



PEACE BRIGADES INTERNATIONAL – GUATEMALA PROJECT

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1. NOTES ON THE CURRENT SITUATION

FIRST POPULAR CONSULTATIONS ON MINING AND HYDROELECTRIC PROJECTS IN GUATEMALA

99% of inhabitants of Sipacapa, San Marcos say no to the mining industry

Some two thousand 600 neighbors of Sipacapa, San Marcos participated June 18 in a community consultation on mining. Of the 13 villages, 11 opted for “no”; one for “yes” and another abstained. While the legality of the process is in doubt due to legal actions started by the mining company Montana, many inhabitants responded to the consultation over mining developments in their area. According to Roberto Marani, one of the organizers of the process, 2564 people rejected the mining development and only 35 voted in favor. Montana has a mining operation in the municipality of San Miguel Ixtahuacán and three licenses for further exploration in Sipacapa. The inhabitants have denounced the total failure to consult the communities before the mine was authorised, as required by the Covenant 169 of the OIT, and they organized the consultation to clarify their position. Also, the inhabitants were supported by the article 66 numeral 2, articles 35 and 65 of the Municipal Code, the article 2 of the Rural and Urban Development Counsels Law; in the Political Constitution of the Republic (articles 66 and 253) and in the Law of Decentralization (article 18). By the raising of hands, with a ballot box vote or by public signing, the majority declared its refusal. “It brings illnesses and will cause problems with water access”, said Modesto Gómez, of the village Tres Cruces. The process was carried out without incident under the verification of approximately 70 national and international observers.

Neighbors of Río Hondo reject hydroelectric

On July 3rd, more than two thousand inhabitants of Río Hondo, Zacapa, said no to the construction of hydroelectric projects in their area. Ezequiel Sosa, President of the Coordinating Meeting of the Municipal Consultation, reported the results of the process: 28.37% of the eligible population voted (9679). The Council will edit a memorial on the results of the consultation, and will send it to the Ministry of Energy and Mines, to the Ministry of Environment, and to the Executive Branch in a effort to prevent the construction of the hydroelectric projects. The industrial sector expressed frustration saying that such actions will mean that potential investors will distance themselves from projects necessary for the country. It indicated that the energy generated by this hydroelectric project would be clean, and avoid further dependence on fossil-fuels. But Mauricio Vásquez, of the Civil Society Association of Río Hondo, declared that the construction of at least three hydroelectric projects would have a negative impact on the municipality.

Sources: see at the end of the section.

Impunity:

ACNUDH will not be able to verify human rights

The work of the soon to be opened United Nations High Commissioner for Human Rights (ACNUDH) will face limitations. While it will have assess to Government and civil organizations, it won't have the power to verify the human rights situacion, according to the decree that creates it. The ACNUDH will not have the role of inspector as it did in the time of the Mission of

the United Nations to Guatemala (MINUGUA). The office of the ACNUDH will not be able to report on the situation in Guatemala before the Commission of Human Rights headquarters in Geneva, Switzerland: although its report will be included within the UN's worldwide report. Nery Rodenas, Director of the Office of Human Rights of the Archbishop (ODHA), says that the lack of that role reduces its merits and as defined by the Guatemalan Government its main role will now be advisory.

PDH registers 68 attacks on Human Rights defenders

The head of the PDH, Sergio Morales, declared that more than 70 attacks have been registered in the first months of the year. According to the PDH, these attacks against judicial workers and human rights activists occur within a general framework of increased socio-political tensions that threaten to undermine the governability of the country. The Second Official of the Court of Penal Peace of Villa Nueva was shot and killed as he delivered legal notices in the suburb of Ciudad del Sol, in zone 4 of Guatemala city. An activist of the organisation "Hijos por la Identidad y la Justicia, contra el Olvido y el Silencio" (HIJOS) Francisco Sánchez, was victim of an attempted abduction, and a number of other activists have suffered break-ins at their homes. A number of attempts at forced entry have been noted at the offices of many other organizations, including HIJOS who also suffered a robbery of computer equipment and information. The public prosecutor of the Public Ministry Erick Moses Gálvez was murdered. Likewise, delegates of the PDH see themselves confronted by judicial processes as a result of their work, and others have suffered death threats. The threats, explained Morales, aim to impede the work of those targeted. The State response has been criticised as inefficient, being incapable of guaranteeing adequate investigations, which perpetuates the climate of impunity.

Pan-American Court of Human Rights condemns Guatemala for the Bámaca case

The Pan-American Court of Human Rights, CIDH, condemned the State of Guatemala for having violated the rights to life, safety and personal liberty of Efraín Bámaca Velásquez, during the armed conflict. The sentence calls on the State to seek to repair the damage caused by these violations, but also orders an investigation to determine who was responsible.

Analyzing the fusion of Nacional Civil Police (PNC) and the Army

According to the newspaper *El Periodico*, the Government may seek to merge the forces of the Civil National Police (PNC) with those of the Army, to create a National Guard. Sources close to the Department of Government state that Minister, Carlos Viemann, launched the idea some days ago; however the Vice-minister responsible for security, Alfredo Cáceres, maintains that the idea is not an official proposal. For Frank La Rue, Director of the Presidential Commission of Human Rights (COPREDEH), the topic shouldn't even be considered, as each institution has a task to carry out which makes a fusion unfeasible. But Carmen Rose of Lion, member of the Security Advisor Counsel (CAS), declared that if the government wants to prioritize internal security the union should be carried out. Carlos Aldana, Minister of Defense, believes that "it is something worth-while considering". And the retired General Julio Balconi, also a member of the CAS, suggested giving the army the role of the police force.

Land:

Congress approves creation of a Land Registry

With the support of two thirds of the representatives (105 votes) the Congress of the Republic approved a law that will create the Register of Property Information (RIC) as a State institution which will operate autonomously. Congressman Juan Manuel Giordano stated that the law responds to commitments within the Peace Agreements, specifically in the Agreement of Socioeconomic Aspects and the Agrarian Situation. The law will establish the authority as a legal entity with its own resources. It will have its central headquarters in the capital, and municipal offices. The RIC will be directed by an Executive Counsel, comprising the Minister of Agriculture, who heads it, the General Inspector of the Property, the Director of the National Geographic Institute, delegates of the National Association of Municipalities, and the schools of Engineers, Agronomists and Lawyers, and Notaries. The Supreme Court of Justice (CSJ) will create an agrarian court, to judge the cases in this matter.

Regarding land surpluses, those who possess farms smaller than 872 square meters will be entitled to keep up to 20 percent of land of any additional land used without documentation, the remainder will pass to the hand of the State. In the case of farms larger than the size indicated, the allowable addition will be of 10%. There was an effort to change these percentages through a revision fund, but the initiative was unsuccessful. The Register of Property Information was initially demanded by *campesinos* needing the regularization of their lands; but these groups and the indigenous organizations along with the Chamber of Agriculture, were left out of any role or position in the RIC. According to leaders of the Agrarian Platform, the Law will not protect the property rights of rural and indigenous communities, their spokeswoman Úrsula Roldán stated that, "this law will only guarantee the private property of large landowners and businessmen. The indigenous people have remained excluded from the process. Even, the supposed dialogue with authorities has been fruitless".

Globalization:

Factory Union denounces massive dismissals

The factory union of NB Guatemala INC., located in the zone 5 of Guatemala City, denounced June 12th in a press conference the dismissal of 300 workers. Union leader Noemí Melchor Mejía said that the union had been negotiating a

collective contract with the owners, the owners suddenly declared the business bankrupt and fired all the workers. Melchor stated that on the Friday, June 10th inspectors of the Ministry of Labor were refused entry to the factory.

Senate of United States approves DR-CAFTA

June 30th, the Senate of United States approved the Free Trade Treaty between Central America, the United States and the Dominican Republic (DR-CAFTA) by a narrow margin. After 20 hours of debate, DR-CAFTA was approved by 54 votes in favour, to 45 against. The American President, insisted that the DR-CAFTA will immediately reduce trade barriers for 80 percent of US-merchandise, "which will help to enlarge exports and create employment". Nevertheless, many democrats rejected it as they consider that its labor standards are very weak, and that it will present unfair competition for American workers. Other legislators criticize it for its effects on the sugar and textile industries of the United States, due to the precedents that it establishes for the negotiation of other treaties.

Collective of Social Organizations presents a proposed alternative to the General Law of Concessions

The Collective of Social Organizations (COS) presented to several delegates an alternative proposal for the General Law of Concessions, that adds to the proposals of the Executive and the University of San Carlos, but that excludes water, education and health services, along with archaeological sites. For the COS, the Executive Branch's proposal is unconstitutional and does not deal appropriately with more profound topics, such as the effect of mining industry on natural resources, lacking clear rules for such businesses. Meanwhile, the Congressional representative Nineth Montenegro, of *Encuentro de Guatemala*, announced that she has the support of at least nine members of congress in proposing reforms to the Organic Law of the Legislative, with the intention of creating a Commission of Concessions and giving legislators a more in-depth knowledge of the topic.

Sources: *Prensa Libre*, *Siglo Veintiuno*, *El Periódico*, *Inforpress Centroamericana*, *La Semana en Guatemala*, *Informe Semanal Sobre Derechos Humanos*.

2. ACTIONS OF PBI GUATEMALA – WITHIN GUATEMALA

Current Team: Vincent Castagnino (France), Melosa Aiyana Granda (USA), Sander Otten (The Netherlands), Fionuala Cregan (Ireland), Matthew Fawcett (Great Britain), Helen Woodcock (Great Britain), Silvio Köhler (Germany), Estefanía Sarmiento (Columbia).

2.1 MEETINGS WITH GUATEMALAN AUTHORITIES AND MEMBERS OF THE DIPLOMATIC CORPS

Meetings with the authorities and members of the diplomatic corps in Guatemala are an essential component of PBI's work, strengthening the support for the project throughout the country. Throughout the month of June meetings were held with the following authorities:

Guatemalan Authorities:

- ξ Jorge Antonio García, Vice-Minister of Energy and Mining, Guatemala City
- ξ Elias Javier Prera Ventura, Governor of Baja Verapaz
- ξ Marvin Karim Samayoa Guillermo, Mayor de Salamá, Baja Verapaz
- ξ Eduardo Gándara, Representative of the Ministry of Environment and Natural Resources en Zacapa
- ξ Herman Gómez, the Human Rights Ombudsman (PDH) of Alta Verapaz
- ξ Jeffrey Palala, Coordinator of the Land Fund (FONTIERRA), Alta Verapaz
- ξ Mr. Sandoval Palencia, Head of Operations Division y his deputy, Mr. López Dueñas, National Civil Police (PNC), Commissary 12, Zone 6, Guatemala City
- ξ Eusebio Martínez, Departamental Auxillary of the Human Rights Ombudsman (PDH), Zacapa
- ξ Otto Roberto Chavarría Pérez, First Counselor of Cobán, Alta Verapaz
- ξ Marvin Ramírez Galdame, Agent, National Civil Police (PNC), Santa Cruz, Alta Verapaz
- ξ Patricio Paz Chacón, Municipal Office of Planning, Río Hondo

Diplomatic Corps:

- ξ Neil Mules, Ambassador of Australia and Arnold Jorge, First Secretary of the Embassy of Australia
- ξ Hovard Austad, Minister Advisor, Embassy of Norway

- ξ Karen Miller, Chief of the Alternative Mission and Consul of Her Majesty, Embassy of the United Kingdom

2.2 MEETINGS WITH CIVIL SOCIETY ORGANIZATIONS

The PBI Guatemala Project team holds regular meetings with civil society organizations. This enables us to monitor the situation of human rights defenders and to exchange information on the work being carried out, as well as to gather information which helps us to develop our analysis of the internal political situation.

Civil Society Organizations:

- ξ Helmer Velásquez, Coordinating Body of NGOs and Cooperatives, CONGCOOP
- ξ David Morales, Union Federation of Food, Agro Industry Workers and Associates of Guatemala, FESTRAS
- ξ Yuri Giovanni Melini, Center for Legal-Environmental and Social Action in Guatemala, CALAS
- ξ Alfredo Cacao, *Defensoría Q'eqchi* de El Estor, Izabal
- ξ Ana Gladys Ollas, Technical Unit of the National Human Rights Movement, MNDH
- ξ Orlando Blanco, Collective of Social Organizations, COS
- ξ Andrés Cabanas, of the NGO Mugarik Gabe
- ξ Mauricio Vásquez, Association of Sustainable Development of the Municipal de Río Hondo
- ξ Quique Torres, Lawyer of the Technical Unit of Accompaniment, Relations and Consultants for the Guatemalan Social Movement, UTARA
- ξ Hermana Argentina, Pastoral Social of Cobán, Alta Verapaz
- ξ Christine Beauchot, Ex Coordinator, MINUGUA, Cobán, Alta Verapaz

International Organizations:

- ξ Follow-up Commission of the Peace Accords and Relation with Civil Society, Forum of International Non-Governmental Organizations (FONGI)
- ξ Coordinating Body for International Accompaniment in Guatemala, CAIG
- ξ Québec-Guatemala Accompaniment Project, PAQG
- ξ Accompaniment Project for the witnesses of the genocide cases, ACOGUATE

Courtesy visits were also made to the following organizations:

- ξ Union of Educational Employees in Guatemala, STEG
- ξ National Council for Displaced Persons of Guatemala, CONDEG
- ξ Claudia Gaitán Arana, Alliance of Rural Women
- ξ Syndicated Guatemalan Workers Union, UNSITRAGUA
- ξ Jacinto García and Luis Alfonso Mazariegos of the United Union and Popular Action, UASP
- ξ Organization of Support for Integral Sexuality front to AIDS, OASIS
- ξ Domingo Matías, Rights Action

2.3 ACCOMPANIENTS

CLOSE DOWN OF THE NB ASSEMBLY PLANT

We accompany the members of the **Trade Union of Workers in the NB Assembly Plant, SITRA NB** in Guatemala City. The factory was closed down on the 10th of June in Zone 5 of Guatemala City without legal procedure and 300 workers were dismissed after almost reaching a final agreement on a collective working agreement. This same day, they pressured employees to sign cheques to the value of 20 percent of the total remunerations that they were due. The inspectors of the Ministry of the Work were not allowed to enter the premises in order to negotiate about the dismissal of the workers. Nevertheless, a dozen of the union affiliated workers refused to sign the letter and to receive a payment cheque.

The PBI team has since the closing of the plant, visited the trade unionists in front of the factory, where they

remain day and night to prevent the removal of machinery. According to the lawyer of the union, any money from the sale of the such goods inside the assembly plant must be used to pay complete remuneration to the workers. The members of union have denounced what they claim is the illegal shut down of the factory, before the Public Ministry and the Ministry of Work.

According to the inspectors of Ministry of Work the behavior of the managers of the plant goes against the Agreement 81 of the OIT and articles 61 and 281 of the Code of Work. Bankruptcy is a decision made upon the ruling of a judge and not of the management.

Background: We have been accompanying the Union members since 27th of July 2004, providing a presence outside of the NB factory in Guatemala City as well as during various other activities within the Capital. There was a period of increased hostility in January 2005 against the Union's Executive Committee, which peaked on 20th of January when a member of the committee was assaulted, inside the factory, in front of her fellow workers. by the factory's General Manager. As a result of the physical aggression suffered by a member of the SITRANB Union, we activated the projects support network (RdA) between the end of January and beginning of March 2005..

Since the 13th of May we have accompanied Carlos Morales, leader of the **Union of Farmers' (Campesinos) Organizations for the Verapaces (UVOC)**, on a 24 hour basis. During the last month, we accompanied him during his activities in the Verapaces and the capital.

Background: Carlos Morales, leader of UVOC, has been victim of death threats, acts of intimidation, and persecutions by unknown individuals. Due to a serious increase of personal death threats at the end of April 2005, which led to a genuine fear of his life, Carlos Morales was forced into hiding in Guatemala City for a month, following which he requested 24 hour accompaniment from Peace Brigades. UVOC is a campesino organisation from de Verapaces Departments (Alta and Baja Verapaz) and works principally on the theme of access to land for campesinos and provides support in the process of legalisation of the communities' titles to land. UVOC also offers training for communities affiliated to UVOC and supports development projects within those communities. According to Gilberto Atz, leader of the National Coordinator of Campesino Organizations (CNOOC), the persecution of Mr. Morales could be related to claims by large estate owners to land that has been occupied by landless campesinos.

We accompany members of the **Indigenous Municipality of Sololá**, and the **Maya Foundation, Fundamaya**. We have accompanied the Indigenous Mayoress of Sololá, Dominga Vásquez and Carlos Guarquez of Fundamaya during their activities since February 2005. During the last month, we provided accompaniment during the second Regional Conference on Indigenous Patrimony and Mining that took place in San Marcos on the 24 and 25 of June.

Background: On the 11th of January 2005, in the Department of Sololá, serious confrontations took place between the National Civil Police aided by the Guatemalan Army and the communities of Sololá who were protesting against the transportation of a cylinder (which was to be used for mining purposes) through their villages, leaving one person dead and over 30 injured. After this government authorities issued an arrest warrant against five community leaders and representatives of the Indigenous Municipality of Sololá, including the Indigenous Mayoress, Dominga Vásquez. The Indigenous Municipality is a non-governmental body representing indigenous communities in Sololá, which works to defend the rights of the Maya – including the right to speak their own language and to practice their traditional ceremonies and customs – as well as to ensure the development of the communities. Dominga Vásquez has received threatening phone calls accusing her of having lead the movement against the granting of mining licenses. On 29 January, the human right's ombudsman requested precautionary measures from the Inter American Court for Human Rights on behalf of the Indigenous Mayoress and five other communities' leaders. On the 25th of March of 2005 in the village of El Tablón, Sololá, the vehicle used by Carlos Humberto Guárquez, associate of the Indigenous Municipality of Sololá as a member of FUNDAMAYA, was doused in petrol and set it on fire by unknown persons. Death threats specifically naming Carlos Guárquez, Domingo Vásquez (Indigenous Mayoress of Sololá) and her husband, Alfonso Guárquez, were found scattered around the vehicle. Part of the said threat stated: "For your stupid meddling in society, tomorrow will be the day of your disappearance from this world." As a result of this threat we decided to activate our Support Network, during the last days of March April and the beginning of May.

We continue to accompany the **Coordination of Widows of Guatemala, CONAVIGUA**. We accompanied them periodically in their office.

Background: CONAVIGUA continues to facilitate the process of exhumations and inhumations in various departments throughout Guatemala although largely in Quiché, Chimaltenango, Guatemala and the Verpases.

We continued to carry out regular visits to the office of the **National Coordination of Residents of Marginal Areas in Guatemala, CONAPAMG**.

Background: CONAMPAMG works on the question of access to housing and the legalization of illegally occupied land. On the 4th of July 2004 their office was broken into and inventories, bills, computer discs and money were stolen. In December 2004, members of the Community "Nuestras Realidad" which belongs to CONAPAMG, received an anonymous threatening letter stating that if the community leaders continued to pressure the Government for the legalisation of their land, they would be evicted and arrested. The community of "El Chico" in Retalhuleu has existed for over 40 years, but is currently in danger of eviction because of the construction of a large harbour in nearby Champerico. On the 18th of April we accompanied Roly Escobar in zone 21 of Guatemala City in a visit to representatives of the community of "Esquipulas" in reaction to the assassination of Miguel Zapeta González, resident of the community and member of the organisation.

We accompanied **Eloyda Mejia**, Legal Representative of the **Association of Friends of Lake Izabal (AFLI)** in her activities in the town of El Estor in the Department of Izabal. During the month of June we have also accompanied her during a meeting with the Embassy of the Netherlands.

Background: Eloyda Mejia has suffered a number of threats as a result of her work to protect Lake Izabal, in the province of El Estor, East Guatemala, as well as to her work to inform local residents of the possible damaging effects of the re-opening of the EXMIBAL mining operation in the area. The threats against her became particularly serious during a forum on the future of the lake which took place in El Estor on 21 February following which she lodged an official complaint with the Ministry of Justice and the Human Rights Ombudsman (PDH).

We carried out weekly visits to the offices of the **Madre Selva Collective** and had frequent contact with their members. In addition, we have accompanied them during the consultation that took place the 18 of June in Sipacapa, San Marcos, and to the delivery of the results to the Mayor of the Municipality.

Background: Madre Selva is an environmental organization which holds regular workshops on the negative impact of mega-projects and in particular those involving opencast mining and the installation of hydroelectric power plants. Members of the organization regularly receive threats because of their work. Most recently they received threats during an assignment in which they presented information on the destructive effect on the environment of mining in the department of San Marcos. In September of 2004, a member of the collective Jose Manual Chacon (Filochofo), received a death threat in an anonymous telephone call. In December Madre Selva conducted a forum in the capital to oppose mining during the same week as a pro-mining forum held by international mining companies and entities of the state.

2.4. FOLLOW UP

We provide follow up to the case of **Jose Ernesto Menchú Tojij**, member of the Committee of Campesino Unity (CUC) and of Northern Quiché Regional Movement for the Victims of the Armed Conflict. After several meetings with him and other organizations related to its case, we are following his security situation.

Antecedents: The 19th of June of 2005 four armed people entered the workshop of Mr. Menchú, where his wife was present and demanded threateningly to know where he was. The men then violently entered the house where they took about 5.000 Q and the cellular telephone of Mr. Menchú. According to Mr Menchu, the threats are related to his work against the eviction of the community of San Siguan, Quiché, and there are a number of people angered by the exhumations that are to take place in Quiché of the clandestine cemeteries of victims of the armed conflict.

In the month of June also we began to follow to the case of **Union of Workers of the Industry of Coffee Joint-stock Company, Annexed and Connected, SITINCA**. During month of June we provided international observation of their protests against the dismissal of José Armando Palacios, in front of the factory in Guatemala City.

Antecedents: In January of the 2004, three workers of the company's internal security decided to affiliate themselves with the union. From that date the company has carried out antiunion activities, against José Armando

Palacios. On the 16th of April, unknown individuals broke into the house of José Armando Palacios and threatened the life of his wife and their two children with firearms. They asked for Mr. Palacios, whom they wanted "to kill for being in the union." On the 6th of May, Mr.. Palacios was dismissed without any explanation.

We have continued contact with the **Communities of Popular Resistance, CPR Sierra**, through regular visits to their offices and telephone contact. We have accompanied the CPR Sierra since the 19th of July 2004.

Background: the organization has been under surveillance and several of its members have been followed and have received intimidating phone calls at home well as in the office.

We have maintained contact with the **Centre for Human Rights Legal Action, CALDH** through meetings with their Co-directors and visits to their office.

Background: We accompanied Edwin Garcia between September and December 2004 after he publicly denounced with the Public Prosecutors office (MP), his kidnapping in March 2004. On 11 January 2005, one day after the organisation had returned to work, they received an anonymous phone call warning them that a bomb had been placed in their offices. Furthermore CALDH received a number of renewed and strong threats throughout March 2005. Again, during the month of June, four members of the organization were subject to further attacks and aggression, and they continue undergoing telephone threats and frequent surveillance.

We maintained regular contact with **Angélica Macario** of the **Council of Ethnic Communities "Ranujel Junam", CERJ**.

Background: Eusebio Macario, father of Angélica Macario who has been accompanied by PBI on various occasions, was murdered on 27 September 2003. According to CERJ the individuals most likely responsible for the assassination are former Civil Defence Patrol (PAC) members and persons linked to the FRG (Guatemala Republican Front). Following the killing, and in view of the serious threat it represented to other CERJ leaders working on compensation for victims of the armed conflict, the PBI-Guatemala Project activated its Support Network.

We carried out periodic visits to the **EI Maguey** plantation.

Background: The plantation used to belong to a company for whom relatives of the current residents of EI Maguey worked for under extremely exploitative conditions. The signing of the Peace Accords in 1996 opened up the possibility of reclaiming land based on historic rights. The residents of EI Maguey formed the Associative Peasant Company of San Antonio (ECA) and in 2002 attempted to register the land legally in their name with FONTIERRA. However during this process it emerged that the land belonged to the Ministry of Defence. Towards the end of 2002 the FRG Government, under pressure from a number of members of parliament granted the community access to the land. Nonetheless in April 2003 the army violently evicted the community, burning their homes and their school and forcing them to set up camp on the roadside outside the plantation with the few belongings they had salvaged. The eviction was publicly denounced by the Human Rights Ombudsman who also sent advisors to the site who denounced the behaviour of the army towards the community, including acts of harassment and intimidation and denial of access to water and firewood. Shortly afterwards a Governmental Decree withdrawing the community's right to the land was issued. This Decree was appealed before the Constitutional Court which, in May 2004, decided in favour of the community. Reconstruction of the community has begun, but they continue waiting for the finalization of their title to the land.

2.4. OBSERVATION

Demonstrations during the Parade marking the "Day of the Army". On the 30th of June members of the PBI team were present as international observers at the first military parade celebrating of the Day of the Army for 5 years where several groups from within Guatemalan civil society were demonstrating.



Protest of HIJOS during the Day of the Army.



Members of HIJOS protesting during the celebration of the Day of the Army.

The Popular Consultation in Sipacapa. PBI was present, accompanying Madre Selva, in Sipacapa, San Marcos, at the Popular over mining in the area, along with numerous other national and international organizations. The Consultation passed without incident.



The process of voting during Consulta Popular in Sipacapa, San Marcos.



Indigenous women queuing to vote at the Popular Consultation in Sipacapa, San Marcos.

Consultation of residents in Río Hondo. On the 3th of July in Río Hondo, Zacapa, we attended as international observers the Consultation of residents on the construction of hydroelectric projects in the area. The population, along with the support of the municipal Mayor, took two years preparing the consultation. Under the observation of numerous national and international organizations, the Consultation of Neighbors took place without incident.



Ballot paper used in the Consultation in Río Hondo, Zacapa.



Observing the electoral process in Río Hondo, Zacapa.

Photographic news article.

(Source: PBI Guatemala Project Field Team)

3. ACTIVIDADES DE PBI GUATEMALA: FUERA DE GUATEMALA

The European Representative of the Project, Kerstin Reemtsma, met on the 1st of June in Brussels, Belgium, with the external economic relations representatives of the European Green group within the European Parliament, Mr. Raül Romeva Rolls and Mrs. Gaby Küppers. She presented the work of the project and expressed our concern over the situation of the human rights defenders in Guatemala.

As European Representative Kerstin also met the 1 of June in Bonn, Germany, with Mrs. Christiane Hieronymus and Constanze Neher of the Ministry of Cooperation of Germany. They are responsible for Human Rights and Development in Central America and the Caribbean, respectively.

The European Representative of the Project, Kerstin Reemtsma, and the Coordinator of the PBI United Kingdom Country Group, Susi Bascón, met on the 20th of June in London with Mrs. Paula Walsh, of the Latin America and the Caribbean Desk, British Foreign Ministry.

The Administrator of the Project, Mayte Quesada, along with Guatemalan human rights Defender Anantonia Kings Prado, of the National Movement for Human Rights (MNDH), met on the 22nd of June in Madrid, Spain, with Mr. Pablo Gómez de Olea Bustinza and Leticia Pico de Coaña Suárez, of the Mexico, Central America and the Caribbean subdivision within the Spanish Ministry of Foreign Affairs and Cooperation.

Bernard Galabert of the PBI France Country Group, contacted euro-parliamentarian of the European Socialist Group, Jean-Louis Cottigny, member of the Delegation for the Relations with the Countries of Central America in order to inform to him of the deterioration of the situation of the human rights defenders within Guatemala.

The Project Coordinator, Montse García, sent letters to euro-parliamentarians of the Group of the European Popular Party, Mr. Luis Herrero Tejedor and José Manuel García-Margallo y Marfil, members of the Delegation in Relation to the Countries of Central America to inform them of the deterioration in the situation of the of human rights defenders in Guatemala and to request a meeting with them.

The European Representative, Kerstin Reemtsma and Coordinator of the Project, Montse García, participated in the General Assembly of PBI which took place from the 17th to the 23rd of June in London, United Kingdom. The General Assembly, the most important event of the organization, is celebrated every three years and is where the organization's strategic and political decisions are taken.

4. PUBLICATIONS BY NON-GOVERNMENTAL ORGANIZATIONS (IN SPANISH)

In this section we publish several press releases written by human rights organisations in which they express their concerns regarding recent events in Guatemala.

FONDO DE TIERRAS INCUMPLE COMPROMISOS ASUMIDOS EL 6 DE ABRIL EN EL CASO DEL MAGUEY Y SAN BASILIO.

Ante la lentitud y falta de voluntad política del Fondo de Tierras de darle tramite a los compromisos asumidos el 6 de Abril en cuanto a la entrega inmediata de la Finca el Maguey del Municipio de Frayjanes, Departamento de Guatemala a la Empresa Campesina Asociativa San Antonio, a pesar que existen documentos que respaldan este caso, como el Acuerdo Gubernativo, la resolución de la Corte de Constitucionalidad y las denuncias realizadas por la Procuraduría de los Derechos Humanos, es preocupante que se pretenda reformar un artículo del Acuerdo Gubernativo (...)

POR LO TANTO DEMANDAMOS DE URGENCIA:

1. Agilizar el proceso de entrega inmediata de las fincas a las comunidades que las han venido solicitando.

2. Que las autoridades del Fondo de tierra nos informen por escrito cuales son los tramites que faltan y que fechas se harán las entregas de las fincas el Maguey y San Basilio a las comunidades para que las mismas evalúen y tomen las consideraciones pertinentes.

(....)

COMITÉ DE UNIDAD CAMPESINA –CUC- MIEMBRO DE CNOC, LA CLOC Y LA VIA CAMPESINA.

EL PUEBLO DE SIPACAPA RECHAZA LA ACTIVIDAD MINERA EN SU MUNICIPIO EXIGIMOS QUE SE RESPETE SU DECISIÓN SOBERANA

El día 21 de junio de 2005 la población Sipakapense se dio cita en el Parque Central de Sipacapa, San Marcos, para presentar ante las autoridades municipales los resultados de la consulta comunitaria que tuvo lugar el día 18 de junio en las trece aldeas del municipio sobre su aceptación o rechazo de la actividad minera en Sipacapa y exigir que se respete la decisión soberana del Pueblo Sipakapense.

Al llegar las personas de distintas comunidades y aldeas del municipio, se encontraron con una fuerte presencia policial, solicitada por el Alcalde Municipal, en la entrada de la Municipalidad, en el Parque y en las calles del pueblo. La asamblea se desarrolló sin mayor incidente después que las autoridades locales y comunitarias exigieron que se retirara la policía por ser una provocación innecesaria, siendo los alcaldes auxiliares y otros líderes locales los que mantuvieron el orden.

El día 18 de junio se desarrollaron las asambleas comunitarias, realizadas de acuerdo a las formas comunitarias de toma de decisiones amparadas por diversos textos legales nacionales e internacionales. El día 21 las autoridades de las aldeas presentaron las actas comunitarias al Consejo Municipal ante la población, representantes de la PDH y observadores nacionales e internacionales. Once aldeas rechazaron la actividad minera en todas sus formas (reconocimiento, exploración y explotación) en el territorio de Sipacapa, una aldea se pronunció a favor de la misma, y otra se abstuvo.

El Consejo Municipal había intentado suspender la consulta el día anterior a su realización y se había retirado de la convocatoria de la misma, sin consultar a las autoridades comunitarias ni a las Comisiones Política y Técnica del COMUDE, encargadas de su coordinación y organización. A pesar de esto, el día 21 el Consejo Municipal se comprometió a asumir la decisión del pueblo, acompañar a las autoridades comunitarias en sus demandas e impulsar todas las acciones necesarias para que sean respetadas.

Cabe destacar algunas de las demandas recogidas en el punto Cuatro del Acta Municipal no. 16-2005, levantada en la Asamblea: "A petición de los habitantes del municipio se establece que las autoridades municipales deben establecer los límites de nuestro municipio, reconocer los astilleros municipales, que las oficinas de Montana sean retiradas de este municipio hoy mismo... que los maestros de todas las comunidades financiados por Montana sean retirados...".

Por todo esto, las organizaciones nacionales e internacionales firmantes manifestamos nuestro apoyo al pueblo de Sipacapa y la contundente decisión tomada en su legítima consulta, exigiendo:

1. Al Consejo Municipal, que cumpla con los compromisos asumidos el día 21 de junio, al igual que las peticiones de las y los habitantes de su municipio.
 2. Al Ministerio de Energía y Minas y al Gobierno, que cancelen todas licencias mineras (de reconocimiento, exploración y explotación) dentro del territorio Sipakapense, y que no otorguen ninguna otra licencia minera que pueda afectar al municipio.
 3. A la empresa Montana Exploradora, subsidiaria de la transnacional canadiense Glamis Gold Ltd., que se retire de inmediato del municipio.
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