



PEACE BRIGADES INTERNATIONAL – GUATEMALA PROJECT

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EUROPEAN DELEGATION VISIT GUATEMALA

From the 21st to the 27th of May PBI facilitated the visit of a delegation of members of the European parliament, journalists, and lawyers from Germany, Belgium, Ireland and Spain, aiming to let them see for themselves how things are for human rights defenders in Guatemala and strengthen exchanges between these countries. The delegates had the opportunity to meet government representatives, including the director of the Presidential Commission for Human Rights, (COPREDEH) Frank La Rue, and the government vice-minister, Ilse Alvarez. They also visited some of the organisations which PBI accompanies and other representatives of other organisations such as the National Movement for Human Rights and the Guatemalan Journalists Association APG. Furthermore they were able to visit an urban settlement affiliated to the National Coordinating Body for Peoples in Marginalised Areas CONAPAMG and see how people really live in rural areas as part of a trip to Sololá y San Marcos where local defenders of human rights gave presentations about their cases.



Foto: PBI

Delegates (from left to right): Enrique Santiago, Oliver Pieper, Eoin Ryan, Josy Dubié, José Luis Fernández Lorenzo, Bernd Pickert (and Marcelo Henriquez who is not visible) at Clermonth Farm in the department of San Marcos.

1. NOTES ON THE CURRENT SITUATION

IMPUNITY

Plan to widen the scope of military tribunals rejected

Diverse sectors demonstrated their rejection of the military proposal to reform the Military Code, which wants to widen the scope and jurisdiction of military tribunals, giving them the means to decide which crimes should be judged by the military and which in the civil arena, extending the powers of military tribunals which at the moment only judge those offences categorised as military. Those opposed to the initiative remember that the Peace Agreements included strengthening civil power, and this form would favour impunity. Iduvina Hernandez of Security and Democracy, and Helen Mack of the Myrna Mack Foundation, call for the lawmakers to reject these modifications.

Attempt to burn the National Police archives which document human rights violations

On the night of the 10th of May, an incendiary bomb was hurled into the vicinity of the building in zone 6, where the National Police (NP) stores the archives detailing disappeared people. A guard detected the smoke and managed to extinguish the fire. The archives were discovered in July 2005, and they document violations of human rights during the war, so the Human Rights Ombudsman (PDH) was alert to the possibility of such an attempt. "We suspect that this is a clear indication [of an attempt] to destroy this store of documents. There is evidence that the object was thrown on purpose to set fire to the place which could have caused serious damage to the documents in our care," confirmed the ombudsman, Sergio Morales.

Movement of victims of the armed conflict set a time for the government to compensate them

The National Movement of Victims of the Armed Conflict have announced an uprising against the government of President Oscar Berger, for failing to honour the compensation due to widows, old people and disabled people. Oscar Berger's government has not delivered in cash the 300 million quetzals destined for the victims of the internal armed conflict that the country suffered. According to Movement member Miguel Sanic, "During the last 4 years we have only received 30 million quetzals in 2002 and 40 in 2004, with the excuse that the rest was for the common fund, without previously consulting the victims, and from the president's decision, Rosalina Tuyuc authorised the ministry of public finances to transfer this sum to the Hurricane Stan emergency without due fiscal process."

LAND

Government and organisations start dialogue over agrarian conflict

After a meeting on the 8th of May, representatives of government and campesinos concluded that the opening of a "special window", coordinated by the Secretary of Agricultural Affairs (SAA), in the Land Fund (FONTIERRA) is the most viable option in searching for a mechanism to speed up the most urgent cases in the agricultural conflict. For campesino organisations the speeding up of the process of buying the land is fundamental. This is why they endorse the option to keep going through FONTIERRAS despite signs of corruption. The campesino organisations defined cases as urgent, due to the degree of conflict or the human necessity before the coming winter.

Organisations call for a retake of consensus

Various social and political organisations that are not participating in the Government-convened dialogue have asked the Executive to accept the consensus arrived at by the Inter-sectorial Table for Dialogue and Participation for Integrated Rural Development (MIDPDRI) presented in March, and expressed the desire to start a new discussion process from zero, in addition to which, they would not include the agricultural conflict. The National Coordinator of Campesino Organisations (CNOC), the Agrarian Platform (PA), the Permanent National Coordinator of Rights related to the Land of Indigenous Peoples (CNP-Tierra) and the Alliance for Rural Development, have demanded that MIDPDRI continue, regarding the points already agreed and recalling that through two and a half years of dialogue with the Executive about the politics of integrated rural development, there have not been any positive results; meanwhile they emphasise that the few agreements should not be undervalued and to start new talks in the frame of the "big national dialogue".

GLOBALISATION

Congress approves the law to implement the DR-CAFTA

After several months of negotiations, the Republican Congress finally approved the law to implement the Free Trade Treaty with the Dominican Republic and Central America (DR-CAFTA) on the 11th of May; it contains reforms and other legal norms called for by the U.S. government to make the agreement valid in Guatemala. The reforms approved by the implementation law relate to public contracts, cross-border commercial services, telecommunications, intellectual property, controversy solution, and transparency.

Public view of DR-CAFTA in the Constitutional Court

On the 11th of May in the Constitutional Court, social organisations met to give a public presentation and appeal against the Free Trade Agreement (DR-CAFTA). During the meeting lawyers explained that the treaty violates constitutional concepts of liberty, sovereign, and independence guaranteed by the State, and furthermore that the government has renounced its powers and duties that guarantee the economic and social process of the country. They indicated that the Republican Congress and the Executive Body have behaved unconstitutionally in pronouncing the decree approving the incorporation of Guatemala in the agreement and its ratification.

Congressional energy commission suspends mining operations for 90 days

The Congressional Commission for Energy and Mining has passed a favourable judgement over Initiative 34-50 which suspends open-cast mining exploration and operation for 90 days. It hopes that by the end of the 90 days, the Mining Law, Decree 48-97, which is being analysed jointly by parliamentarians and the High Level Commission, can be reformed.

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: IN GUATEMALA

Team: Didier Califice (Belgium), Ulrike Beck (Germany), Tawia Abbam (United Kingdom), Chus García (Spain), Michael Beattie (Australia), Silke Gatermann (Sweden/Germany), Katia Aeby (Switzerland), Mary Scott (United Kingdom), Csilla Horvath (Hungary)

2.1 MEETINGS WITH GUATEMALAN AUTHORITIES AND MEMBERS OF THE DIPLOMATIC CORPS

Meetings with authorities and members of the diplomatic corps in Guatemala are essential components of PBI's work, enabling us to make known our objectives and way of working. Through these meetings, when necessary, we can also express confidentially our concerns over critical situations of which we have first hand knowledge through our work in the field. During the month of May meetings were held with the following authorities:

Guatemalan Authorities:

- ξ Sabino Ramos, Head of National Civil Police Substation (PNC) Sacapulas, Quiché
- ξ Carlos Viemann, Home Secretary
- ξ Ricardo Raúl Rodríguez, Assistant Human Rights Ombudsman (PDH), Quiché
- ξ Blanco Divas, Head of Quiché National Civil Police station (PNC)
- ξ Saúl Rodríguez, Deputy mayor, Jocotán, Chiquimula
- ξ Luis Mateo Pinto, Superintendent of National Civil Police (PNC) Jocotán, Chiquimula
- ξ Ivan Espinoza, Deputy Minister for Foreign Relations
- ξ Myrna Ponce, Deputy for the Guatemalan Republican Front party (FRG)
- ξ Frank La Rue and Estuardo Meneses, Presidential Commission on Human Rights (COPREDEH)
- ξ Sergio Morales Human Rights Ombudsman and Víctor Hugo Godoy, Assistant Human Rights Ombudsman (PDH)
- ξ Ilsa Álvarez, Deputy Home Secretary

Diplomatic Corps:

- ξ Ian Hughes, Ambassador, United Kingdom Embassy
- ξ Miguel Moerth, Coordinator of the Peace Programme, Swiss Embassy
- ξ Gustavo Cetina, Programme Officer, Norwegian Embassy

- ξ Juan López Doriga, Ambassador, and Guillermo Ardizzone, Minister, Spanish Embassy
- ξ Mónica Gruber-Lang, Ambassadors, Austrian Embassy
- ξ Andreas Schröder, Advisor, and Norbert Eichler, German Embassy
- ξ Fabián Moury, First Advisor, French Embassy
- ξ Susie Kitchens, Second Political Secretary, British Embassy
- ξ João Melo do Sampaio, In charge of Business Affairs, and Åsa Björklund, In charge of the European Democratic Initiative for Human Rights in Guatemala, European Commission Delegation in Guatemala
- ξ Bea M. Ten Tusscher de van Weir, Ambassadors, Dutch 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 Claudia Samayoa, Ruth del Valle y Miguel Ángel Albizures, National Human Rights Movement (MNDH)
- ξ Ingrid Urizar, Pastoral de la Tierra, Agrarian Platform Quetzaltenango
- ξ Eswin Pérez, Workers Union of Nueva Florencia Farm, Quetzaltenango
- ξ Jose Xoj and Alfredo Che, Coordinating Body of Campesino and Indigenous Organisations of Petén (COCIP)
- ξ Sandra Morán, Women's Sector
- ξ Orlando Blanco, Collective of Social Organisations (COS)
- ξ Rigoberto Dueñas, General Office of Guatemalan Workers (CGTG)
- ξ Justo Mendoza, Coordinating Body of Indigenous and Campesino Organisations (CONIC)
- ξ Erwin Orrego and Guillermo Alfredo Santizo, Guatemalan National Front for Market sellers and Informal Economy Frente (FENVEMEGUA)
- ξ Rosa María López, formerly of Union Workers of the NB Maquila (SITRANB)
- ξ Rolando López, President, Mario Rolando Sierra Cervantes, Vicepresident, and Felipe Jerónimo Chen, secretary, Guatemalan Journalists' Association (APG)

International Organisations:

- ξ Coordinating Body for International Accompaniment in Guatemala (CAIG)
- ξ Rights in Action
- ξ Forum of International Non-Governmental Organisations (FONGI)

2.3 ACCOMPANIMENTS

Since the 13th May 2005, we have accompanied **Carlos Morales**, leader of the **Union of Campesino Organisations for the Verapaces (UVOC)**, and other members of the organisation. Throughout the last month, we accompanied them during their activities in Alta and Baja Verapaz, and in Guatemala City.

Background: Carlos Morales, leader of the 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 for his life, Carlos Morales was forced into hiding in Guatemala City for a month, which was made possible by the support of the Human Rights Ombudsman (PDH). Following this, 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 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

We have been accompanying the **Association of Friends of Lake Izabal (ASALI)** and **Eloyda Mejía**, Legal Representative of the organisation, since 21st February 2004, when the threats against her worsened. This month we maintained regular contact with members of the association.

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. On 21st February 2004, during a conference on the future of the lake in El Estor, Izabal, the threats against her worsened, which she reported to the Public Prosecutor's Office (MP) and the Human Rights Ombudsman's Office (PDH). In February 2006 Eloyda Mejía's restaurant wall was graffitied "Yes to CGN" (Guatemalan Nickel Company). PBI have accompanied Eloyda and other members of the association since February 2004

We carry out regular visits to the offices of the **Madre Selva Collective** and have frequent contact with their members during their work in different departments throughout the country. PBI has been accompanying 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 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 continue to accompany the **National Coordination of Widows of Guatemala (CONAVIGUA)** periodically through visits to and presence in their office, as well as during their exhumations and inhumations of clandestine cemeteries in rural areas. During the month of April, we accompanied members of CONAVIGUA during an exhumation in Buena Vista, 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. This process provokes tense situations in these small rural communities between victims and their perpetrators, and the women from CONAVIGUA receive threats so as not to go ahead with this work. The organisation continues carrying out exhumations and inhumations during this year

We accompany Carlos Guarquez, General Coordinator of the **Guatemalan Association of Indigenous Mayors and Authorities (AGAAI)** and the **Mayan Foundation (FUNDAMAYA)**, and adviser to the indigenous municipality of Sololá since January of 2005. We stay in regular contact with him through visits to his office and through telephone calls. This month we accompanied Carlos during his activities in Huehuetenango.

Background: Mr Guarquez has suffered from various forms of threats, accusations, and intimidations because of his work rejecting the Free Trade Agreement (DR-CAFTA) and mining exploitation. On 25th March 2005, in the village of El Tablón, Sololá, the vehicle used by Carlos Humberto Guarquez, of AGAAI and FUNDAMAYA, was doused in petrol and set on fire by unknown individuals. Death threats specifically naming Carlos Guarquez, the then Indigenous Mayoress of Sololá, Dominga Vásquez, and her husband, Alfonso Guarquez, 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 within Guatemala.

We accompany the **Movement of Peasant Workers (MTC)**, an entity of the Social Pastoral Office of the Diocese of San Marcos, which consists of associations of peasant communities defending their human rights. This month we accompanied the MTC in its activities in San Marcos and we continue to have weekly contact with the technical support team.

Background: Since the beginning of November 2005, Julio Archila, a member of the MTC, has suffered various forms of intimidation and threats directed against him and his family. Apparently his security problems are related to the support the MTC gives to the campesinos who are engaged in protest on the farm Las Delicias, San Marcos. On 4th November 2005, police arrested Julio, accusing him of stealing coffee. He was brought before the judge and, on not finding any proof of the accusations, he was freed. Since then there have been other acts of intimidation and threats made against Julio Archila and members of his family.

The **Organisation to Support an Integrated Sexuality to Confront AIDS (OASIS)**, an organisation which works with HIV/AIDS education and prevention, as well as promoting and protecting the rights of gays, lesbians, bisexuals

and transgender people. In particular, we accompany **Zulma**, member of OASIS, maintaining a virtually daily presence in the office of the organisation and keeping in permanent contact.

Background: On 17th December 2005, the transgender worker Paulina was killed, making it the seventh murder of a transgender worker that year. Zulma, who was present when the crime was committed, was seriously injured during the incident. She is a witness to the murder of Paulina, accusing members of the National Civil Police (PNC) as perpetrators. OASIS reported the case to the Public Prosecutor's Office (MP) in order to obtain justice for the killing, and has been awarded precautionary security measures for Zulma and the organisation by the Inter-American Human Rights Commission (CIDH). However, members of the organisation continue being subjected to harassment and threats, and during the night of 22nd January, Jorge López, Executive Director of OASIS, reported that he had been pursued by a police car.

The **Centre for Human Rights Legal Action (CALDH)**. In April 2006 we accompanied members of CALDH during their activities in the Department of Chiquimula where they were presenting an exhibition on Anne Frank.

Background: On the 2nd of April 2006, community leader and CALDH observer Meregilda Súchite of Opolá, Chiquimula, was killed. The accused murderer has not been captured and the husband of the deceased, also witness of the crime, and their children, have received threats. In the past PBI has accompanied members of the organisation that are victims of harassment.

2.4. OBSERVATIONS

PBI Guatemala provides international observations in public events where Guatemalan social organisations require international attention and interest. These observations also take place when it is judged necessary in order to be able to communicate what we witness outside of the country.

On the 11th of May we observed the public hearing in the Constitutional Court (CC) against the Free Trade Agreement (TLC); those who attended were the Anti-Imperialist Block, The General Office of Guatemalan Workers (CGTG), The National Liberation Front (FLN), The National Coordinator of Campesino Organisations (CNOC) and The Syndicated Guatemalan Workers Union (UNSITRAGUA) amongst others. These organisations point out that the treaty violates the constitutional precepts of liberty, sovereignty, and independence that are guaranteed by the State.

From the 29th of May we have been present as international observers in the peace camp set up by the campesinos from Nueva Linda within the framework of the Week against Impunity and Violence in the central park. PBI has been monitoring this case since 2004 with regular visits as international observers, maintaining international presence during public actions, and circulating information about the case at international level and through our publications. A large group of campesinos have been living on the side of the road since September 2004, demanding justice and remembering the disappearance of campesino leader Hector Reyes and the situation of impunity surrounding the case of the violent eviction from the farm in August 2004

2.5 FOLLOW UPS

PBI provides follow-up to accompanied organisations that, at a given moment, do not require as much international presence for their protection. At the same time, the workers of these organisations remain in a delicate situation and, because of this, PBI considers it necessary to maintain the focus of an international audience on them.

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 eviction 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. In February this year they were awarded the land title, however, the community is still waiting for the installation of electricity, the construction of a school and the paving of the road leading up to the entrance of the community and within the property.

José Armando Palacios, member of the **Union of Workers of the company "Association of the Coffee Industry", and other related Industries (SITINCA)** which PBI has accompanied, has had to leave the country due to receiving serious death threats. PBI continues to monitor the case.

Background: In January 2004, three workers 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 16th April, unknown armed individuals broke into the house of José Armando Palacios and threatened the lives of his wife and their two children. They asked for Mr. Palacios, whom they wanted "to kill for being in the union." On the 6th May, Mr. Palacios was dismissed without any explanation.

We continue to maintain contact with the **Sololá Indigenous Municipality and Dominga Vásquez**. On the 1st of January 2006 Dominga finished her duties as Indigenous Mayoress of Sololá but she continues as a leader of her community.

3. ACTIVITIES OF PBI GUATEMALA: OUTSIDE OF GUATEMALA

The Project Coordination Office in Madrid, the Regional Representatives, and other members of the Project Committee, as well as national PBI groups, carry out public relations campaigns with numerous NGOs, national agencies and governments, parliamentarians, etc. These meetings help in the development and strengthening of the project's "Support Network", an essential tool for the workings of the international presence of PBI in Guatemala.

Kerstin Reemtsma, European Representative for the Project, took part in the CIFCA General Assembly in Brussels, Belgium on the 2nd of May. Also, on the 3rd and 4th she attended the European Union-Central America International Relations Conference in Brussels. The group, *Copenhagen Initiative for Central America and Mexico (CIFCA)* lobbies European Union institutions and has its headquarters in Brussels.

This month, Kerstin Reemtsma and Eva Scarfe, both members of the Project Committee, with support from the Project Coordinators Office in Madrid, have been finalising the details of the European representatives delegates trip to Guatemala which took place between the 21st and 26th of May. The objective of the trip was to enlighten Europeans and European institutions of how the situation is for Human Rights defenders in Guatemala and strengthen the links between Europeans and Guatemalans in order to get more support for the Human Rights defenders.

On the 27th of May, Kirsten Reemtsma, gave a PBI presentation in the form of a seminar on strategies for peace and conflict analysis, in the University of Munster and Hagen, Germany.

Tara Ward, member of the Project Committee, attended the American Policy Group (APG) meeting on the 10th and 11th of May in Ottawa, Canada. APG is a Canadian network that focuses on development and social justice in the Americas, formed of about 40 development, and human rights organisations, unions, research institutes, churches, and solidarity groups.

Silvio Köhler, Project Officer of PBI Germany, attended the Latin American, European and Caribbean social meeting "*Linking Alternatives*" in Vienna where he facilitated a "Solidarity through Accompaniment – Experiences of Human Rights Defenders in Guatemala" workshop representing PBI. This workshop was convened by CAREA and Austrian Solidarity with Guatemala. He also participated in other workshops: Gold or Life? Mining in Guatemala, the case of Marlin mine; Access to the land and rural development in the framework of the European Union-Central American negotiations; bilateral treaties, the future Central American Association agreement – UE, CAFTA, OMC; Youth movement, expectations, alternatives and practices for a better world; the youth movements strategies in the context of the new left in Latin America, amongst others.

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

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

**CENTRO PARA LA ACCIÓN LEGAL EN DERECHOS HUMANOS (CALDH):
ASESINATO DE UNA LIDERESA COMUNITARIA DE OLOPA, CHIQUIMULA**

El domingo 2 de abril en la comunidad de Tuticopote Abajo, Olopa, Chiquimula, la señora Meregilda Súcchite, de 49 años, fue asesinada con gran saña, cuando a eso de las 7 de la mañana se dirigía a misa a la Iglesia de la comunidad acompañada de su esposo Longino Díaz. La señora Súcchite fue atacada con arma de fuego disparándole 6 balazos, y por si fuera poco, el agresor se ensañó dándole 4 machetazos, (uno en los ojos, uno en la boca y dos en los pulmones) ambos actos le quitaron la vida y dejaron en la orfandad a 8 niños/as. El presunto asesino es el señor César Pérez Gonzáles, quien hasta el momento no ha sido detenido y según información de vecinos se encuentra armado en su casa y amenazando con matar a alguien más de la familia Díaz Súcchite. Se sabe que el señor Pérez González trabaja en la empresa de Servicios Integrales de Seguridad (SIS) que brinda su servicio en el Banrural de Esquipulas.

La señora Meregilda Súcchite era una de las líderes de su comunidad a la cual servía como comadrona y a la vez, su esposo, es guía espiritual, ambos con una importante trayectoria de participación en diversos espacios de defensa y promoción de los derechos humanos. Ella además participaba activamente en la Red de Mujeres del Observatorio en Derechos Humanos promovido por CALDH en la región Ch'orti' y asistió a las Jornadas de Observancia realizadas el 28 de marzo en Olopa, recibiendo denuncias sobre conflictividad de la tierra en dicha área, por lo que este hecho no puede tomarse como aislado de las acciones por la defensa y vigencia a los derechos humanos que esta pareja realizaba en su comunidad.

La saña con la que fue asesinada la compañera demuestra claramente que además de darle muerte, se pretendía dar un mensaje de intimidación a cualquier persona que en la búsqueda de justicia quiera oír, ver y denunciar los hechos que acontecen en esa región.

Testigo presencial del hecho, fue su esposo el señor Longino Díaz quien hizo las declaraciones respectivas ante la Policía Nacional Civil de Olopa y el Juez de Paz de la localidad que conoció el caso y realizó su informe. Sin embargo ambos documentos fueron enviados al Ministerio Público de Esquipulas, el más cercano que tiene la comunidad, en donde hasta el momento no han recibido dicha denuncia, ya que fueron enviados a través de una empresa de correspondencia por lo que tardará aproximadamente dos días en llegar a su destino.

El señor Díaz, se dirigió el día 4 de abril al Ministerio Público para hacer su declaración encontrando cerradas las oficinas del MP. CALDH, se entrevistó con la Fiscal del MP en Esquipulas quien indicó que mientras no sean recibidos los informes de la PNC y del Juzgado de Olopa, no se iniciará la investigación respectiva y que además no se puede tomar la declaración del testigo sin el trámite anterior y que si la toman no va servir de nada, pese a que legalmente el MP tiene la obligación de recibir cualquier denuncia y permanecer abierto para el efecto.

La actuación de las autoridades de la región nos vuelve a demostrar la ineficiencia del sistema de justicia en Guatemala, contribuyendo a que la violencia se de en un ambiente de total impunidad.

Ante estos hechos exigimos al Ministerio Público proceda a la investigación del caso, promueva la orden de captura del acusado para evitar que éste vuelva a actuar contra la vida pues el peligro es latente para otros miembros de la familia Díaz Súcchite que continúan siendo amenazados.

Nos solidarizamos con la familia, con el pueblo Ch'orti' y llamamos a las organizaciones a que se pronuncien para que cesen los hechos de violencia contra las mujeres y contra cualquier defensor o defensora de derechos humanos.

¡POR EL DERECHO A UN PAÍS JUSTO!
Guatemala, 05 de abril 2006

COMUNICADO DEL BLOQUE ANTIIMPERIALISTA SOBRE NUEVO DESALOJO EN LA MOCCA , 6 DE ABRIL DEL 2006

Hacemos saber a la opinión nacional e internacional

Que el día de hoy, jueves 6 de abril se llevó a cabo por segunda vez en este año un desalojo a las fincas Las Cabañas y San José Mocca en Senahú, Alta Verapaz, propiedades de los terratenientes alemanes Roberto y William Hempfpead Smith.

El motivo principal de la ocupación se debe al engaño al que fueron sometidos los campesinos por parte de los finqueros, ya que nunca les pagó prestaciones laborales, y engañándoles les hizo poner su huella digital (pues no saben leer ni escribir) en un finiquito laboral elaborado en castellano (los campesinos trabajadores en su mayoría

sólo hablan q'eqchi'). Les dijeron que les iban a entregar tierras como pasivo laboral, sin embargo esto ha sido un engaño pues nunca recibieron nada.

El pasado 1 de febrero del presente año, fueron desalojados violentamente por la policía y el ejército. Además el finquero pagó a otros campesinos para que quemaran las viviendas de los ocupantes y para que envenenaran el agua que utilizan. Esto ha causado varias enfermedades, sobre todo en la piel, a más de 100 niños. Una hora después que se fueran del lugar la policía y el ejército que los desalojó, los campesinos ocuparon nuevamente la finca, pues están dispuestos a seguir luchando lo que en derecho les pertenece históricamente y también por todas las generaciones de trabajo en esas fincas.

El día de hoy aproximadamente a las 6:00 am se hicieron presentes en la finca Las Cabañas 150 policías al mando del Comisario de Cobán Castellanos Soto, 85 soldados del ejército, personal de la Procuraduría de los Derechos Humanos y la fiscal del Ministerio Público Berta Luz Flores. El ejército cercó la finca mientras la fiscal del MP negociaba el desalojo con las aproximadamente 300 familias campesinas que ocupaban las fincas. Los campesinos decidieron salir pacíficamente y se movilizaron hacia la carretera donde comenzaron a instalarse. Después que las personas hayan abandonado la Finca Las Cabañas, un grupo de 150 campesinos junto con seguridad privada de los finqueros comenzó a destruir lo que los campesinos ocupantes habían dejado. También se quedaron custodiando para que los campesinos no volvieran a entrar. Al lugar se hizo presente también un camión enviado por el finquero en el que ofreció llevar a los campesinos a otro lugar, ya que no quiere que se queden en la carretera. Sin embargo los campesinos se negaron en primer lugar porque se quedarán allí como medida de presión para que los finqueros paguen su deuda. Y también se quedaron porque no tienen otro lugar a donde ir, más de tres generaciones de ellos han trabajado y construido esa finca donde han vivido durante muchos años. Posteriormente la Fiscal del MP se movilizó hacia la finca San José Moca donde efectuaría la segunda orden de desalojo. Sin embargo se movilizó sin notificar al personal de la PDH quien tuvo que llegar por sus propios medios al casco urbano de la finca. En este lugar también negoció con aproximadamente 200 campesinos decidieron salir pacíficamente de la finca. Sin embargo en ese mismo momento llegaron al lugar aproximadamente 1,500 campesinos que dijeron que se quedarían en la finca para protegerla y le pidieron al finquero que les diera armas para proteger la propiedad. La fiscal del MP, avaló este movimiento y no ejerció su función como conciliadora en este caso, sino que claramente en contubernio con los finqueros se retiró del lugar para que los campesinos fueran armados. Es evidente que el finquero pagó para que tantos campesinos hombres se movilizaran para proteger sus "propiedades", y en complicidad con la fiscal del MP, la policía y el ejército, que se llevara a cabo un enfrentamiento entre campesinos. A partir de las 16:30 horas se retiraron del lugar la policía y el ejército, sin embargo se quedaron los campesinos organizados por el finquero y se teme que vayan a actuar violentamente en contra de los campesinos desalojados que se encuentran ahora a la orilla de la carretera. También es de nuestro conocimiento que se han girado 40 órdenes de captura hacia los campesinos ocupantes.

Por tanto exigimos en primer lugar que el Gobierno vele por la seguridad de los campesinos, pues con su ausencia están avalando cualquier acción violenta que realicen los finqueros.

También exigimos que la justicia se empiece a aplicar a favor de los campesinos que fueron engañados, pues hasta ahora solamente ha respondido a los intereses de los finqueros extranjeros.

"Nosotros los hombres y las mujeres estamos de pie, hicimos florecer estas tierras con el sueño de que nuestros hijos tuvieran un pedazo de tierra y una tortilla para el futuro, pero resultó que nuestra lucha fue en vano, pero ahora lucharemos con la ley en la mano y esperamos que los organismos internacionales nos vean y nos acompañen desde el lado humano de sus acciones.

Ni un paso atrás, adelante por un tortilla y un pedazo de tierra, nuestra lucha es justa y humana.

Basta de tanta burla de los alemanes que vinieron a matar a nuestra madre tierra, a hacerse ricos y tratarnos como animales.

Nuestro abuelos que murieron para hacer producir estas tierras, hoy claman justicia."

Asociación Campesina de desarrollo San José Mocca "AJK"

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