



## PEACE BRIGADES INTERNATIONAL – GUATEMALA PROJECT

### Monthly Information Package – Guatemala

Number 27, December 2005

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### 1. NOTES ON THE CURRENT SITUATION

#### Impunity

##### **Organisations demand greater transparency in eradication of clandestine security apparatus**

Various human rights organisations, who have been demanding the creation of the Commission for the Investigation of Illegal Bodies and Clandestine Security Apparatus (CICIACS), called on the government authorities and the Congress of the Republic to proceed with transparency in promoting the corresponding legal initiative. The organisations also indicated that the Presidential Commissioner for Human Rights, Frank La Rue, has promised the international community on repeated occasions to achieve the necessary support in Congress. Nonetheless, the new legal proposal is not known in Congress and Members of the Congress have denied the existence of such a process, according to a press release. Various civil society organisations plan to reject any new negotiation of the CICIACS which does not correspond to the spirit and the achievements of that proposed in January 2004.

##### **Recently discovered police archives transferred to the Capital**

The recently discovered archives of the disbanded National Police (PN) could contain as many as 120 million pages indicated the Human Rights Ombudsman, Sergio Morales. The papers which were discovered in Escuintla and Sacatepéquez, as well as a substation in San Miguel Petapa, Boca del Monte, Amatitlán, and the former First Corps in zone 3 of the capital were transported on Wednesday 14 of December to the headquarters of the National Civil Police in zone 6. According to Mr. Morales these files represent the largest archive of its type in Latin America – they have been discovered in every region except for Quiché. The Ombudsman added that the finding has given fresh hope to thousands of relatives of the disappeared – the archives could contain information about where they could be found – although he acknowledged that the work to establish identities would be long and difficult. He indicated that his office continues to classify the archives found months previously and that on the basis of those analysed so far, there is a nomenclature used by the PN which provides information on the fate of those who were arrested.

##### **Victims demand compliance with the National Indemnification Plan**

A new commission to deal with the issue of indemnification of the victims of the armed conflict was formed on 15 December following over 10 hours of talks and protests. The commission will be made up of Government representatives and representatives of the victims. There will also be observers from the Office of the Archbishop and the Office of the Human Rights Ombudsman. Rosalina Tuyuc, President of the National Commission for Indemnification, stated that as of 20 December negotiations with the victims will begin to take place.

### **Killing of Women rose by 18% according to the National Civil Police (PNC)**

Figures of women killed this year rose to 624, a rise of 18% on the 527 cases reported in 2004 according to statistics of the Section for Homicide against Women of the National Civil Police (PNC). From 23 to 26 December 6 six further killings were reported, stated detective Martín Castro. The Presidential Commissioner for Human Rights, Frank La Rue, expressed his concern and denounced the situation as "terrible" given that each year the figures rise.

### **Transvestite sex workers intimidated**

The Organisation for an Integral Sexuality against Aids (OASIS) reported that various transvestites who work as sexual workers in zone 1 of the Capital have been the object of threats and intimidations by a group of men who pass by in a car. Director of OASIS, Jorge Lopez, stated that the threats could be linked to the complaint they have lodged on the killing of Juan Pablo Méndez Cartagena (alias Paulina) a transvestite who was shot on 17 December.

## **Land**

### **22 evictions from large estates took place in 2005**

The National Coordinating Body of Campesinos (CNOC) stated that 22 evictions from large estates took place in 2005 and that in six of these cases the authorities resorted to the use of force, such as in the estates of El Corozo, Suchitepéquez; La Arenera, in Puerto de San José, Escuintla; and Santa Gertrudis, in Santa María Xalapán, Jutiapa. CNOC also stated that there are 92 estates in the country occupied by campesinos who amongst other things are demanding loan payments, better working conditions, the recuperation of ancestral land, and the payment of a fair wage.

## **Globalisation**

### **Marlin extracts 20 thousand ounces of gold**

Amidst criticism and accusations, the extraction and exportation of gold has already begun in San Marcos, where the mining project Marlin of the company Montana Exploradora S.A., a subsidiary of the Canadian Company Glamis Gold, is located. Currently the Ministry for Energy and Mines does not know the exact quantity of gold extracted. The extraction period began in the third week of November and it was predicted that by the end of December 20 thousand ounces would have been extracted with a gross value of US\$10 Million (US\$500 an ounce), explained Martiza Ruiz, Head of Public Relations for Montana. "We have had some problems with refining our machinery but we are now in the phase of pure extraction of gold, silver and other metals," stated Milton Saravia, director general of Montana. Saravia added that at the same time the process of environmental mitigation had already begun - such as reforestation and the renovation of surfaces. Veronica Martínez, spokeswoman for the Ministry of Energy and Mines stated that the institution was aware that Montana had begun the exploitation phase towards the end of October. She explained however that they had not yet received a report on the quantity of gold extracted but that they are constantly monitoring the operations.

## **Others**

### **Congress extends Plan Maya Jaguar**

United States Military troops could continue operating in the country due to the fact that on 6 December Congress approved a decree to extend Plan Maya Jaguar to 2008. The Plan was established in Guatemala in 1998 and, in addition, in 2003 the Nuevos Horizontes Programme was established through which military from the United States entered Guatemala to help carry out infrastructure programmes.

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

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

Team: Matthew Fawcett and Helen Woodcock (United Kingdom), Silvio Köhler (Germany), Estefanía Sarmiento (Colombia), Didier Califice (Belgium), Ulrike Beck (Germany), Tawia Abbam (United Kingdom), and Chus García (Spain).

### **2.1 MEETINGS WITH GUATEMALAN AUTHORITIES AND MEMBERS OF THE DIPLOMATIC CORPS**

Meetings with Guatemalan authorities and members of the diplomatic corps in Guatemala are an essential component in the work of PBI to make our objectives and the content of our work known. Through these meetings, when necessary and in a reserved manner, we express our concern over critical situations that we have directly become acquainted with through our work in the field.

Guatemalan Authorities:

Mariel Aguilar, Secretary for Agrarian Affairs, Ministry of Agriculture (MAGA).  
Carlos Enrique Barrios Sacher, Municipal Mayor San Marcos  
Erick Villatoro, Assistant Human Rights Ombudsman (PDH), San Marcos  
Pablo De la Cruz, Sub-commissioner of the Nacional Civil Police (PNC), San Marcos

Diplomatic Corps:

Meeting between European embassies and Guatemalan human rights organisations, organised by the U.K. Embassy.  
Andreas Schroeder, Advisor of the German Embassy  
Susie Kitchens, Second Secretary for the U.K. 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:

Fernando Bermúdez, Human Rights Pastoral of the Dioceses of San Marcos  
David Morales, Federation of Trade Unions in the Food and Similar Industries in Guatemala, FESTRAS  
Sergio Hernández, Mutual Support Group, GAM  
Diego de León, Myrna Mack Foundation, FMM  
National Human Rights Movement, MNDH  
Movement of Campesino Workers, MTC  
Sons and Daughters for Identity and Justice In the Face of Indifference and Silence, HIJOS  
Mayan Defense Unit

International Organisations:

Forum of International Non-Governmental Organizations, FONGI  
Coordinating Body for International Accompaniment in Guatemala, CAIG  
Blanca Blanco, Trocaire

Courtesy visits were also paid to the following organisations:

Rigoberta Menchú Foundation  
Forensic Anthropology Foundation of Guatemala, FAFG

## 2.3 ACCOMPANIMENTS

Since the 13th of May we have accompanied Carlos Morales, leader of the **Union of Campesino Organisations for the Verapaces (UVOC)**. Throughout the last month we accompanied him during his activities in Alta and Baja Verapaz.

*Background: Carlos Morales, leader of UVOC, has been the 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) which works principally on the theme of access to land for campesinos and provides support in the process of the legalisation of the communities' titles to land. UVOC also offers training for communities affiliated to UVOC and supports development projects within those communities.*

We continue 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 services and the legalisation of illegally occupied land. We've accompanied CONAPAMG since the 4<sup>th</sup> of July 2004, when their office was broken*

into, and inventories, bills, computer discs, and money were stolen. CONAPAMG's community leaders suffer from threats on a regular basis. In March of 2005, Miguel Zapeta González, resident and leader of the community "Esquipulas" in zone 21 of Guatemala City, was murdered. The communities of CONAPAMG are frequently evicted and there are many more evictions pending. PBI meets with Guatemalan authorities in the local zones where there are CONAPAMG communities.

We began accompanying the **Association of Friends of Lake Izabal (ASALI)** and **Eloyda Mejía** (Legal Representative of the organisation) shortly after a forum on the future of the lake (which took place in El Estor on the 21<sup>st</sup> of February 2004) after which the threats against her worsened.

*Background: Eloyda Mejía has suffered a number of threats as a result of her work to protect Lake Izabal, in the province of Izabal, East Guatemala, and due to her work to inform local residents of the possible damaging effects of the re-opening of the Guatemalan Nickel Company (subsidiary of Skye Resources INC, Canada) mining operation in the area..*

We have carried out regular visits to the offices of the **Madre Selva Collective**; been present on their trips to various departments; and, maintained frequent contact with their members. PBI has accompanied the members of Madre Selva since June 2004.

*Background: Madre Selva is an environmental organisation which holds regular workshops on the negative impact of mega-projects; in particular those involving open caste mining and the installation of hydroelectric power plants. Members of the organisation regularly receive threats because of their work. We have provided accompaniment to Madre 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 various protests against the unfair dismissal of José Armando Palacios and the situation of employees in the INCASA factory in Guatemala City.

*Background: In January of the 2004, three employees of the company's internal security decided to join the trade union. Since then the company has allegedly carried out anti-union activities focused on José Armando Palacios who was one of the three workers. 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<sup>th</sup> of May, Mr. Palacios was dismissed without any explanation.*

We continue to accompany the **National Coordination of Guatemalan Widows (CONAVIGUA)** periodically. At the beginning of December, we accompanied them during an exhumation in the community of Parraxtut, Municipality of Sacapulas, Department of 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. The process rouses tense situations between the victims and the perpetrators within the small rural communities; the ladies of CONAVIGUA are threatened with the aim that they will not carry out their work.*

We accompany the **Union of Bocadeli Workers (SITRA Bocadeli)**, which is affiliated to the **Syndicated Guatemalan Workers Union (UNSITRAGUA)**. During the month of November, after a legal judgement closed the factory and ordered the National Civil Police (PNC) to guard the factory to prevent the removal of vehicles and goods, the workers were able to stop their vigil in front of the factory.

*Background: In August 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 redundancy pay. 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 the payments 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. UNSITRAGUA have brought the case before the International Labour Organisation.*

We accompanied the **Indigenous Municipality of Sololá** and the **Mayan Foundation, FUNDAMAYA**. The Indigenous Mayoress of Sololá, **Dominga Vásquez** and **Carlos Guarquez** of FUNDAMAYA have received PBI accompaniment since January of 2005. As well as staying in regular contact with her, we also provided her with international accompaniment in various events that took place in Sololá this month.

*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 and working to defend their rights – 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 the 25<sup>th</sup> of March 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 suffered intimidations and accusations that she is a violent extremist for her opposition to the Central American Free Trade Agreement (CAFTA) as well as proposed new mining operations.*

We accompanied the MTC (Movement of Peasant Workers) an entity of the Social Pastoral of the San Marcos Dioceses, which offers support and legal advice to campesino communities in the defence their human rights amongst other issues. We have been in regular contact with the members of this organisation after receiving a petition for international accompaniment.

*Background: Since the beginning of November, Julio Archila, a member of the MTC, has suffered various acts of intimidation and threats directed against him and his family. Apparently his security problems are related to the consultancy that the MTC gives to nonconformist campesinos from the Las Delicias farm in San Marcos. On the 4<sup>th</sup> of November, officials from the PNC, in conjunction with people from said farm, arrested Julio, accusing him of stealing coffee. He was brought in front of the judge and, on not finding any proof to the accusations, freed. Since then there have been other acts of intimidation and threats made against Julio Archila and members of his family.*

## 2.4 OBSERVATIONS

On the 10<sup>th</sup> of December, we acted as international observers at the departure of the “Caravana de la Memoria” (Caravan of Memory) on its journey from the capital to the Nueva Linda farm in Retalhuleu. The activity, organised by Sons and Daughters for Identity and Justice In the Face of Indifference and Silence (HIJOS), and Campesino Development Committee (CODECA), aimed to keep in the minds of the people the impunity employed in the case of the disappearance of Héctor Reyes and the eviction of Nueva Linda (which left 11 campesinos and police dead, 13 arrested, and numerous wounded).

## 2.5 FOLLOW-UPS

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: On various occasions we have accompanied various members of the organisation which is constantly under threat. On the 11<sup>th</sup> of January 2005, a day after coming back to work for the year, the organisation received a bomb threat at its headquarters. In March, the organisation and several of its members received strong threats. During the month of June, four members of the organisation were subject to attacks and acts of aggression. 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: After a violent evacuation of the community by the army in April 2003, 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. They have since secured expedient 1-61 which protects the community against evictions or police intervention in the estate. Reconstruction of the community has begun but they continue waiting for the finalisation of their title to the land.*

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

The Project Coordination Office in Madrid, the Regional Representatives, and the other members of the committee, as well as the national groups of PBI, carry out public relation campaigns with multiple NGOs, national governments and agencies, parliamentarians and the like. These meetings result in the development and strengthening of the Project's support network, an essential tool for the functioning of the Project's international presence in Guatemala.

On the 13<sup>th</sup> of December, Kerstin Reemtsma, European Representative for the Project, met with CIFCA's (Copenhagen Initiative for Central America and Mexico) working group in Brussels over the network that raises awareness about CIFCA institutions. Also, together with several members of CIFCA, Kerstin convened with Víctor Maldonado y Federico Zorzán of Relex of the European Commission.

Mayte Quesada, Project Administrator, and Susana Fernández, Office Coordinator of PBI Spain, met on the 12<sup>th</sup> of December with José Luis Fernández, councillor for social affairs for Camargo town council in Cantabria, Spain.

On the 21<sup>st</sup> of December, Kerstin Reemtsma organised a conference call with European PBI country groups. Country groups from Sweden, Holland, Luxemburg, Switzerland, and Germany all took part. Amongst many themes they dealt with questions anticipated by the project en el 2006 over raising awareness.

### 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.

#### **No alcanzamos el cielo pero avanzamos Frente Nacional de Resistencia a la minería de metales, FNRM**

El 9 de diciembre de 2005 en la sede del Banco Mundial (BM) en Washington DC, Estados Unidos, se realizó la reunión entre representantes de Guatemala, Mario Tema, de Sipacapa y Magali Rey Rosa, de Madre Selva con el Sr. Wolfowitz presidente del BM, les acompañaron Karyn Keenan de Amigos de la Tierra Canada, FOE, Eric Holt-Gimenez del Centro de Información Bancaria, BIC, y Keith Slack de Oxfam América, también participaron funcionarios del BM: representantes del IFC, CAO y del despacho de Latinoamérica.

El Sr. Wolfowitz reconoció que en toda historia hay más de un punto de vista, indicando su interés en conocer la opinión de la población.

Los representantes de Guatemala presentaron cuatro demandas:

Que la Consulta Comunitaria sea reconocida por el BM.

El retiro de Exploradora Montana (subsidiaria de Glamis Gold) del territorio de Sipacapa.

La no exploración, explotación, expansión de la minería de metales en Sipacapa y garantías de no afectación al territorio de Sipacapa por la actividad minera.

Apoyo del BM al Programa endógeno Sipakapense de Desarrollo.

Mario Tema, representante de Sipacapa, expuso la situación de la población y su territorio. La población sipakapense son únicamente quince mil personas a nivel mundial, con un idioma e identidad propios, los cuales son amenazados por la minería de metales a cielo abierto. Apoyados por el Convenio 169 OIT en junio de 2005 realizaron la Consulta Comunitaria, en la cual el 99% de la población expresó su rechazo a la minería de metales a cielo abierto en su territorio. Ellos consideran tener el derecho a ser respetados y solicitan el buen actuar del BM, de acuerdo con sus propias salvaguardas de inversión en industrias extractivas y garantizando que se cumplan las recomendaciones hechas por la CAO.

Magali Rey Rosa, representante de Madre Selva, organización ecologista, señaló: El gobierno de Guatemala tiene una capacidad regulativa muy limitada, incapacidad de manejar las amenazas ambientales que pueden provocar los químicos en la minería de metales, y falta de sensibilidad para negociar con la población indígena. Explicó que el uso de fuerzas policíacas y militares para proteger el proyecto minero es una clara violación de los Acuerdos de Paz. La situación en el Altiplano Occidental donde está la mina Marlin y otras concesiones mineras es muy volátil y, si la minería continua, se teme que pueda haber violencia y represión.

Karyn Keneena, representante de FOE, presentó: Que IFC ha tenido una deficiente participación en cuanto a minería; se requiere una evaluación independiente a IFC y que se deben adoptar las recomendaciones de la Revisión de Industrias Extractivas del BM, porque de haberse aplicado no existirían los problemas actuales asociados con el proyecto minero.

Finalmente, Eric Holt-Gimenez, responsable del Programa Latinoamérica del BIC, expuso que existen tres posibles escenarios:

Que el BM nada haga ante la problemática, permitiendo que la conflictividad y la violencia se desarrollen de manera incontrolada.

Que el BM retire su préstamo, enviando un fuerte mensaje al gobierno de Guatemala y a la minería en general indicando que el país no está preparado para este tipo de inversión.

Que el BM demuestre su madurez y buena fe, facilitando una Mesa de Negociación, que permita abordar la problemática y participar en un programa endógeno para el desarrollo sipacapense.

El Sr. Wolfowitz expresó satisfacción al conocer que los participantes no se limitaban a hacer la denuncia, sino que al mismo tiempo hacían una propuesta para abordar la conflictiva situación y expresó interés de apoyar las posibilidades que se abren en el tercer escenario presentado.

En la reunión entre representantes de Guatemala, mediadores comprometidos con la vida del planeta y el presidente del BM, se logró lo que es factible. No se alcanzó la máxima aspiración: que la minería de metales a cielo abierto deje de ser una amenaza contra el territorio de Guatemala y contra la vida e identidad de los pueblos Mayas; pero se logró un compromiso de respeto y apoyo para la operativización de las demandas de la población de Sipacapa, de quien maneja el poder, el presidente del BM Sr. Wolfowitz.

Con este diálogo se inicia una nueva etapa en la negociación. El trabajo particular ha de centrarse con la población de Sipacapa, para construir su propio Programa de Desarrollo. El trabajo en Guatemala ha de vitalizar el Frente Nacional de Resistencia a la Minería de Metales, como espacio de convergencia y aprendizaje de todas las organizaciones y personalidades que promueven el desarrollo nacional con su propia identidad y con la equitativa participación de los Pueblos Indígenas, población mayoritaria de Guatemala y mayormente amenazada por la minería de metales.

### **CICIACS: nuevamente sobre la mesa**

Las organizaciones sociales y de derechos humanos, que impulsamos la creación de una Comisión Internacional de Investigación sobre Cuerpos Ilegales y Aparatos Clandestinos de Seguridad (CICIACS) vemos con preocupación el agravamiento de las condiciones que motivaron dicha propuesta. Por un lado los ataques contra defensoras y defensores de derechos humanos continúan con un marcado crecimiento y por otro lado es evidente la captación del sistema de justicia nacional por los poderes paralelos y este tipo de estructuras.

Desde agosto del 2004, las organizaciones de derechos humanos hemos estado esperando la nueva propuesta de CICIACS que el gobierno se comprometió a impulsar, sin embargo transcurrido ya más de un año la misma no se conoce y no ha sido presentada.

Las organizaciones de Derechos Humanos consideramos Válida, Vigente y Necesaria la propuesta de CICIACS acordada con Naciones Unidas a principios del 2004. La precariedad e infuncionalidad del Sistema de Justicia reafirma esta necesidad.

En reiteradas ocasiones el Presidente de la COPREDEH se ha comprometido ante la comunidad internacional afirmando que existen intenciones del gobierno para materializar la CICIACS y que la misma está siendo consensuada con representantes del Congreso. Sin embargo, la iniciativa no es conocida y en el Congreso niegan que exista tal proceso. Por esta razón demandamos que se rompa el secretismo de las negociaciones llevadas hasta el momento y exigimos que se haga pública la propuesta para evitar los problemas que tuviera la iniciativa en el 2004.

De igual forma advertimos que la negociación de una "NUEVA" CICIACS que se aleje del espíritu y del alcance de la propuesta de enero del 2004 no solamente sería rechazada por nuestras organizaciones sino además poco vendría a contribuir con su objetivo real.

En este sentido queremos expresar que tipo de CICIACS sería rechazada por nuestras organizaciones:

1. Una CICIACS que no tenga como marco los convenios internacionales de derechos humanos y que conozca violaciones de derechos humanos cometidos por los grupos investigados.
2. Una CICIACS que se dedique a la investigación sobre crimen organizado porque desvirtúa la naturaleza política de los ataques en contra de defensores y operadores de justicia reduciendo el fenómeno a una situación criminal tratando de eximir las responsabilidades estatales en la continuidad de su existencia.
3. Una CICIACS que no sea dirigida de forma independiente y autónoma por la Organización de Naciones Unidas, lo que implica que tenga plena libertad de realizar investigaciones, realizar denuncias al MP y participar en los procesos penales como querellantes adhesivos.
4. Una CICIACS que tenga como objeto principal la asistencia técnica al Ministerio Público ya que creemos que esta no requiere de mecanismos extraordinarios de actuación.

Por último, queremos reafirmar que el proceso de creación anunciado por COPREDEH no exime al Estado de su responsabilidad de actuar en este momento en contra de los responsables de los ataques en contra de defensores que están denunciados en diversas agencias fiscales dado que la mayor parte de los ataques tienen elementos que señalan la responsabilidad de funcionarios públicos o personas privadas que actúan con la aquiescencia de los primeros.

Asociación Memoria, Verdad y Justicia  
Asociación Seguridad en Democracia

Guatemala, 5 de diciembre de 2005

**El Movimiento Nacional por los Derechos Humanos, MNDH**  
Ante la opinión pública y las autoridades de gobierno  
DENUNCIA

1. La existencia de un aparato clandestino compuesto por elementos de la Policía Nacional Civil, que se dedica a extorsionar, intimidar, agredir y ejecutar a trabajadores y trabajadoras del sexo, tal el caso del reciente asesinato de Juan Pablo Méndez (Paulina), en cuyo ataque salió herido Kevin José Robles (Evelyn). Varios travestis han denunciado ser constantemente acosados por agentes policíacos mientras realizan sus labores en la calle.
2. Que el 17 de diciembre, a eso de la una de la madrugada, fueron atacadas las travestis Paulina y Evelyn, a inmediaciones de la 4ª avenida y 11 calle de la zona 1, por cuatro elementos motorizados de la Policía Nacional Civil, quienes les hicieron el alto e inmediatamente dispararon, muriendo Paulina, poco después de ingresar al Hospital General, por los dos disparos que le hicieron a la cabeza y quedando gravemente herida Evelyn. Paulina era auxiliar en el departamento de comunicaciones de la Organización de Apoyo a una Sexualidad Integral frente al Sida (OASIS), organización promotora y defensora de derechos humanos de personas de diversidad sexual, que en diversas ocasiones ha denunciado acciones de intimidación y agresiones contra su personal.

Frente a esta clara acción de limpieza social,  
el Movimiento Nacional por los Derechos Humanos, DEMANDA:

A las autoridades respectivas:

1. Tomar las medidas necesarias para identificar y castigar a los responsables, para evitar que esta clase de acciones continúen.
2. Instruir a los agentes policíacos en materia de respeto a los derechos humanos, para que entiendan que la diversidad debe ser respetada y no castigada.

A las organizaciones sociales:

1. Pronunciarse en solidaridad con los compañeros agredidos
2. Trabajar en contra de la homofobia existente en Guatemala
3. Denunciar cualquier hecho violatorio de los derechos humanos, así como de agresión, ataque o intimidación contra defensores de derechos humanos y activistas sociales.

A la comunidad internacional:

1. Mantener la atención sobre las denuncias que se han realizado en relación a violaciones a los derechos humanos.
2. Presionar al gobierno guatemalteco para que actúe en consecuencia y parar este tipo de hechos.

Guatemala, 19 de diciembre de 2005.

**PROYECTO PBI GUATEMALA**

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