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Polemic over the politicisation of aid after Hurricane Stan

During the first week of October, torrential rains brought by hurricane Stan caused rivers to burst their banks, producing flooding and mudslides that destroyed entire communities. At the time of writing the official number of confirmed fatalities stood at 669, with 844 people still missing and over 30,000 living in temporary shelters such as churches and schools. The disaster is said to have directly affected over 1.5 million Guatemalans, as a result of the destruction of agricultural crops and basic infrastructure.

According to Alvaro Ramazzini, Bishop of San Marcos (the area hardest hit by the disaster) the scale of the tragedy is a reflection not of geographical vulnerability but rather of deeper structural problems; *"We have a country so poor, unequal and unjust that the tragedy of Stan illustrates our vulnerability."*

(...continued on page 2)



All Souls Day kite flown in Sumpango shows solidarity with the victims of the mudslide in Panabaj. Photo: PBI

Labour Rights in Guatemala: Unfinished Business? 4



According to the Centre of National Economic Investigations (CIEN), only 1.7 percent of the economically active population is affiliated to a trade union. However, the trade union movement continues to be an important actor bringing well-structured proposals to the national dialogue.

Activities of the Team in the field 10

The team has been involved in various training activities as well as taking on a new accompaniment and continuing with existing commitments. Among the training activities, various security workshops were given to Guatemalan human rights defenders by Marie Caraj of PBI's European Office (BEO) in Belgium.



A look at the everyday life of the people living in Guatemala's shanty towns 8

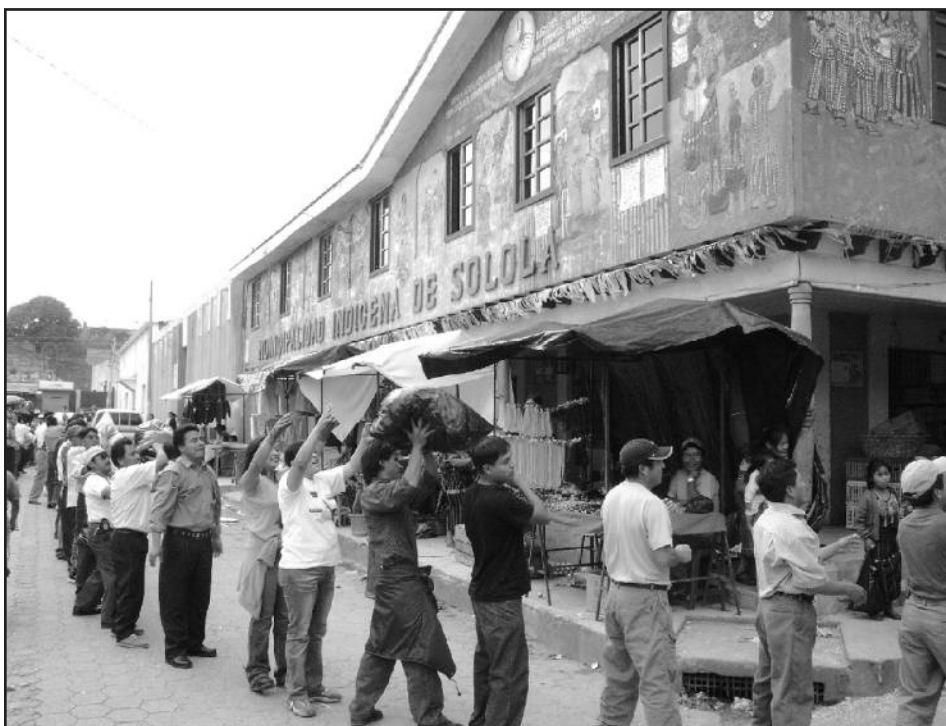


We interviewed women from the community "Las Victorias", a shanty town in zone 18 of Guatemala City. This article presents the voice of these women, as they recount different problems that they and their families have to tackle in their daily life.

Nueva Linda: One year after the eviction 6

On the 31st of October 2004, the community occupying the Nueva Linda Estate were violently evicted; however the community continues to maintain a presence at the site.





Residents of Sololá working together to organise aid for those affected by Stan.
Photo: PBI

(...continued from page 1)

*"This reflects one of the country's structural problems, that of land ownership... If there were a more equal distribution of land, these people would not have to live in these conditions"*¹, continued Ramazzini.

Environmental organization Madre Selva, published a statement in the days following the disaster questioning the use of the phrase "natural disaster" to describe what they argue are *"the effects of ecological unbalance aggravated by social injustice"*. They argue that the irrational exploitation of natural resources such as the clear-cutting of forests and re-routing of rivers, *"have left many communities in situations of high risk"*.²

Gert Rosenthal (responsible for writing the official Government report on the impact of Stan) agrees that the disaster is a reflection of poor natural resource management; *"We always say that we need to take preventative measures, but we never do it... Today we are paying the price for not having adequately reforested our mountains"*.³

In the months before Stan, there were other mudslides that caused dozens of deaths, such as those in Senahú in Alta Verapaz or

Ocos in San Marcos. In May, in response to concerns over the threat posed by hurricane Adrian, the Government reassured the population that it had a million rations and 650 tonnes of food stored in various centres around the country and that emergency plans were already in place.⁴ This has led many commentators to ask why such plans did not seem to be in place when Stan hit, 5 months later.⁵ Most of the criticism has been levelled at the National Coordination of Disaster Reduction (CONRED) which is responsible not only for coordinating the disaster response, but also for putting preventative measures in place to reduce the impact of extreme weather conditions. A number of international disaster experts, as well of the Head of Guatemala's Municipal Fire Brigade Rolando Antonio Lossi, have been critical of what they perceive as a lack of forward planning and a failure to respond to warning signs. Lossi believes that the lessons of Hurricane Mitch, which hit Guatemala 7 years ago this month were not learned, and that *"CONRED lacked organisation and prevention... they did not raise the alarm in time"*.⁶

The analysis of Inforpress' Central American Report goes further to state that in the years since Mitch *"the briefcases of civil employees and consultants have filled up with enough proof to enable them*

*to accuse the State of having committed culpable homicide, in the instance of Stan"*⁷

Defending the actions of his department Hugo Hernández, Executive Secretary of CONRED, has argued that his team was in the field and issuing warning in good time but that this information was not distributed by local authorities. He goes on to lay the majority of the blame on the affected communities themselves who, he argues, were warned of the danger but chose not to leave their homes.⁸

The worst affected communities, those of San Marcos and Sololá, have responded to the disaster by setting up emergency committees that seek more accountable local control of aid and reconstruction. The Emergency Committee of Sololá, formed by local indigenous and municipal authorities alongside Local Development Councils (COCODES), held a press conference on the 12th of October in the Human Rights Ombudsman's (PDH) office in Guatemala City, to denounce what they saw as a politicisation of the aid destined for their communities. According to Carlos Guárquez of The Maya Foundation (FUNDAMAYA) and representative of the Committee, *"it has been a fallacy for the Government to say that CONRED is prepared... lamentably the State is not there to protect the people and to provide for their needs but rather to secure its own political interests."* Guárquez explains that, *"the day after the rains when aid arrived in Sololá, we wanted to send it to Santiago Atitlán but along came a man from CONRED who said 'we are not going to distribute even one bag until (President) Berger gets here.' They are more interested in the image of the president than the lives of ordinary people, the thousands of ordinary people that were affected."*⁹

On the 20th of October Congresswoman Nineth Montenegro submitted various complaints, about the supposed politicization of aid by various mayors and state governors, from the many different affected areas to Hugo Hernández, Executive Secretary of CONRED. *"They are asking for membership cards of affiliation or promises of support for certain parties, which is inhuman in the middle of this catastrophe"*, said Montenegro.¹⁰

Roly Escobar, leader of the National Coordinating Body for Peoples in Marginalized Areas (CONAPAMG) that

represents many affected communities, maintains that their aid efforts have also been hampered by bureaucracy, such as being denied access to bridges on which work has been completed with the excuse that they are awaiting public inauguration by a local official. *"We believe that they are carrying out a publicity campaign and this damages our dignity as people. In reality it sustains our problems in getting aid to the communities. These are human beings that need help"*.¹¹ CONAPAMG is particularly worried about the communities Los Cardona, Ixcawin and Sombrerito Bajo, in the Nuevo Progreso municipality of San Marcos, which are represented by CONAPAMG but which remain uncontactable.

On the 4th of November, the environmental collective Madre Selva, raised concerns in the press over the politicisation of aid at an international level in relation to the alleged inclusion of genetically modified (GM) seed and food in aid packages. According to Madre Selva founder, Magali Rey Rosa, *"genetic modification is a lucrative business for transnational seed companies, who are very powerful by the way, whose objective is profit, not solidarity or human well-being. To allow GM seed - mainly maize in this case - to sneak in unchecked because of emergency and need would be monstrous"*.¹²

Seeking solutions

Ciro Ugarte of the Pan-American Health Organisation argues that Guatemala is currently in a cycle of catastrophe, disaster and vulnerable reconstruction followed by further catastrophe and disaster. According to Ugarte, *"the most important thing is that in the reconstruction the vulnerabilities are not also reconstructed, because if you rebuild the bridge, the school or the health centre the same as before, they will collapse again with the next storm... It depends on a high level political decision to construct resistant countries that can change this cycle"*¹³

Inforpress' Central American Report cites the example of El Calvario, a community in Alta Verapaz, which suffered a landslide in 2000 that killed 13 inhabitants. Despite the efforts of both national and international organisations to reduce the vulnerability of the community, heavy rains caused another landslide at the same point in June 2005 killing 22 and destroying over 100 structures. Neither of these events



The Panamerican Highway near to Los Encuentros almost completely disappears under the force of mudslides. Photo: PBI

were the result of a hurricane or national disaster (the path of Stan bi-passed Alta Verapaz), but the fact that the same area is again inhabited, despite annual flooding, is a reflection of a lack of options for many poorer communities.¹⁴

On the 19th of October 2005, more than one thousand families from some of the affected communities in San Marcos demanded that the government establish a mechanism for the expropriation of private land to compensate the population that had lost their land to Stan. According to Plataforma Agraria, which represents the communities, *"this proposal is founded on the constitutional mandate that establishes the right of the State to intervene or expropriate private property for reasons of collective use or social benefit... in cases where a state of public calamity has been declared"*.¹⁵

According to Carlos Guarquez, the Sololá Emergency Committee will maintain contact with the commission in San Marcos to form a common position on the reconstruction of their communities. He continued, *"We ask that the Government adopt a more participative policy, that they consult the indigenous peoples and consult the population in general. What we really need is reconstruction with more dignity"*.¹⁶

1. El País, "El Stan reabre heridas de guerra", 17th of October 2005
2. www.madreselva.com.gt/position.html
3. Prensa Libre, "Catástrofe humana" 21st of October 2005
4. El Periódico, "¿Comida por Adrian?", 17th of October 2005
5. El Periódico, "Críticas ahogan a CONRED", 17th of October 2005
6. Inforpress Centroamérica "Desatención estatal y pobreza hicieron más letal a Stan", No. 1631, 28th of October 2005 and No. 1629, 14th of October 2005
7. El Periódico, "Estoy con la conciencia tranquila", 17th of October 2005
8. Entrevista con Carlos Guárquez de FUNDAMAYA, 3rd of November 2005
9. Prensa Libre, "Nineth Montenegro denuncia politización de ayuda", 21st of October 2005
10. Entrevista con Roly Escobar, 4th of November 2005
11. Prensa Libre, "¡Por pura precaución!", 4th of November 2005
12. Inforpress, op. cit.
13. Ibidem.
14. El Informador Rural, Año 4. No. 41. 18-24th of October 2005
15. Entrevista con Carlos Guárquez de FUNDAMAYA, 3rd of November 2005

Labour Rights in Guatemala: Unfinished Business?

At the present time the legal basis for labour rights is the Constitution and the Code of Labour Laws. Both recognize that all workers have the right to form unions and affiliate with them including employees of the public sector, the only exception being members of the security forces.

According to Mynor Cabrera, it is not the quality of Guatemalan legislation that is the problem but the State's incapacity to fulfill it. There is a lack of justice and of the implementation of labour rights in practice.¹ Fuentes Aragón, mentions that there are whole sectors including the export clothing sector (maquilas) where labour relations have the common denominators of employment in precarious conditions, intensive work days, absence of social security, and a minimal or complete lack of union presence.² Thus, it is so, according to the National Economic Research Center (CIEN), that only 1.7 percent of the Economically Active Population is affiliated with a union.³

The trade union movement in Guatemala, according to Fuentes Aragón, is currently very divided and dispersed as a consequence of the historic armed conflict. Proof of this diversity is the existence of approximately 1,500 unions. Despite this, the union movement continues to be an important actor in national dialogue with well structured proposals.⁴

The Dominican Republic and Central America Free Trade Agreement (DR-CAFTA) recently signed by Guatemala, contains an article on labour rights.⁵ This article states that the solution of disputes will be dealt with by a Council "consisting of representatives at a ministerial level or people designated by them"⁶ and that where they are not able to obtain an agreement the case will be taken to a further commission with members of the same ministerial level.⁷ According to Miguel Angel Sandoval, there continues to be a lack of verification mechanisms where the worker as the primary affected actor could participate and have their views heard.⁸

Although Guatemalan legislation includes a series of labour rights, if the information held by the International Labour Organisation (ILO) is taken into account this is a problem still awaiting solution in Guatemala. The ILO after their 2005 annual session emphasised the gravity of the aggressions against union members including death threats and cases of intimidation as well as attacks against union networks in the country. It also mentioned a serious concern about various cases of the dismissal of trade unionists followed by the refusal of the employers to comply with orders to reemploy them, or unreasonable delays in the process. The ILO asked the Guatemalan government to refer these cases with urgency to the Office of the Special Public Prosecutor for Crimes Against Trade Unionists, and to order investigations without delay.⁹ In addition to this, according to the International Confederation of Free Trade Unions (ICFTU) in its 2005 report, the ILO asked the Guatemalan government to take legislative measures without delay, to put an end to the acts of violence against trade unionists. The ICFTU affirms in this report that workers who wish to affiliate themselves with a union become a target of discrimination by employers, as much in the private sector as in the public sector.¹⁰

One of the cases of violations in 2004 mentioned by the ICFTU in its 2005 report is the repression against trade unionists in the "Maquila" (clothing factory) NB Guatemala SA. PBI accompanied the SITRA NB union due to the continuous threats and physical aggressions suffered by their members from June 2004 until the closing of the Maquila in June 2005. This is the only case, out of the more than forty Maquilas closed during the year, where the workers succeeded in obtaining a complete indemnification payment.¹¹

Union of Workers of the "Coffee Industry Company", and other related Industries – SITINCA.

In Guatemala, the Coffee Industry Company is the proprietor of the Northern and Southern Coca-Cola plants as well as of an instant coffee factory in the capital. The International Union of Food,



Accompanying the women of SITRANB during a blockade of their factory, July 2005.
Photo: PBI

Agricultural, Hotel, Restaurant, Catering, Tobacco, and Allied Workers' Associations (IUF) states that the company should implement the agreement reached in March of 2005 between the IUF and Coca-Cola company, by which the company agrees to allow workers "to exercise the right to union affiliation and to collective negotiation without pressure or interference" in the company's Guatemalan factories.¹²

SITINCA is fighting for the reinstatement of Jose Armando Palacios, member of the union and former member of the Executive Committee of SITINCA, who was dismissed without any explanation on the 6th of May 2005. According to members of the union the dismissal is due to the affiliation of Mr. Palacios (a security worker for the company) to the trade union. This violates article 61 of the Collective Pact of Working Conditions, which establishes the procedure of dismissal for any worker. Since August 2004, Mr. Palacios has suffered acts of intimidation against him including anonymous telephone calls and an attempt on his life.¹³ On the 16th of April 2005, strangers broke into his house and threatened the life of his wife and their two children with firearms. They asked for Mr. Palacios saying that they wanted "to kill him for being a trade unionist." These facts were reported to the Public Prosecutor's Office (MP), Human Rights Ombudsman (PDH), National Civil Police (PNC), and The Human Rights Office of the Archbishop of Guatemala (ODHAG).

The Ministry of Labour says that nothing can be done about the dismissal because Mr. Palacios was not a member of the executive committee of the union.

Since June 2005 the PBI Guatemala team has carried out international observation at protest activities carried out by the members of SITINCA in front of the factory in Guatemala City and in front of the Coca-Cola plant in Retalhuleu where the workers are affiliated to the same union.

Union of Bocadeli Workers, SITRA Bocadeli

The Salvadoran company maintains three distributors in Guatemala, in Quetzaltenango, Chiquimula and Guatemala City. On the 10th of August 2005, without previous warning, the distributor in Mixco, Guatemala City, was closed. This was the only one of the three to be unionised. The company argued that the closing was due to a fine which they were



SITINCA and affiliated trade unionists demonstrating in front of the Palacio de Justicia. Photo: PBI

ordered to pay by the First Judge of Labour matters in a labour conflict with the workers that has been on-going for two years. Considering that the company has a monthly income greater than that of the total fine, the workers do not believe that this can be the true reason for the closure.

The workers remain day and night in front of the factory in Mixco to prevent the removal of products or the sale of vehicles that would back up their demands against the company for payment of wages and remunerations. Since the closure, the employees who are outside the factory complain of the threatening presence of cars with tinted windows. Marius Rommel Peña Klee, of the union's Board of directors, has in addition reported that two cars with tinted windows and without number plates pursued him personally. The union has asked the Guatemalan government and the Salvadoran Embassy, as the representative of the company's home country, to mediate in the case but these measures had not come to fruition at the time of writing.

PBI Guatemala accompanies members of this union in its activities in front of the distributor in Mixco and in its other activities in the capital. This case has been referred to the Public Prosecutor's Office (MP) and the International Labour Organisation (ILO).

1. Cabrera, Mynor: Guatemala: Impacto del CAFTA sobre sectores sociales menos favorecidos, Fundación Friedrich Ebert, 2004
2. Fuentes Aragón, Jorge Homero: Globalización y las reformas laborales en Guatemala, Fundación Friedrich Ebert, 2005
3. Siglo XXI, "El hombre de la colita", 31st of May 2005
4. Fuentes Aragón, Jorge Homero; op. cita
5. See Artículo 16: Laboral, DR-CAFTA
6. See Artículo 16.6: Consultas Laborales Cooperativas, DR-CAFTA
7. See Artículo 20: Solución de Controversias, DR-CAFTA
8. Prensa Libre, "Fianza laboral en las maquilas", 8th of September 2005
9. See http://www.noticias.info/archivo/2005/200503/20050326/20050326_54612.shtm. OIT califica de "graves" las amenazas a sindicalistas en Guatemala y Venezuela.
10. ICFTU: 2005 Annual Report about violations of Labour Rights. See: <http://www.icftu.org/survey2005.asp>
11. Prensa Libre, "Fianza laboral en las maquilas", 8th of September 2005
12. UITA, <http://www.rel-uita.org/>
13. The Union has confirmed to PBI that in June 2004, a number of shots were fired at Mr. Palacios while he was working during the night. In October of the same year, the company mentioned his name along with his working hours in a memorandum sent to Colonel Efraín Aguirre, operations manager of Visegua, a private security company, stating that his membership of a trade union was damaging to the company.

Nueva Linda: A year after eviction the community is still in search of justice

On the 31st of August 2004, those occupying the Finca Nueva Linda in the Municipality of Champerico, Retalhuleu, were forcefully evicted from their homes. Today, more than a year after the eviction around 25 families are still living on the edge of the highway under very difficult circumstances. These people, supported by the "Association of Committees for Campesino Development" (CODECA), are seeking justice for the disappearance of their compañero as well as the violent eviction that led to the death of 8 campesinos and 3 policemen.

On the 5th of September 2003, the administrator of Nueva Linda estate, Mr. Héctor René Reyes, disappeared. As well as being the administrator, Mr. Reyes was also the leader of a communal estate near Nueva Linda, the Finca Monte Cristo. His comrade Belisario Bonilla, also a leader at Monte Cristo, declared that, "The owner of Nueva Linda strongly opposed Héctor's decision to move with us to Monte Cristo. We think that his disappearance was carried out by the owner in reaction to this decision."¹ According to the Reyes family, Héctor was last seen with Victor Chinchilla, security guard at the estate. In an official complaint (dated the 6th of September) to the Ministry of Justice, the family directly blamed Mr. Chinchilla and Mr. Carlos Vidal Fernandez (the Spanish owner of the estate) for Mr. Reyes' disappearance.²

On the 13th of October 2003, around 100 campesinos of Monte Cristo and other rural communities occupied parts of the Nueva Linda estate in order to pressure the authorities of the Ministry of Justice and the National Civil Police (PNC) into carrying out investigations. Since the start of the occupation, they have received broad support from the entire campesino sector; in addition the protestors garnered a lot of direct help from other rural workers, which resulted in a swelling of the number of people occupying the estate to 600 by the end of the year.³



Banners at the commemoration of the first anniversary of the eviction at the Nueva Linda estate. Photo: PBI

The campesinos occupied parts of the estate until the 31st of August of 2003, during the early morning of which around 1,100 policemen (agents of various regions as well as agents of the Special Police Forces –FEP), carrying poles and various types of arms, positioned themselves in front of the entrance of the estate with the intention of expelling them from the property; to which the around 1500 campesinos gathered inside the property, replied that they would not withdraw until the disappearance of Héctor Reyes was investigated.⁴ A negotiation party was hastily formed, comprised of a delegation of campesinos, the Governor of Retalhuleu, two commissioners of the PNC and representatives of the Human Rights Ombudsman (PDH). Both an auxiliary of the PDH and an official of the PNC confirmed that while the parties were still in dialogue agents of the police entered the estate.⁵ During the eviction eight

rural workers were killed (among them a pregnant woman and three children), as well as three policemen. Many people were injured and around 300 houses were destroyed.⁶ The reactions from local and international social organisations were prompt; the Guatemalan Human Rights Commission (CDHG) declared in the days following the eviction that "this violent act reflects the ungovernability and the lack of political will of the current government to establish a real democracy in our country, in which it listens and seeks real solutions to meet the demands and necessities of the majority of people."⁷ The United Nations Verification Mission in Guatemala (MINUGUA) identified the disappearance of Mr. Reyes as the source of the incidents of the 31st of August and consequently argued that "it is essential that the alleged abduction of Mr. Héctor René Reyes, who disappeared almost a year ago, be investigated".⁸

In agreement with these opinions, Mauro Vay Gonón of Association of Committees for Campesino Development (CODECA) CODECA stated that: “there was never the aim to negotiate or comply with the law in the sense of investigating the crime so that those responsible for the disappearance would be charged. On the contrary, the Spanish owner of the estate and the authorities sought a judge capable of issuing a warrant for the violent eviction of the campesinos”.⁹ The day after the incidents the National Coordinator of Campesino Organisations (CNOC) asked in its communiqué: “How on earth can they authorise the eviction [of these campesinos] off the property of [someone] who has an outstanding legal case against them for their part in a kidnapping and presumably an arrest warrant too?”¹⁰

Since November 2004 some of the campesinos who were evicted from Finca Nueva Linda have been returning to the place where they used to live, although this time their home is on the edge of the highway across from the entrance of the estate, living in makeshift structures of plastic sheeting covering a hole in the ground. Belisario Bonilla, the spokesperson of the residents, explains that, “despite the rain and the problems in the southern coast caused by hurricane Stan we have decided to remain here in order to maintain our stance: we are not here to demand land, but to demand justice for the crimes committed by the finquero, the landowner”.¹¹ In the beginning the group was made up of 40 families, but the difficult circumstances, especially the lack of drinking water and food, have led to a declining number of people carrying on with the struggle. In addition, they have had to deal with other difficulties: Mr. Bonilla revealed that “since we started living here on the edge of the highway we have received threats, intimidations and attempts of kidnapping by the finquero and his security guards; the intimidating behaviour comes in the form of gunshots during the night, of helicopters flying above our heads during the day, through direct warnings that we should

abandon our struggle and by stealing our banners during the night. On top of that the finquero arranged with the council of the nearby village to stop supplying us with water”.¹²



Belisario Bonilla talking with a PBI member in front of his residence by the side of the road, next to the Estate entrance. Photo: PBI

In November 2004 the Attorney General named Mr. Piveral as Special Prosecutor to start a thorough investigation into the disappearance of Mr. Reyes. Mauro Vay Gonón, in name of the CODECA (which helps the campesinos at the edge of the highway with legal advice and basic food), points out that “until now the Special Prosecutor has lacked the willingness to issue arrest warrants against the perpetrators of the disappearance, albeit being well aware of the existence of sufficient proof of what really happened that 5th of October 2003. Meanwhile, these brave people have continued, and will continue, with a peaceful struggle under inhumane circumstances, simply because they want justice for their disappeared compañero and because they want an investigation into the excessive violence used against the campesinos during last year’s eviction.”¹³

1. Interview with Belisario Bonilla, representative of the executive council of the Campesinos of Nueva Linda, 27th of July 2005.
2. Complaint #660-2003 before the 34th Commission of the National Civil Police, Department of Retalhuleu, to Julio Emilio

3. Calderón Santos, Public Prosecutor of the Ministry of Justice in Retalhuleu.
4. See footnote 1.
5. Human Rights Ombudsman; Eviction at the Finca Nueva Linda, Champerico, Retalhuleu; Relevant facts, 2004, page 9-11.
6. Ibid., page 21
7. Amnesia International; Urgent action 319/04: Fear for safety; <http://web.amnesty.org/library/Index/ESLAMR340202004?open&of=ESL-GTM>
8. The Guatemalan Commission of Human Rights; Press communiqué, 1st of September 2004.
9. MINUGUA: MINUGUA requests the profound investigation about the violent incidents at the Finca “Nueva Linda” and calls for a dialogue. 2004
10. Interview with Mauro Vay Gonón, Coordinator of CODECA, 31st of August 2005.
11. National Coordinator of Campesino Organisations, Repressive eviction at Finca Nueva Linda, Retalhuleu, on the southern coast of Guatemala, 1st of September 2004
12. Interview with Belisario Bonilla, representative of the executive council of the Campesinos of Nueva Linda., 25th of October 2005.
13. See footnote 1.
14. See footnote 9.

A look at the everyday life of those living in Guatemala's shanty towns

Members of the PBI team interviewed women from the community "Las Victorias"¹, a shanty town in zone 18 of Guatemala City. The community, which is represented by the National Coordinating Body for Peoples in Marginalised Areas (CONAPAMG), has been the subject of an eviction order since June 2005 but at the time of writing (the 10th of November 2005), the eviction had not taken place. The process is suspended while an investigation is carried out into the State's claim to the land.

This article presents the voice of these women recounting different problems that they and their families have to tackle in their daily life.

The occupation and the continual threat of eviction.

"We took the land because we were forced to do so. The standard of living isn't enough to pay a rent of Q. 350 or Q. 400 and then on top of that to pay for food and services. What one earns is miserable and everything is so expensive. And so we find ourselves forced to occupy the land. It isn't because we want to. Furthermore, the land that we occupy has been unused for 25 years, it belonged to BANVI (the national housing bank) and then it was handed over to the Ministry of Culture and Sport. The land remained unoccupied for such a long time and we need somewhere to live. We took the land when it was a big rubbish tip where there were assaults and rapes. What we have done is to tidy it up. From our pockets we all paid for a tractor to collect the rubbish and level the ground."

"We aren't asking for a house. What they are denying us is a small patch of land on which we can build a few rooms. Our primary need is land; when you live in rented accommodation what you do is fill the pocket of the owner and the house is never yours."



PBI Accompaniment of Roly Escobar (leader of CONAPAMG) during a visit to the community of Getzemani, the day after their eviction. Photo: PBI

"UDEVIPO (The Public Housing Development Unit) made us a proposal to transfer us to a piece of land that is 23 kilometres away along the Atlantic Highway towards Agua Caliente. We went to see it and it isn't suitable for living on without access to services and on top of that expensive. We have never agreed to the transfer, the land is very rocky. There is an industrialised farm close by and at midday it smells terrible. There are no services, no hospital, no school. They are cheating us - the place isn't fit to live in."

"We were threatened with an eviction and we were really scared, because we saw how they evicted the community of Getsemani that is 2 or 3 blocks away. It made us really sad to see all of the people with their belongings destroyed. The government doesn't understand that we don't live here because we want to, but out of need. They haven't given us any solutions and we are anxious that at any

moment they will remove us from here. You stop eating, giving education to your children, buying clothes and shoes, to attend to the most immediate thing which is to have somewhere to live. We are in need of everything, but above all land."

The conditions of life of the community

"The fact that we are here doesn't mean that we are okay, but at least we have a "galera" (shed or house built of metal sheets) where we live."

"Initially we were 58 families and now we are down to 28. Each one occupies an area 5 metres wide by 10 metres long. We don't have basic services. There are a few communal toilets in the community opposite us that we pay to use. There is one tap from which we all take water. Everything that we have done in this community has been paid for with money from our own pockets."

The gangs

"There is a gang that threatens us saying that they are going to come into the community, take everything and rape the women."



The day after the eviction the community of Getzemani salvage what they can from the rubble of their homes. Photo: PBI

"Three months ago gang members came in during the night and took our big water container. I live alone with my two sons. Our lives are in danger because when the gangs start shooting the bullets come through the metal sheeting of our houses. The only thing to do is pray to God that nothing happens to you."

"The gang members are people from outside of the community that don't have work and so they charge us protection money. They themselves are affected by the situation; they don't find work so they live by charging us. Behind a gang member what there is is unemployment. They get money by taking it away from us and we are as poor as they are; they aren't going to go and rob or threaten the rich."

"There are no shops in the community because the owners have shut them as the gangs charged them protection money. They can't stay in business just to pay this protection money."

"The government can say that it has got everything under control but anyone who has to live with this situation every day realises that it's all a lie, nothing has improved".

"The police are arresting any youth who has a tattoo. They have already arrested my brother three times. He has a pizzeria but because he has a tattoo they have detained him and each time the police have asked him for Q500 to let him go free. The first time he didn't pay and he spent a month in the prison in Escuintla. Another time they arrested him when he was just waiting for the bus to go home."

"The government has said that they are arresting gang members, but what they do is pick up youths with tattoos in different parts of the city and later they present them as members of a gang. You can't judge a person only for the fact that they have a tattoo. The fact that they have tattoos doesn't make them delinquents. They arrest them on Friday and don't let them go until Monday. They accuse them of having marijuana and when you ask for the proof, well, there isn't any because everything is invented by them."

"In the secondary school gang members arrived to harass my son. They killed one of his friends because they were charging him Q25 and he couldn't pay it any more. They were charging my son. They told him that he should join them, so I took him out of school for half a year to get him away from this. He wants to continue studying but I can't pay for it. The public institutions aren't accepting people who come from shanty towns and on top of that you run many risks because of the gangs. So you have to pay privately, but you can't. In the end you don't even have the right to an education."

The role of the police and perceptions of the government

"When there's a problem the police don't arrest the true delinquents. Once, I rang the police to ask them to come and they said to me directly that if there had been a death they would come, but if not, what for."

"Thieves broke into my cousin's 'galera' and I spent an hour and a half ringing the police. In the end they arrived but for what? The thieves share the loot with the police, if they arrest a thief with a chain and a mobile phone the police say to him: - 'give me the mobile phone and you can keep the chain.' The police also say that the thieves are in the right because they are scared. The police come to the community if something happens before 9 or 10 at night. After this they won't come whatever happens. I don't trust the police."

"There isn't justice for us, for the rich there is. There are laws and they impose them on us."

"The government never gives us a concrete answer. You wait for everything from the government. They say one thing but they're never going to tell the truth about what they do and what they are involved in. The interest of the government is to keep their good image so that they continue receiving money."

1. Out of respect for the privacy of the interviewees we have not included their names. We extend our thanks to them and to CONAPAMG for their participation and their contribution to this article.

PBI Guatemala:

Activities of team in country

Besides the usual work of accompaniment, observation and public relations, the team of PBI Guatemala in the last three months has also had various internal and external training activities.

Accompaniments

Lately there haven't been many changes for the team in the areas of physical accompaniment and public relations. Even though there were quite a few new requests for accompaniment from several sectors, the project was able to accept only one (due to a lack of human resources), that of the Union of Bocadeli Workers (SitraBocadeli) which is affiliated to the Guatemalan Workers Union (UNSITRAGUA). In August we started accompanying this union, after the Bocadeli Foods Prefabricated Products Distribution Centre in Mixco, Department of Guatemala, was shut down without any notice being given and without the workers being paid either their salaries or indemnification. For almost three months union members maintained a presence night and day in front of the factory to prevent the removal of vehicles and products. We have accompanied them with frequent visits to the site where the workers have erected tents since the closing of the factory. In October they also maintained a presence in front of the Presidential Palace in order to obtain an audience with the president, Oscar Berger, and present their case.

As in other cases, this new accompaniment has required a regular physical presence beside the union members and also various meetings to talk about the security of the activists and to express our concern to Guatemalan authorities and the International Community. Among

our on-going accompaniments we continue to make an emphasis on the threats which the leader of the Union of Campesino Organisations for the Verapaces (UVOC) Carlos Morales and other members are suffering. In spite of PBI's continuous presence with him, and various meetings with civil authorities and security forces to show our concern, there have been quite alarming new intimidatory actions against him in recent weeks.

Security Workshops

Because PBI is concerned for the security of local organisations but isn't able to accept all the accompaniment requests received due to a human resources shortage, a few years ago a new area of work, offering security and protection workshops was developed. Up to the present in Guatemala, these workshops have been facilitated by experts from PBI's European

Office (BEO). During the month of September, 4 security workshops for human rights defenders were carried out by Marie Caraj of the European Office in conjunction with the PBI Guatemala Project. These workshops, held in Guatemala City and Cobán, Alta Verapaz, aimed to provide human rights defenders with basic knowledge and skills for risk analysis and management of their own personal security. Thirteen organisations that work in the field of human rights participated in these workshops. Furthermore, follow-up work was done on developing a Security Plan, initiated the year before with the "procuradores de la tierra" (community leaders who work to resolve land issues) within the Catholic Church in the areas of Petén, Alta Verapaz and Izabal. A fourth workshop was delivered to members of the current PBI team working within Guatemala.



Marie Caraj, from the European Office of PBI, during a Security Workshop. Photo: PBI

PBI's accompaniments

Each accompaniment concerns one or more of the three topics defined by the project as areas of work: fight against impunity, access to land and the effects of globalisation on human rights. During the past months the team has accompanied the following organizations through international presence, meetings with local authorities and the diplomatic corps and through flows of information: Each accompaniment concerns one or more of the three topics defined by the project as areas of work: fight against impunity, access to land and the effects of globalisation on human rights. During the past months the team has accompanied the following organizations through international presence, meetings with local authorities and the diplomatic corps and through flows of information:

- **Coordination of Widows of Guatemala, CONAVIGUA.** We carry out regular visits to their office and have also accompanied them during various exhumations.
- **National Coordination of Residents of Marginal Areas in Guatemala, CONAPAMG.** We continue to carry out regular visits to the office and maintain regular contact.
- **Union of Campesino Organisations for the Verapaces, UVOC.** Since the 13th of May we have accompanied **Carlos Morales**, leader of UVOC, on a 24 hour basis during his activities in the Verapaces as well as in other parts of the country.
- **Indigenous Municipality of Sololá and the Mayan Foundation, FUNDAMAYA.** We have accompanied the indigenous Mayoress of Sololá, **Dominga Vásquez**, and **Carlos Guárquez of FUNDAMAYA**, since January 2005.
- **Association of Friends of Lake Izabal, ASALI.** We continue to accompany **Eloyda Mejia**, legal representative of the association, during her activities in El Estor, in the Department of Izabal.
- **Madre Selva Collective.** We carried out regular visits to their office and accompanied some of their activities throughout the country.
- **Union of Workers of the company "Association of the Coffee Industry", and other related Industries, SITINCA, affiliated to the Federation of Trade Unions in the Food and Similar Industries in Guatemala, FESTRAS.** Since June 2005 we have acted as international observers during their various protests.
- **Union of Bocadeli Workers (SITRA Bocadeli),** which is affiliated to the **Guatemalan Workers Union (UNSITRAGUA).** We have made frequent visits to the factory where the workers have maintained a presence since the closing of the factory.

At the same time we are giving follow-up to the following cases, maintaining the contact through frequent phone calls and occasional visits:

- **Centre for Human Rights Legal Action (CALDH).**
- **Community of El Maguey - affiliated with the Campesino Unity Committee (CUC).**

Team life

In spite of the changes within the team because of the arrival of new volunteers and the departure of volunteers who have served their time, the team maintains an average of eight volunteers in Guatemala. The team is supported by a coordination office outside Guatemala. This office consists of a coordinator, an administrator and an accountant. The coordination committee of the project consists of three regional representatives (North America, Europe and Asia-Pacific). One member in charge of the supervision of funds and finances and one is adviser; the coordinator of the project also is part of this committee. This committee met with the team in Guatemala in August, as it does every six months, to follow-



María Gabriela Serra, adviser of PBI-Guatemala Project. Photo: PBI

up, evaluate the work done, and to make short term plans. During one week the committee and the team had the opportunity to exchange ideas on the project, the accompaniments, and other areas of work.

In October Maria Gabriela Serra, adviser to the project, came to Guatemala to discuss issues of the political situation of the country and to help the team to renew contact with various Guatemalan personalities. As she used to do in the past, when PBI's first Central American Project was functioning (up to 1999), she stayed for a week with the team and dedicated several days to a workshop on the political situation of the country, which enabled the team to make a better analysis of current Guatemalan issues and thus to have better working tools.

Mission

To improve the human rights situation in Guatemala and contribute to the democratising process of the country through an international presence that works to maintain the political space for human rights defenders, lawyers, union members, campesino and indigenous organisations and civil society groups that are suffering repression due to their work in defence of human rights.

Objectives

1. To provide an international presence that contributes to the opening and protection of the political space of Guatemalan organisations that are working to end impunity for human rights abuses, to bring about national reconciliation and compensation to the victims of human rights violations as well as the fulfillment of the commitments of the Peace Accords.

2. To keep the international community informed of the human rights situation in Guatemala through the regular communication of information as well as frequent contact with international authorities and the diplomatic community both within and outside the country.

3 To ensure that the Guatemalan Government is informed of the attention and concern of the international community to the human rights situation in the country through the regular communication of information and frequent contact with national authorities.

4. To share with Guatemalan organisations the experience and pedagogical tools that help reach the general objective of PBI's project.

Peace Brigades International

PBI is an international non-governmental organisation (NGO) which protects human rights and promotes nonviolent transformation of conflicts.

At the request of threatened social organizations it provides international accompaniment and observation. The presence of international volunteers backed by a support network helps to deter violence.

In this way, PBI creates space for local activists to work for social justice and human rights.

PBI in Guatemala

PBI maintained a team of volunteers in Guatemala from 1983 to 1999. During those years it carried out accompaniment work with human rights organisations,

trade unions, indigenous and campesino organizations, refugees, and religious organizations. In 1999, after an evaluation process it was decided that, as the country had greatly advanced in the opening of space for the work of human rights organizations, the project could close. Nevertheless, PBI remained attentive to the situation in Guatemala through a follow-up committee.

In mid-2000, PBI began receiving a number of requests for international accompaniment. As a result, an investigation was carried out in the field which revealed a deterioration and in some cases a closing of the space for human rights defenders. In April of 2002 PBI decided to reopen the Guatemala Project to carry out international accompaniment and observation in coordination with other international accompaniment NGOs. The new PIB office was opened in April 2003.



Members of the Guatemala team with Maria Gabriel Serra (right, bottom), advisor to the PBI Guatemala project since 1990. Photo: PBI.

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