accompanied members of the **National Coordinator of Widows of Guatemala (CONAVIGUA)** to Joyabaj and Chichicastenango (El Quiché), where they held two meetings of the organisation. We also carried out weekly visits to their headquarters.

This month we have also maintained periodic contact and various meetings with members of the **Unit For the Protection of Human Rights Defenders in Guatemala (UDEFEUGA)** in which we were updated regarding their work and the situation of human rights defenders.

Finally, we continue to accompany the **Human Rights Legal Office**. In April we maintained contact and held meetings with its members, visited its central office in the capital at least on a weekly basis and accompanied the lawyer Edgar Pérez Archila on his journeys.

3. INTERNATIONAL OBSERVATION

PBI Guatemala provides international observation of public events as requested by Guatemalan social organisations, to bring

²⁰ PBI Guatemala, "ALERT: Legal accusations, arrest warrants and detention of members of the Kaqchikel communities in San Juan Sacatepéquez", Guatemala, 01.08.2013, [http://www.pbi-guatemala.org/los-proyectos/pbi-guatemala/noticias/spanish-news-holder/?no_cache=1&L=1&tx_ttnews\[tt_news\]=3902&cHash=2215b7581a2102498351da95f984d0f2](http://www.pbi-guatemala.org/los-proyectos/pbi-guatemala/noticias/spanish-news-holder/?no_cache=1&L=1&tx_ttnews[tt_news]=3902&cHash=2215b7581a2102498351da95f984d0f2)

²¹ PBI Guatemala, "The ongoing criminalisation of social protest", Bulletin No. 30, Guatemala, 2013 http://www.peacebrigades.org/fileadmin/user_files/projects/guatemala/files/english/BOLETIN_ingles_PBI_final.pdf

attention and international interest and to communicate outside the country what we observe.

At the beginning of the month we observed a meeting in San Pedro Ayampuc regarding the reinstallation of the National Civil Police (PNC) in **San José Nacahuil**, a community of the municipality. The meeting was held between the population of Nacahuil, the PNC, the Human Rights Ombudsman (PDH), the Municipality and the Community Development Council (COCODE) of Nacahuil. In September 2013 in Nacahuil there was a massacre where 11 people were killed. Until now, clarification of what happened and who was responsible has yet to happen. Following the massacre, in the context of an increased military presence in the area, a consultation was carried out in relation to the presence of the PNC and the army in the area. The result favoured the reinstallation of a PNC substation and the rejection of the presence of the military. Up to now there is still no PNC substation at San José Nacahuil.

Due to the emergency situation that occurred on April 7th in the community Nueve de Febrero, neighbour to the community Monte Olivo, also opposed to the plans of hydroelectric Santa Rita, S.A. (see notes in *Current Situation*) on April 8th we observed a meeting between human rights groups and the **Council of the People of Tezulutlán (CPT)** at their base in Cobán (Alta Verapaz). In the meeting, concerns relating to the community's situation were raised, including the aggressions against its members and the attempt to evict a community of Sierra de Minas the day before. On the 10th we observed the meeting between the CPT and representatives of the PDH in the capital regarding the same topics. A community delegation from the region denounced the violations of human rights and aggressions against them that have coincided with the arrival of hydroelectric projects in the region.



On April 13th we went **La Trementina** (Zacapa) to observe the repairing of water pipes in Macizo del Merendón. The previous pipes had been destroyed leaving five communities without water. It is not the first time that the population has had to repair the pipes that appear to have been intentionally damaged. They interpret this type of action as a reprisal on the part of private actors present in the area against communities who are defending the water and in order to do so maintain a resistance to illegal logging in the mountain Las Granadillas.

Path to the repairing of the water pipes in Macizo del Merendón, Zacapa, 13.04.2014. Photo PBI: 2014

4. POLITICAL ACCOMPANIMENT

Meetings with the diplomatic corps, international organisations, and Guatemalan authorities

Meetings with national and international authorities are an important tool for PBI to make known our objectives and work. In these meetings, where this is necessary, we express concerns in a restrained way about critical situations we know first-hand from the work we do on the field.

This month we have met with various members of the diplomatic corps in the country. At the beginning of the month we had contact with Manuel Lejarreta, **Spanish Ambassador**, to update him about the accompaniment work and international observation we carry out. For this same reason we met with the **German Ambassador**, Matthias Sonn. Towards the end of the month we met with him again, along with the **German Member of Parliament** Frank Schwabe and the **European Union Ambassador** Stella Zervoudaki. We raised our concerns regarding the Twelve Communities of San Juan Sacatepéquez.

We met with Víctor Ferrigno, one of the coordinators of the **Mayan Programme of the United Nations** and also with Alberto Brunori, Catalina Lleras and Cristina Papadopoulou respectively representative and responsible for human rights for the **Office of the High Commission of Human Rights of the United Nations (OHCHR)**. Lastly, at the end of the month, together with organisations we accompany, we held a meeting with Bastian Engelhard, First Secretary and Coordinator of the Central American Programme for the **Embassy of the Netherlands**, with its base in San José (Costa Rica).

During April we met with Guatemalan public institutions and authorities. We held meetings with **the mayor of Santa Cruz del Quiché (El Quiché)**, José Francisco Pérez Reyes, and **the mayor of La Tinta** (Alta Verapaz), Erik Ventura

Fernández, informing them of our role in these regions. In the same way we maintained contact with personnel from the **Substation of the National Civil Police (PNC) of Camotán**.

Meetings with civil society

The team in the field meets regularly with civil society organisations, with the aim of monitoring the situation of human rights defenders' human rights, to inform each other about the work being done and to gather information to help develop analysis of the political situation. We coordinate aspects related to the field of international involvement.

In April we maintained contact with various organisations and individuals from within Guatemalan civil society. We met with father Dario Caal, parish priest of the Catholic Church in La Tinta and Jorge López, director of the **Organisation to Support an Integrated Sexuality to combat AIDS (OASIS)**. We also had regular visits to the central office of the **Collective Madre Selva and Women's Sector**.

We also held meetings with social organisations from the international community present in Guatemala. During the month we maintained contact with the **Coordination of International Accompaniment in Guatemala (ACOGUATE)**, with the **Forum of Non-Governmental Organizations (FONGI)** and with the **International Platform against Impunity**.

5. ACTIVITIES OF PBI GUATEMALA OUTSIDE GUATEMALA

Outside the country we constantly develop and strengthen the network of support for the Guatemalan PBI project, as this is one of the essential tools necessary to protect defenders of human rights. Regional Representatives, the Project Office Coordinator and other members of the committee and the Project Office and national groups of PBI, conduct public relations campaigns with many NGOs, agencies and national governments, parliamentarians and others. In this context we develop actions and public relations campaigns, and / or advocacy aimed at protecting defenders of human rights.

During the first fortnight of April the PBI Guatemala committee and office (based outside Guatemala) visited and joined the team in some of the previously mentioned meetings.

Between 22nd and 25th of April, representatives from PBI's projects in Guatemala, Mexico and Colombia attended the **2014 Regional Meeting of International Accompaniment** that took place in San Cristóbal de Las Casas, Chiapas, México. Other international accompaniment organisations also attended such as ACOGUATE, International Peace Service (SIPAZ) and the International Accompaniment Project in Honduras (PROAH) amongst others.

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.

Comunidad SAN MIGUEL COTOXJA, miembros de la Unión Verapacense de Organizaciones Campesinas (UVOC) del municipio del ESTOR, Departamento de IZABAL Ante la opinión Pública Nacional e Internacional

Las familias que conformamos la comunidad San Miguel Cotoxja hemos vivido y trabajado nuestra tierra, somos territorio Q'eqchi' los antecedentes de la posesión de la tierra la tenemos aproximadamente desde año 1893, en una circunscripción de terreno de 30 caballerías denominado Cotoxa, situado en los ejidos de Izabal, lindando por los cuatro rumbos con baldíos en su primera inscripción numero de finca 1904 folio 154 del libro 17 Grupo Norte, aquí vivieron nuestros antepasados y ahora nosotros en el resto de la finca, nuestros abuelos y abuelas fueron primero poseedores de su tierra y después a mozos colonos de la Finca el sistema económico le dio un cambio a nuestras vidas en el Valle del Polochic se fue imponiendo la producción de monocultivos, que avanza rápidamente dejándonos apenas en una posesión de seis caballerías, el tracto sucesivo registral de la propiedad llego a manos de Sociedades Anónimas con la producción de azúcar, nuestra comunidad haciendo uso de la poca y casi nula institucionalidad hemos acudido indistintamente a muchas vías, administrativas, laborales, a defendernos ya que se ha promovido ya en varias ocasiones el desalojo, hemos sido una comunidad que hemos resistido y al día de hoy a pesar de vivir en una zozobra por el acoso en el área por parte de empresarios, seguridad privada, vivimos desgastantes jornadas de diálogo y falta resolución de conflicto y sin resultados finales a pesar de que se nos adelantaron tres puntos de acuerdo: I) se nos daría Q25,000.00 a cada familia. II) Se nos compraría una finca para nuestros trabajadores. III) Se respetaría

nuestro lugar de vivienda con derecho a seguir viviendo allí. Sin embargo ahora nos hemos dado cuenta que la empresa Chabil Utzaj tiene dos caras porque por un lado hace presencia en los diálogos en las mesas y por otro lado promueve los desalojos como el expediente aperturado el 31 de marzo de 2014 con numero 18002-2014-00144 en el Juzgado de Primera Instancia Penal Narcoactividad y Delitos contra el Ambiente de Puerto Barrios Izabal. a parte de ello denunciamos.

La presencia militar en el área acosando a nuestra comunidad y fortaleciendo el imperio de impunidad dirigido a nuestros líderes y comunitarios en general, a pesar de formar parte de las comunidades incluidas entre las medidas cautelares numero 121-2011 otorgada por la Comisión Interamericana de Derechos Humanos, junto a 13 comunidades más situadas en el municipio de Panzós, Alta Verapaz, resistimos ante tanta injusticia dirigida a nosotros aun con el irrespeto del Estado hacia estas medidas de que gozamos, seguimos en posesión de nuestra tierra pues de ella depende nuestra vida.

COMO GUATEMALTECOS EXIGIMOS QUE SE NOS RESPETEN NUESTROS DERECHOS, QUE LOS PROCESOS DE DIÁLOGOS DEN RESULTADOS, LA TIERRA SIEMPRE HA SIDO NUESTRA POR DERECHO HISTÓRICO.

Por lo tanto:

Exigimos a las instancias de gobierno responsables de la solución de la problemática agraria a que se respete los acuerdos ya llegados en la mesa de negociación llevada en la Secretaria Agraria sede central y que no vaya a suceder como lo sucedido con Secamquim- Cahabón, Alta Verapaz que hasta hoy fecha siguen esperando la solución de su situación después del desalojo.

Es irónico que la muestra desproporcional de fuerza y de recursos del Estado para implementación de desalojos, es completamente contradictorio y desigual en cuanto al interés actual por garantizar la seguridad y el bienestar de las familias desalojadas en especial la garantía al Derecho de la salud, alimentación, acceso a la tierra y medios de producción, detener el desalojo anunciado ya para San Miguel Cotoxja del municipio de el Estor departamento de Izabal.

Exigimos al Estado de Guatemala que garantice el cumplimiento de las medidas cautelares de las 14 comunidades entre ellas San Miguel Cotoxja que se encuentra en espera de la compra de una finca prometida por este gobierno.

Demandamos el cumplimiento del convenio 169 de la OIT, en relación a la validez de las consultas populares comunitarias que se han realizado alrededor de la llegada de mega proyectos que violentan los derechos humanos de los pueblos indígenas y campesinos.

3 de abril de 2014

Tierra Tortilla y Libertad Solo la Reforma Agraria lo dará

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GUATEMALA PROJECT

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