



## PEACE BRIGADES INTERNATIONAL – GUATEMALA PROJECT

### MIP – Monthly Information Package - Guatemala

Number 23, August 2005

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#### 1. NOTES ON THE CURRENT SITUATION

##### *Impunity:*

##### **Indigenous Mayoress lodges official complaint of discrimination**

Dominga Vásquez, the Indigenous Mayoress of Sololá, complained that she had been the victim of threats and discrimination by members of the Departmental Council for Development, in which she represents the Kaqchikel people of the area. Vásquez named Julio Adalberto Urrea Ruiz, Departmental Governor and Flavio Jajcom, Pedro Par, Francisco Tambriz and Miguel Tzep, Mayors of San Juan and Santa Clara de la laguna, Santa Catarina Ixtahuacán and Nahualá, respectively, as having insulted and intimidated her, accusing her of being a violent extremist for her opposition to the Central American Free Trade Agreement (CAFTA) as well as the proposed new mining operations. According to Vásquez, civil employees have conspired together to prohibit her from organising meetings and denying her the opportunity to defend herself, leading her to lodge an official complaint with Human Rights Ombudsman (PDH).

##### **Member of the organisation HIJOS receives death threat**

In a statement, the organisation, Sons and Daughters for Identity and Justice In the Face of Indifference and Silence, denounced death threats made against one of their members Francisco Sánchez Méndez. Mr Sánchez was threatened directly in a phone call made to his house by an unknown male. The statement also mentions that Mr Sánchez was the victim of an attempted kidnapping on the 7<sup>th</sup> of May 2005, just five days before the organisation suffered a second break-in at its office in Guatemala City. The youth organisation named the Guatemalan Government responsible “by action or omission” for any further attacks against Sanchez or other members of the organisation and called on fellow Social Organisations and Civil Society in general to monitor and openly denounce such actions.

##### **Only five out of 1.897 cases of femicide have been resolved**

The Association Survivors - Women and Families Victims of Violence launched its campaign on the 22<sup>nd</sup> of August to raise the profile of violence against woman and the importance of demanding justice for its victims. According to group member Maria Elena Peralta, the intention is to force the Government to provide greater security for women, as well as to demand respect for life, especially that of women, as a constitutional right. The campaign will focus on femicide, as according to official statistics 1.897 women were murdered between January of the 2001 and July of the 2005, in Guatemala, so far only five of these cases have been solved. Ms Peralta said that the main objective was to work against the indifference of the Guatemalan authorities, but also to persuade Guatemalans, that even though the procedures may be very long, they should still make legal complaints and follow them up.

##### **New report highlights attacks against freedom of expression**

On the 31<sup>st</sup> of August, the Centre for Informative Reports on Guatemala (CERIGUA) presented the first phase of its “Communications Map”, a study covering 14 departments which it hopes will contribute to the democratization of communication

and promote the exercise of freedom of thought, freedom of expression and freedom of the press. The study revealed that in the first six months of this year, 31 journalists had been subject to acts of violence. Furthermore, of the 150 registered cases of attacks against journalists between 2003 and June 2005, 3 proved fatal. In 76 percent of cases the victims were able to identify their attackers, who included elements within the National Civil Police (PNC), ex-members of Civil Defence Patrols (Ex-PAC), people in public office and those accused of criminal offences.

#### Land:

##### **First stage of the Land Registry to begin in January in 14 departments**

The RIC (the organisation responsible for compiling Guatemala's Land Registry), will begin work in January next year, according to Mauricio Rodríguez Weber, Director of the Registry's Legal and Technical Unit (UTJ).

The first stage, covering 14 departments, will be paid for by loans from the World Bank, the Central American Bank of Economic Integration and the Spanish government, totalling around US\$116 million. Rodríguez explained that the money will not be invested in the purchase of equipment, but in the hiring of companies that will do the initial land surveys and the entering of data covering land titles into the Property Registry. Although the Ministry of Agriculture had previously earmarked 100 million quetzals from its budget to finance initial stages of the program, the UTJ did not consider these funds sufficient to launch the program.

#### Globalisation:

##### **Government and civil society reach first agreement on mining**

The Government, the Catholic Church and various ecological organisations have reached the first agreement over the conditions that should be met before the approval of new mining operations. Included in the document is an agreement that the Government will carry out popular consultations to gain the consent of the residents of any area where a mining company hopes to initiate operations. These will be carried out by the Council of Urban and Rural Development and whatever the residents decide will have to be respected by the license holder. In addition, companies that do receive the go-ahead will be subject to a code of environmental good practice, requiring them to take measures to protect the local ecosystem and the health of local inhabitants. The bishop of San Marcos, Monsignor Alvaro Ramazzini and the Minister of Energy and Mining, Luis Ortiz, emphasized that they were both satisfied by the agreement, although it has yet to be approved by the Executive, which will have final say over whether to approve or reject the proposal. The agreement includes a request that while this process is ongoing, Congress decree a moratorium on further mineral exploration.

##### **Government pushes construction of 36 hydroelectric ones projects around the country**

Despite of the rejection by residents of Rio Hondo, Zacapa of a hydroelectric project in their municipality, the Ministry of Energy and Mining put forward a proposal on the 30<sup>th</sup> of August for the construction of hydroelectric projects, utilizing over 40 rivers, during a forum which gathered together more than 150 municipal mayors. Carlos Colom Bickford, President of the National Institute of Electrification (INDE), presented to the municipal representatives the Catalogue of Small Hydroelectric Power Stations that consists of 36 projects around the country, which could generate between 2.800 and 70,000 MW/hrs per year.

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

## **2. ACTIVITIES OF PBI GUATEMALA: WITHIN GUATEMALA**

Team: Melosa Aiyana Granda (United States of America), Sander Otten (Netherlands), Matthew Fawcett and Helen Woodcock (United Kingdom), Silvio Köhler (Germany), Estefanía Sarmiento (Colombia), Didier Califice (Belgium).

### **2.1 MEETINGS WITH GUATEMALAN AUTHORITES 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. During the month of August meetings were held with the following authorities:

Guatemalan Authorities:

- ξ Mauro Guzmán Mérida, Governor of Huehuetenango
- ξ Carlos Bernardo Euler Pacay, Governor of Alta Verapaz
- ξ José Guillermo of León Piedrasanta, General Manager of the Land Fund, FONTIERRAS
- ξ Edgar Amilcar Orellana Orellana, Commissioner of the National Civil Police (PNC), Alta Verapaz

- ξ Jorge Antonio Fonseca Acensio, Commissioner of the National Civil Police (PNC), Mixco, Guatemala
- ξ César Rosmundo Véliz Max, Municipal Mayor, Santa Cruz Verapaz, Alta Verapaz
- ξ José Gustavo Ortiz Orellana, National Civil Police (PNC) Station Chief, Santa Cruz Verapaz, Alta Verapaz
- ξ Thelma Schaub, Marco Zeissig and María Eugenia Morales, Human Rights Ombudsman (PDH)

Diplomatic Corps:

- ξ Juan López-Dóriga Pérez, Spanish Embasador
- ξ Miguel Moerth, of the Swiss Embassy

## 2.2 MEETINGS WITH CIVIL SOCIETY ORGANISATIONS

The PBI Guatemala Project team holds regular meetings with civil society Organisations. 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 Organisations:

- ξ Ruth del Valle and Ana Gladis Ollas, National Human Rights Movement (MNDH)
- ξ Mauro Vay, Campesino Development Committee (CODECA)
- ξ Argentina Cuevas, Mónica Pop and Héctor Tum, Pastoral Social of Cobán
- ξ Sandra Morán, Women's Sector

Organizaciones Internacionales:

- ξ FoodFirst Information and Action Network, FIAN
- ξ Non-Violent Peace Force, NVPF
- ξ Commission of Peace Accords Follow-up and Civil Society relations, Forum of International Non-Governmental Organisations (FONGI)
- ξ Coordinating Body for International Accompaniment in Guatemala (CAIG)
- ξ Network in Solidarity with the People of Guatemala (NISGUA)
- ξ International Accompaniment in Guatemala (ACOGUATE)
- ξ Rights Action

Courtesy visits were also made to the following Organisations:

- ξ Rurale Womens Alliance
- ξ Centre for Human Rights Legal Action (CALDH)
- ξ National Coordinator of Campesino Organisations (CNOC)
- ξ Mutual Support Group (GAM)
- ξ Families of the Detained and Disappeared of Guatemala (FAMDEGUA)
- ξ Syndicated Guatemalan Workers Union (UNSITRAGUA)
- ξ Guatemalan Education Workers Union (STEG)
- ξ Coordinating Body of Indigenous and Campesino Organisations (CONIC)
- ξ Association for the Advancement of Social Sciences in Guatemala (AVANCSO)
- ξ Oficina of Derechos Humanos del Arzobispado of Guatemala (ODHAG)
- ξ Rigoberta Menchú Tum Foundation (FRMT)
- ξ Comunicarte
- ξ Organisation to support an Integrated Sexuality to confront AIDS (OASIS)
- ξ Guatemalan National Human Rights Coordinating Body (CONADEHGUA)

## 2.3 ACCOMPANIMENTS

Since the 13th of May we have accompanied Carlos Morales, leader of the **Union of Campesino Organisations of the Verapaces (UVOC)**, on a 24 hour basis. During the last month, we accompanied him during his activities in the Verapaces as well as in the Capital.

*Background: Carlos Morales, leader of UVOC, has been victim of death threats, acts of intimidation, and persecution 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 the Verapaces (the departments of Alta and Baja Verapaz) and works principally on the theme of access to land for campesinos and to provide 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 Organisations (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 continued to carry out regular visits to the office of the **National Coordination of Residents of Marginal Areas in Guatemala, CONAPAMG**. We accompanied a demonstration by the leaders of CONAPAMG and 11 affiliated Communities from around the country in front of the Ministry of Communications, Infrastructure and Housing (CIV), on the 23<sup>rd</sup> of August, to pressurize the government to change their housing policy.

*Background: CONAMPAMG works on the question of access to housing and services and the legalization of illegally occupied land. On the 4<sup>th</sup> of July 2004 their office was broken into and inventories, bills, computer discs and money were stolen. In December 2004, members of the CONAPAMG affiliated community "Nuestra Realidad", 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. Miguel Zapeta González a resident of the community of "Esquipulas" and member of the CONAPAMG was murdered in March 2005. The community of "Getzemani" en Zone 18 of the Capital was evicted in July 2005.*

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 as well as in the Capital.

*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). PBI has accompanied Eloyda since February 2004.*

We carried out weekly visits to the offices of the **Madre Selva Collective** and had frequent contact with their members.

*Background: Madre Selva is an environmental organisation which holds regular workshops on the negative impact of mega-projects and in particular those involving open cast mining and the installation of hydroelectric power plants. Members of the organisation regularly receive threats because of their work. We have provided accompaniment to Madres Selva since June of 2004.*

We have been accompanying the Union of Workers of the company "**Association of the Coffee Industry**", and other **related Industries, SITINCA**. Since June of 2005 we have acted as international observers during their various protests against the unfair dismissal of José Armando Palacios and the situation of workers in the INCASA factory in Guatemala City.

*Background: In January of the 2004, three workers of the company's internal security decided to join the trade union. Since then the company has carried out anti-union activities, against José Armando Palacios. On the 16 April, unknown armed individuals broke into the house of José Armando Palacios and threatened the life of his wife and their two children. They asked for Mr. Palacios, whom they wanted "to kill for being in the union." On the 6 of May, Mr. Palacios was dismissed without any explanation.*

We continue to accompany the **Coordination of Widows of Guatemala, CONAVIGUA**. We carry out regular visits to their office and also accompanied them on the 5<sup>th</sup> of August during the preliminary inspection of an exhumation site in the community of Buena Vista, Sacapulas, Quiché.

*Background: CONAVIGUA continues to facilitate the process of exhumations and inhumations in various departments throughout Guatemala, largely in Quiché, Chimaltenango and the Verapaces as part of their efforts to recuperate the collective memory of Guatemala's recent history.*

We accompany the **Union of Bocadeli Workers (SITRA Bocadeli)**, which is affiliated to the **Syndicated Guatemalan Workers Union (UNSTRAGUA)**. During August we started our accompaniment with frequent visits to the factory where the workers maintain a presence since the closing of the factory.

*Background: In August the Bocadeli Foods Prefabricated Products Distribution Centre in Mixco, Department of Guatemala, was shutdown without any notice being given and without the workers being paid either their salaries or indemnification. Ever since the closure the workers have maintained a constant presence day and night in front of the factory to prevent the removal of goods or vehicles for sale before they receive monies to which they are entitled. Meanwhile, various vehicles with darkened windows have been circling the workers in a threatening manner. As yet the Salvadorian owned Bocadeli has not responded to the Union initiative to open a dialogue over the dispute. UNSTRAGUA have brought the case before the International Labour Organisation.*

We accompanied **Indigenous municipality of Sololá** and the **Mayan Foundation, FUNDAMAYA**. The indigenous Mayoress of Sololá, **Dominga Vásquez** and a **Carlos Guarquez** of FUNDAMAYA have received PBI accompaniment since January of 2005. We were present during several activities in the Department of Sololá this month and additionally we accompanied Carlos Guarquez on the 8<sup>th</sup> and 9<sup>th</sup> of August to Colotenango, Huehuetenango, for the celebrations of The International Day of Indigenous Peoples where he gave a talk on the possible negative effects of the mining in region.

*Background: On the 11<sup>th</sup> of January 2005 in the Department of Sololá, serious confrontations took place between the National Civil Police, supported 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. Following 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. On 25 March of 2005 in the village of El Tablón, Sololá, the vehicle used by Carlos Humberto Guárquez, of FUNDAMAYA, was doused in petrol and set on fire by unknown individuals. Death threats specifically naming Carlos Guárquez, Dominga Vásquez and her husband, Alfonso Guárquez, were found scattered around the vehicle. Part of the 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. Dominga Vásquez has recently suffered intimidation and accusations that she is a violent extremist, from various other Guatemalan Authorities for her opposition to the Central American Free Trade Agreement (CAFTA) as well as proposed new mining operations.*

## 2.4 OBSERVATIONS

We were present as international observers during the commemoration of first anniversary of the eviction of Nueva Linda, Retalhuleu that took place on the 31<sup>st</sup> of August in front of the entrance to the property. The activity was organised by campesinos who continue to live on the side of the road that surrounds the property, in conjunction with the Campesino Development Committee (CODECA).

*Background: On the 31<sup>st</sup> of August 2004 a protest site on the Nueva Linda Finca was violently evicted, resulting in the deaths of eight campesinos and three agents of the National Civil Police (PNC). Previously around 800 campesino families had occupied the property to demand justice for the disappearance of Mr. Héctor Reyes, the property's administrator. In December 2004 a group of 50 families returned to occupy the roadside opposite the entrance to the property to demand that the Public Ministry investigates the disappearance of Mr. Reyes and the manner with which the eviction was carried out. At the time of writing the group continues to live by the roadside.*

## 2.5 FOLLOW UP

We have maintained contact with **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**. During August we met with Ernesto twice and also met with various authorities to express our concern for his wellbeing.

*Background: On the 19<sup>th</sup> of June 2005 four armed individuals entered the workshop where Mr. Menchú works. Only his wife was present. They demanded threateningly to know where he was and then violently entered the house where they stole about 5.000 Quetzales and Mr. Menchú's mobile phone. According to Mr Menchu, the threats are related to his work against the eviction of the community of San Siguán, Quiché as well as the exhumations of the bodies of victims of the internal armed conflict which his organisation has been facilitating in the region.*

We have maintained contact with the **Centre for Human Rights Legal Action (CALDH)** through meetings with their Co-directors and visits to their office. Also we attended the Central American Encounter of Human Rights defenders, organised by CALDH among others, between the 31<sup>st</sup> of August and the 2<sup>nd</sup> of September in Antigua Guatemala.

*Background: On various occasions we have accompanied various members of the organisation which is constantly under threat. During the month of June, four members of the organisation were subject to attacks and acts of aggression and the organisation continues to receive threatening telephone calls and is under frequent surveillance.*

We continue to maintain contact with members of the **Community of El Maguey**, affiliated with the **Campesino Unity Committee (CUC)** through frequent contact and occasional visits.

*Background: The plantation used to belong to a company for whom relatives of the current residents of El 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 El 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.*

### **3. ACTIVITIES OF PBI GUATEMALA: OUTSIDE OF GUATEMALA**

During the second half of this month, the project's training team has been preparing a training week for new volunteers and interviewing potential candidates.

Tara Ward, the North American Representative took part in a conference call on the 28<sup>th</sup> of August to coordinate the search for political support and funding in both the US and Canada.

The project committee celebrated its bi-annual meeting with the team based in Guatemala City between the 1st and 6th of August, to evaluate the current political situation, the role of the project in Guatemala and to plan for future developments. The committee also took the opportunity to meet with various organisations and human rights defenders as well as members of the diplomatic corps working in Guatemala.

### **4. PUBLICATIONS BY NON-GOVERNMENTAL ORGANISATIONS (IN SPANISH)**

**In this section we publish several communiqués written by human rights organisations in which they express their preoccupations regarding the current state of affairs in Guatemala.**



**COORDINADORA NACIONAL DE ORGANIZACIONES  
CAMPESINAS  
-CNOC-**

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A la comunidad nacional e internacional:

**LOS PRIVILEGIOS QUE GOZAN LOS EMPRESARIOS EN GUATEMALA, DEMUESTRA HOY DIA  
QUE LA POBLACION INDÍGENA SIGUE EXCLUIDA EN LA AGENDA DE GOBIERNO**

Al Conmemorarse éste martes 9 de Agosto el “Día Internacional de los Pueblos Indígenas”, -CNOC- reafirma que seguimos siendo víctimas de los gobiernos excluyentes, empresariales, empobrecedores y corruptos. La marginación dirigida hacia los ciudadanos Indígenas que conformamos más del 60 por ciento de la población en general, se manifiesta mediante la ausencia de una política agraria y de desarrollo rural, el bajo presupuesto de las instituciones relacionadas con el tema agrario, el irrespeto a la opinión de las comunidades indígenas que por hacer uso de un derecho constitucional han rechazado las explotaciones mineras e instalación de plantas hidroeléctricas en comunidades rurales, la falta de seriedad para institucionalizar el Consejo Asesor Indígena y el uso de la violencia para responder a la demanda de acceso a la tierra de miles de familias indígenas y campesinas.

Actualmente, el país afronta una crisis económica, debido a la tendencia de un bajo crecimiento económico, el incremento del desempleo, el crecimiento desmedido de la población, las que afectan directamente el bolsillo de las familias indígenas que no reciben ningún subsidio familiar. de los 18 meses del actual gobierno de los empresarios se ha incrementado el precio de los productos de la canasta básica familiar, es notoria la pérdida del poder adquisitivo de los salarios, reducción de la inversión social, incremento de la violencia e inseguridad, agudización de la pobreza, alza del índice de desempleo y la falta de voluntad política para aumentar el salario mínimo y mejorar la situación de vida de los guatemaltecos, las que ponen en evidencia la discriminación y exclusión de la población indígena.

Al recordar la resolución de la Asamblea General de la Organización de las Naciones Unidas en 1994, donde se instaba a todos los países a resolver los problemas de los Pueblos Originarios, los indígenas guatemaltecos tenemos poco que celebrar, ya que seguimos marginados en la toma de decisiones y no somos escuchados, tal es la imposición del Tratado de Libre Comercio por el gobierno.

Ante tal situación que sufrimos los indígenas del mundo, en especial a los que convivimos en Guatemala, la **Coordinadora Nacional de Organizaciones Campesinas –CNOC-**

**DEMANDA:**

- 1- No más prácticas de discriminación legal contra los Pueblos Indígenas.
- 2- Que se respete la diversidad cultural que ha contribuido al desarrollo de la humanidad.
- 3- Que se impulsen políticas públicas de desarrollo para la eliminación de la pobreza y se fomente el respeto a los Derechos Humanos.
- 4- Que se respete las identidades culturales y la conformación del desarrollo social, económico y cultural de las comunidades.

Guatemala, 8 de julio de 2005.

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Asociación de Comités de Desarrollo Campesino, CODECA  
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**COMUNICADO de PRENSA 08-2005**

**A UN AÑO DEL DESALOJO FRATICIDA, CONTINÚA LA RESISTENCIA y LA LUCHA POR LA JUSTICIA EN EL CASO  
DE LA FINCA NUEVA LINDA**

La Asociación de Comités de Desarrollo Campesino - CODECA - ante la comunidad nacional e internacional denuncia una vez más la masacre de campesinos en Finca Nueva Linda, uno de los crímenes más atroces que el Estado de Guatemala ha cometido, en clara violación a los Acuerdos de

Paz y que hoy, un año después de los hechos, recordamos a los campesinos y campesinas que fueron secuestrados, heridos y asesinados por elementos de la Policía Nacional Civil, el Ejército y los aparatos paramilitares clandestinos del crimen que patrocinan Carlos Vidal Fernández y Virgilio Casados, quienes el cinco de septiembre de 2003 secuestraron a Héctor René Reyes Pérez, dando origen a toda esta lucha que se sustenta en la exigencia de justicia.

Los hechos sangrientos de un año atrás en la finca Nueva Linda, se asimilan a otros casos en donde las víctimas han sido familias campesinas en extrema pobreza, pero que con dignidad y conciencia manifiestan sus exigencias de justicia, como ocurrió en las luchas contra la minería en Sololá, las marchas contra el TLC en Huehuetenango, en la finca El Corozo de Samayac, Suchitepéquez y los desalojos violentos en Alta Verapaz, para citar algunos casos. Lo que demuestra que el Gobierno tiene una clara incapacidad para gobernar, ya que nada más ha servido para reprimir las reivindicaciones sociales en defensa de los ricos y sus fortunas, pero no para cumplir con las demandas sociales que urge la población pobre y trabajadora.

Ante este panorama de indiferencia estatal para que se haga justicia pronta y cumplida, se hace necesario que el Gobierno de Óscar Berger demuestre voluntad política para acabar con la impunidad que gozan los criminales que están violentando los derechos humanos del pueblo campesino, pues los campesinos y campesinas de la finca Nueva Linda que resisten en la orilla de la carretera, frente a la puerta principal, están siendo objeto hasta la fecha de amenazas, insultos, acoso e incluso un caso más de secuestro.

Hacemos un llamado a la población a unirse a la lucha para que se haga justicia por la masacre de Nueva Linda y todos los casos de secuestro, agresión y asesinatos que precedieron y continuaron a la misma en contra de las familias campesinas que claman por respuestas efectivas de parte de las instancias judiciales y que hasta el día de hoy han sido negadas.

Mazatenango, Suchitepéquez, 31 de agosto de 2005

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CARTA ABIERTA A:  
SEÑOR PRESIDENTE de LA REPÚBLICA  
SEÑOR MINISTRO de ENERGÍA y MINAS  
SEÑOR PRESIDENTE de SKYE RESOURCES /  
COMPAÑÍA GUATEMALTECA de NÍQUEL, S.A.

22 de agosto de 2005

Estimados Señores:

Nosotros, representantes electos y nombrados de veinte comunidades Maya Q'eqchi' ubicadas en el municipio de El Estor del departamento de Izabal y en el municipio de Panzós del departamento de Alta Verapaz; reunidos en El Estor el día 7 B'e de nuestro calendario Maya, (12 de agosto de 2005) :

MANIFESTAMOS

- a. En agosto de 1965, el gobierno de Guatemala otorgó una concesión minera para la explotación de níquel en un área de casi 400 kilómetros cuadrados a la empresa Exploraciones y Explotaciones Mineras de Izabal, EXMIBAL, por un período de cuarenta años. El proyecto minero fue abandonado por EXMIBAL desde el año 1981, pero en diciembre del año 2004, las concesiones pronto a vencerse, fueron entregadas al gobierno a cambio del otorgamiento de nuevas licencias de exploración minera para tres años de vigencia, en la misma área. Asimismo, el nuevo dueño de EXMIBAL, Skye Resources de capital canadiense, cambió la razón social de la empresa a Compañía Guatemalteca de Níquel, CGN.
- b. El otorgamiento de las nuevas licencias mineras nunca fue consultado con nuestras comunidades Mayas Q'eqchi' y en repetidas ocasiones hemos manifestado nuestro rechazo de la reactivación de la minería de níquel a cielo abierto en nuestro territorio. Por lo tanto, apoyamos la reclamación interpuesta en marzo de este año, ante la Organización Internacional de Trabajo, que denuncia la violación de nuestros derechos garantizados en el Convenio 169, en el otorgamiento ilegal de las nuevas licencias.
- c. Durante los últimos seis meses hemos dialogado en numerosas reuniones con representantes de la empresa minera CGN, para manifestar nuestro desacuerdo con sus actividades de exploración que ponen en riesgo nuestros



cultivos y seguridad alimenticia, nuestras fuentes de agua, nuestro entorno natural y nuestra identidad como Maya Q'eqchi'.

d. A pesar de un acuerdo con la empresa de apoyar al proyecto de Levantamiento de Información Catastral del área bajo licencia minera y donde están ubicadas nuestras comunidades, la CGN sigue presionado a la comunidad de Las Nubes a que renuncie a sus derechos para que sus tierras sean exploradas por la empresa.

e. En el área de Cahaboncito en Alta Verapaz, sin previo aviso, la CGN ha quitado tierras que varias comunidades han arrendado durante décadas, eliminando sus posibilidades de cultivar el maíz. A la vez, los trabajos de exploración ya están contaminando nuestros ríos y riachuelos, perjudicando nuestras familias por la falta de agua limpia.

f. Los trabajos de exploración ya implican un gran aumento de áreas deforestadas. En los últimos días, se han constatado la muerte masiva de peces y aves acuáticas en el Lago de Izabal cerca de las instalaciones de la empresa.

#### POR LO TANTO, EXIGIMOS

- 1) Que se suspenda de forma inmediata la licencia otorgada en forma ilegal y toda actividad de exploración minera por parte de la empresa CGN en el territorio de las comunidades Maya Q'eqchi' afectadas por el proyecto minero.
- 2) Que al retirarse de nuestro territorio, la empresa minera repare los daños ya provocados por sus trabajos de exploración; siembra de árboles y reintroducción de especies matados. Asimismo, las áreas devastadas durante el anterior proyecto minero, deben ser devueltas en su estado natural original a las comunidades Maya Q'eqchi' y las instalaciones abandonadas, donarlas a instituciones u organizaciones dedicadas a la promoción de la educación, la salud y el desarrollo integral de la región.
- 3) Que la empresa minera no continúe engañando, dividiendo e intimidando a nuestras comunidades.
- 4) Que agilice el estudio del Levantamiento de Información Catastral de las tierras comunales de nuestros municipios y que se respete las colindancias establecidas por décadas por las comunidades hasta establecer la certeza jurídica a favor de las comunidades Maya Q'eqchi'.

<b>PBI GUATEMALA PROJECT</b>
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