



PEACE BRIGADES INTERNATIONAL – GUATEMALAN PROJECT

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1. NOTES ON THE CURRENT SITUATION
2. ACTIVITIES OF PBI GUATEMALA – WITHIN GUATEMALA
 - 2.1 MEETINGS WITH GUATEMALAN AUTHORITIES AND THE DIPLOMATIC CORPS
 - 2.2 MEETINGS WITH CIVIL SOCIETY ORGANISATIONS
 - 2.3 ACCOMPANIMENTS
 - 2.4 OBSERVATIONS
3. ACTIVITIES OF PBI GUATEMALA – OUTSIDE OF GUATEMALA
4. PUBLICATIONS BY NON-GOVERNMENTAL ORGANISATIONS (IN SPANISH)

1. NOTES ON THE CURRENT SITUATION

IMPUNITY

Government and United Nations ratify treaty to create CICIG to replace CICIACS.

Guatemala, 13.12.2006 (EP, SV, PL, CA)- The Guatemalan government and the United Nations have ratified an agreement in New York, USA, for the establishment of the International Commission against Impunity in Guatemala (CICIG), which will replace the Investigatory Commission into Illegal Bodies and Clandestine Security Apparatus (CICIACS). According to Eduardo Stein Barillas, Vice president of the Republic, the main difference that the CICIG will have is that it does not violate constitutional articles that its predecessor infringed. "The real change is of a legal nature. We have done our best to clarify the objections which the Constitutional Court raised, but suggestions from political parties have also been included. The UN reserves the right to stop its assistance to the State if it stops co-operating by obstructing its activities, if it does not adopt legislative measures to eradicate parallel and clandestine groups, and if there is not sufficient financial support from the international community. The presidential commissioner for Human Rights, Frank La Rue, said that after the changes that have been made to the commission, "those who do not agree to it do not want to solve the security problem in Guatemala."

Man captured in Panama not Donaldo Álvarez Ruiz, say authorities

Guatemala, 22.12.2006 (EP, PL, LH, SV, ND).- After hours of speculation over the capture of ex government minister Donaldo Álvarez Ruiz, in Panama, wanted by Spain for two years, the nation's Technical Judicial Police determined that the fingerprints of the arrested man did not coincide with those sent from Guatemala, and were of a Panamanian citizen. In the Guatemalan register there exist only two of Alvarez Ruiz's fingerprints which were taken when he was an adolescent. Since the quality of the register is not good, various tests were taken in Guatemala and Panama but all proved to be negative. 71-year-old Eduardo Diego, who looks like the ex- functionary wanted for genocide, was arrested in that country and then released again. Members of the Rigoberta Menchu Foundation commented, "We doubt the truth of the information sent by Guatemala, or the person could have changed some of his characteristics with today's technology."

Taking Pavon: PDH unleashes controversy.

Guatemala, 26.12.2006 (PL) In the report "State of Rights or Impunity?" the human rights ombudsman Sergio Morales mentions that, though it was necessary to re-take control of the prison, the methods used violated fundamental rights. The Human Rights Ombudsman (PDH) stated that once the situation was under control, various prisoners were separated from the rest by agents and taken to another site where their corpses were later found. Furthermore, according to witnesses, hooded policemen had a list and photos of approximately 25 men, who were separated from the rest of the prisoners. The Home Secretary, Carlos Vielmann, stated that he has not read the magistrate's report, but that it corresponds to the Home Office to determine the truth of the accusation. Alejandro Giammattei, the Penitentiary System director, expressed similar sentiments.

LAND

III National Campesino Congress

Guatemala, 14.12.2006 (CONGCOOP) The III National *Campesino* Conference took place with the presence of 560 *campesino* leaders of rural communities, representatives of social organisations and representatives of the international community. The organisations from Latin-American countries and delegates from National Co-ordination of Campesino Organisations (CNOO), CNP-TIERRA, and the Rural Women's Alliance organised the event which was extremely well-attended.

Guatemala 16.12...2006(PL) As the III National Campesino Congress closed on the 15th of December, the participants concluded that they will support a political party from the Left in the 2007 elections.

GLOBALISATION

EU presents negotiation plan for an Association Agreement with Central America.

Guatemala, 07.12.2006 (PL, EP, SV). At a press conference, João Melo de Sampaio, EC representative in Guatemala, told the European Union (EU) Commissioners College that he approved the joint guidelines on co-operation, commerce and politics. In the area of commerce he will look for an agreement that guarantees greater access to members of the World Trade Organisation, explained the European official. The European Union commissioners emphasised that they are not planning to exclude negotiations over sensitive products such as sugar and bananas. The sum indicated for Central America in the period 2007-2013 was defined as 840 million euros. The EU took the opportunity to reiterate its intention that the Association Agreement will not be negotiated with the seven Central American countries individually, a matter in which these have yet to agree upon.

Government pushes for construction of 28 hydroelectric plants

Guatemala, 12.12.2006 (SV). The president of the Nacional Comisión for Electrical Energy (GNEE), Jose Toledo, stated that the government is promoting the construction of 28 hydroelectric plants, in order to guarantee the supply in a market that is growing at an annual rate of 7%. There is no deficit of energy at the moment but in about five years there could be, he added. Guatemala has high hydroelectric potential and presently 41% of the market's electricity comes from this source. Petrol derivatives provide 57% and geothermal scarcely provides 2% of the energy consumed in the country

Inhabitants of three San Marcos municipalities reject hydroelectric plant

San Marcos, 27.12.2006 (PL). About 300 inhabitants of Tajamalco, Malacatán, and San Pablo marched peacefully in rejection of the construction of a hydroelectric plant in this area. Humberto Orozco of Malacatán declared that the construction of a hydroelectric plant in San Pablo would affect the populations of various nearby communities, since the flow in that region is not enough to power the turbines of the Tres Ríos Company, whose project it is. Marco Tulio López of San Pablo, stated that they are not opposed to development in the area and demanded that the procedure take place in a transparent manner. "Furthermore, we want the waters of the rivers Canuja, Cutzulchim and Río Negro to be used in a rational way; if not the waters may flow into the river Cabuz thereby overloading it which would prove fatal for the communities on the river banks." The protesters said that development must go hand in hand with safety of the people.

ELECTIONS 2007

Menchú announced that she will form an indigenous party to compete for presidency in 2011.

Guatemala, 04.12.2006 (LH). - The 1992 Nobel Peace Prize winner, Rigoberta Menchú announced, while in Costa Rica, that she will be founding an indigenous political party, and will be running as candidate for the 2011 presidency. "In Guatemala exists a pronounced national leadership amongst the indigenous peoples and if we are going to create a political party to participate in the government, I will be one of the key people in the formation of this new instrument that is on the point of starting up," declared Menchú. Menchú also assured the indigenous peoples of Guatemala, who are 60% of the 12.2 million inhabitants of the country, that they will seek to emulate the example given by the president of Bolivia, Evo Morales.

PDH presents observation program for the beginning of 2007.

Guatemala, 13.12.2006 (PL).- On December 12th the Human Rights Ombudsman's Office (PDH) presented its national volunteer program to observe the 2007 elections to nine of the twelve political parties and to the international community. "It's a first meeting of these sectors that serves as a way to know better how we will work to ensure transparency in next years elections", stated Sergio Morales, the Human Rights Ombudsman.

Sources: Prensa Libre (PL), Siglo Veintiuno (SV), El Periódico (EP), La Hora (LH), Inforpress Centroamericana (IC), La Semana en Guatemala (SG), Informe Semanal Sobre Derechos Humanos (ISDH), Informador Rural (IR), Agencia Cerigua (AC), Incidencia Democrática (ID), Guatesemana (GS).

2. ACTIVITIES OF PBI GUATEMALA: IN GUATEMALA

Team: Ulrike Beck (Germany), Chus García (Spain), Michael Beattie (Australia), Silke Gatermann (Sweden/Germany), Katia Aeby (Switzerland), Mary Scott (United Kingdom), Maripaz Gallardo (Spain), Owen Campbell (Canada), Enrique Riestra Rozas (Spain), Virginie Barber (France) and Jacques Van Luytelaar (Netherlands)

2.1 MEETINGS WITH 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 December meetings were held with the following authorities:

Guatemalan Authorities:

- Embassy of the Netherlands, meeting with Frank la Rue, president of the Executive Human Rights Coordinating Commission (Copredek), Orlando Blanco (COS) y Claudia Samayoa (MNDH), Mónica Mazariegos (FONGI), Anabella Sibrián (Dutch Platform Against Impunity in Guatemala) y Bea ten Tusscher (Ambassador of the Netherlands) - information meeting about the CICIG
- Human Rights Defenders Unit, COPREDEH

Diplomatic Corps:

- Mikael Lindgren, Office of the United Nations High Commissioner on Human Rights, OACNUDH, Guatemala City
- Maryse Guilbeault – Chief of the Political, Economic and Cultural Section, Canadian Embassy
- Andreas Schröder - Advisor, German Embassy
- Jose Antonio Sabadell - Second in Chief, Spanish Embassy
- Ewa Werner-Dahlin – Ambassador, Swedish Embassy.

Others:

- Alfonso Bauer Paiz

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:

- Liseth Castro y Dora Gálvez – Organisation Against the Sexual and Commercial Exploitation of Children and Adolescents, ECPAC, Guatemala City.
- Norma Cruz – Survivors Association, Guatemala City
- Ana Gladis Ollas – National Human Right Movement, MNDH, Guatemala City
- Rigoberto Dueñas – Secretary General of the General Office of Guatemalan Workers, CGTG

International Organisations:

- Adrian Fitzgerald – Irish Aid (Central American Programme Civil Society Section)
- Coordinating Body for International Accompaniment in Guatemala, CAIG, Guatemala City
- Sister Argentina Cuevas – Social Pastoral of Coban

2.3. ACCOMPANIMENTS

Since the 13th May 2005 we have accompanied **Carlos Morales**, leader of the **Union of Campesino Organisations for the Verapaces (UVOC)**, as well as other members of the organisation. During December 2006 we accompanied them during their activities in Alta and Baja Verapaz. Surveillance by unknown persons of Carlos Morales as well as other members of the UVOC continues.

Background: 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. The UVOC also offers training for communities affiliated to the UVOC and supports development projects within those communities. Carlos Morales, leader of the

UVOC, has been a 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. In January 2006, Carlos Morales was victim of surveillance on the block where he lives with his family. The offices and personnel of the UVOC continue to be under the ever-increasing intimidating surveillance from unknown persons. The situation in some communities affiliated to the UVOC continues being delicate: in February and April 2006, the campesino families that live in the Mocca Estate were violently evicted leaving various with gunshot wounds. In the month of July there was a confrontation between two groups of campesinos which left one dead and 39 injured on the side of the evicted campesinos.

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. We accompany Eloyda and other members of the association in the Department of Izabal during their activities and meetings with communities against mining. In December we accompanied Eloyda and ASALI in El Estor, after a tense situation arose amongst campesino groups who have been occupying land belonging to the CGN (Guatemalan Nickel Company) and who the State wanted to evict. Linked to this situation and tension Eloyda has received a judicial citation. In consequence we have increased our presence in El Estor.

Background: Eloyda Mejia 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 Mejia's restaurant wall was graffitied with "Yes to CGN" (Guatemalan Nickel Company). In recent months Eloyda has been facing defamation campaigns.

We visit the **Madre Selva Collective's** office regularly 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. In December we maintained contact with various members of the collective.

Background: Madre Selva is an environmental organisation which holds regular workshops on the negative impact of mega-projects and in particular those involving open-pit mining and the installation of hydroelectric power plants. Members of the organisation regularly receive threats because of their work, above all in areas where conflicts exist over the issues that the collective informs about. Recently, some members of the organisation have once again begun receiving serious threats.

We continue to accompany the **National Coordination of Widows of Guatemala (CONAVIGUA)** periodically with visits to and presence in their office, as well as during their exhumations and inhumations of clandestine cemeteries in rural areas. In December we accompanied them through regular visits to their office.

Background: CONAVIGUA continues to facilitate the process of exhumations and inhumations in various departments throughout Guatemala, mostly in Quiché, Chimaltenango, and the Verapaces, as part of their effort 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 to intimidate them and stop them from continuing this work. The organisation continues carrying out exhumations and inhumations during this year.

We accompany the **Movement of Campesino Workers (MTC)**, an entity of the Social Pastoral Office of the Diocese of San Marcos, which consists of associations of campesino communities defending their human rights. In particular, we accompany **Julio Archila**, founder of the MTC. In December, we accompanied members of the MTC in its activities in San Marcos and we remain in 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 that are engaged in protest on the Las Delicias estate, 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, as well as other campesino leaders involved in labour conflicts between campesinos and estate owners. Recently, an arrest warrant was issued against Julio Archila and his son Antonio for having

transported coffee from the Las Delicias estate in November 2005. The arrest warrants were substituted for other measures while the investigation continues.

The **Organisation to Support an Integrated Sexuality to Confront AIDS (OASIS)** is 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, and witness to the assassination of a sex worker. We maintain a frequent presence in the office of the organisation and keep in permanent contact since March 2006.

Background: On 17th December 2005, the transgender worker Paulina was killed, being 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.

In June 2006 we started accompanying the **Women's Sector**, an umbrella organisation for women's associations that works for women's economic development, in the struggle against violence against women, and denounces impunity and "femicide". During the month of December we accompanied the Women's Sector by regularly visiting the office and accompanying members during some of their activities.

Background: In less than 10 days, between the end of May and the beginning of June 2006, the headquarters of the Women's Sector was broken into twice. The first time the intruders stole telephones and money and smeared blood on the walls; the second time they destroyed furniture, searched through files and left a bloody piece of glass on one of the desks. The Sector reported that these acts as intimidations and asked for police protection.

We accompany **Erwin Orrego**, active member of the **Guatemalan National Front of Market and Informal Economy Vendors (FENVEMEGUA)**, a trade union that brings together workers from the informal sector in favour of human rights up against Guatemala City's Municipality. In December the office where Erwin's wife works was searched by the National Civil Police (PNC) and the Public Prosecutor's Office (MP), during which Erwin was beaten by members of the police force. Afterwards Erwin reported the event to the Public Prosecutor's Office. We have since increased the level of our accompaniment.

Background: On the 27th July, Erwin Estuardo Orrego Borrayo, active member of FENVEMEGUA, was kidnapped by a group of armed men dressed in black identifying themselves as police. During the course of his kidnapping, he was victim of psychological and physical torture for two hours before being released. At the request of the Human Rights Defenders Protection Unit (UPDH) of the National Human Rights Movement (MNDH), we accompany Mr. Orrego and the members of the MNDH throughout the proceedings following his kidnapping. Mr. Orrego had also been kidnapped and tortured in August 2003, and since then has been the victim of threats and surveillance on repeated occasions.

The **National Coordinating Body for Inhabitants of Marginalised Areas, CONAPAMG**, works on the issues of housing access, social infrastructure, and the legalisation of occupied land. In the month of December, Roly Escobar travelled to Spain to present the work of CONAPAMG and participate in the celebration of PBI's 25th Anniversary organised by the PBI Spanish Country Group.

Background: We have accompanied CONAPAMG since July 2004 when their office was broken into and robbed of lists, invoices, floppy discs and money. Many of the communities affiliated with CONAPAMG have either been evicted or are awaiting eviction. The security situation of CONAPAMG continues to be vulnerable. Miguel Zapeta González, resident of the community Esquipulas in Zone 21 of the capital and member of the organisation, was murdered in March 2005. On the 18th August 2006, Carmen Sagastume, another member of the organisation, was brutally murdered. After this act, the morning of the 10th September, General Coordinator Roly Escobar Ochoa was informed that armed individuals in the community Carmen del Monte were threatening to kill him. During the following weeks he and his family found themselves under heavy surveillance.

2.4. 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 continued contact with **Carlos Guárquez**, General Co-ordinator of the **Guatemalan Association of Indigenous Mayors and Authorities (AGAAI)**, member of the **Mayan Foundation (FUNDAMAYA)**, and adviser to the indigenous municipality of Sololá since January of 2005, through telephone calls and visits to his office.

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.

2.5. 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 December 5th we attended press conference which took place in front of the Supreme Court of Justice (CSJ). It was organised by the Centre for Human Rights Legal Action (CALDH) and concerned the new warrant of arrest issued for Ríos Montt.

3. ACTIVITIES OF PBI GUATEMALA: OUTSIDE OF GUATEMALA

The Regional Representatives of the Project Coordination Office in Madrid, other members of the project committee, and PBI country groups all carried out public relations campaigns targeting numerous NGOs, national agencies, governments, and parliamentarians. These meetings help develop and strengthen the project's "Support Network", which in turn is fundamental to PBI's international presence in Guatemala.

Taking advantage of Roly Escobar's visit to Spain, the Project Coordination Office organised various events, talks, and meetings in Madrid on the 21st and 22nd December. A meeting was also held on the 22nd in the Spanish Ministry of Foreign Affairs and Cooperation (MAEC) with the director of the Human Rights Office, Fernando Fernández-Arias Minuesa and a representative of the General Subdepartment of Mexico, Central America, and the Caribbean.

4. NON-GOVERNMENTAL ORGANISATIONS

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

PBI Guatemala does not necessarily identify with the opinions and content of the articles and communiqués reproduced.

EL GENOCIDIO SE JUZGA O SE JUZGA

Nadie ignora en Guatemala y el mundo que el Estado guatemalteco tiene una enorme deuda que saldar con las víctimas y sobrevivientes del genocidio y los crímenes de lesa humanidad que se cometieron en nuestro país. Haber dejado, hasta ahora, estos crímenes en la impunidad no solamente es una vergüenza sino una reafirmación de la existencia de poderes fácticos e intereses espurios que han prevalecido sobre el Estado, sus instituciones y la justicia. A pesar de ello, la creciente persistencia de las víctimas sobrevivientes, sus familiares, sus organizaciones, así como de ciudadanas y ciudadanos a quienes asiste la razón, está obligando a que **el genocidio se juzgue o se juzgue.**

Un largo camino se ha recorrido y un proceso irreversible está en curso. La demanda interpuesta en España tiene ya como saldo favorable dos criminales prófugos de la Justicia: Donald Álvarez Ruiz y Pedro García Arredondo; dos más en prisión: Ángel Anibal Guevara y Germán Chupina Barahona; y otros tres, Benedicto Lucas García, Oscar Humberto Mejía Víctores y Efraín

Ríos Montt, cuyas órdenes de captura con fines de extradición fueron reiteradas por la Audiencia Nacional de España el 10 de noviembre del año en curso.

A pesar de los obstáculos, los casos denunciados en Guatemala cobran hoy mayor vigencia y el Estado está obligado a actuar y a dar lugar a la persecución penal de los responsables del genocidio y otros abominables crímenes, de los cuales el propio sistema ha sido cómplice por su inacción o encubrimiento.

El genocidio se juzga o se juzga porque en este momento no hay razón para no dar trámite a las órdenes de captura reiteradas por las autoridades judiciales españolas y proceder, por lo tanto, a la extradición de todos los imputados. Suficiente materia legal existe, tanto en instrumentos internacionales como en la legislación nacional, para que los tribunales procedan a determinarla y el Presidente de la República a ordenarla.

Las resoluciones dictadas por los tribunales y las órdenes de captura reiteradas, que se encuentran ya en Guatemala, no deben ser objeto de negociación política. Si se da lugar a ese juego, los poderes gubernamentales dispuestos a negociar no serán más que cómplices del genocidio, por lo que la entidad del Estado en la que en este momento se encuentren dichas órdenes, debe proceder a cursarlas a donde corresponde.

El genocidio se juzga o se juzga porque el Estado no debe ceder a presiones de los poderes fácticos que, por la vía negociada o impuesta, intenten detener las extradiciones. Lejos de ello, el Estado está obligado a perseguir y juzgar, sin condiciones, a los responsables del genocidio en Guatemala; a crear las condiciones para que los procesos no sean supeditados a conveniencias políticas, y permitan operar al Sistema de Justicia de manera independiente, eficiente, profesional y con apego a derecho. Es en este contexto que entendemos las declaraciones del Presidente en funciones, Eduardo Stein, el pasado 30 de noviembre. De no ser así, las mismas sólo habrán sido expresiones vacías, provenientes de la incomodidad política que las negociaciones le imponen al representante del Ejecutivo.

El genocidio se juzga o se juzga con garantías para los sobrevivientes, organizaciones de familiares de víctimas, testigos, operadores de justicia, organizaciones y defensores de derechos humanos, así como para organizaciones que hacen una labor de investigación y reparación social con los sobrevivientes del genocidio. Sabemos de la impunidad con que han actuado y siguen actuando los victimarios, de sus redes y de sus aparatos de control y persecución, y no nos cabe ninguna duda que a la luz de los últimos acontecimientos, son los responsables de la persecución, intimidaciones y amenazas a comunidades en Rabinal, Baja Verapaz, así como a miembros y trabajadores del **Equipo de Estudios Comunitarios y Acción Psicosocial -ECAP-** que trabaja en esa línea en dicho lugar.

El Estado debe investigar tales hechos y resguardar la integridad física y psicológica de los afectados, así como garantizar seguridad a las comunidades y a las organizaciones que denunciamos y exigimos justicia.

Las órdenes de captura con fines de extradición no son negociables.

El genocidio se juzga en España por el principio de la Jurisdicción Universal, o se juzga en Guatemala por vergüenza nacional.

Investigación para dar con los responsables de la persecución y amenazas a las comunidades y representantes de organizaciones de víctimas del genocidio.

Seguridad a miembros y trabajadores de ECAP

Protección a las organizaciones de víctimas, de derechos humanos y querellantes, ante agresión velada o abierta de los victimarios.

Justicia por genocidio

Guatemala, 5 de diciembre de 2006

COMUNICADO URGENTE DEL BLOQUE ANTIIMPERIALISTA

VIOLENTO ATAQUE A LAS FAMILIAS EN RESISTENCIA DE FINCA NUEVA LINDA

Ante la opinión pública nacional e internacional, el Bloque Antiimperialista denuncia que el sábado 17 de diciembre nuevamente se produjo un ataque a las familias en resistencia de Finca Nueva Linda.

Según se conoce, el señor Selvin Augusto Pérez Galicia, agente de seguridad de la finca Nueva Linda, con armas y apoyo logístico la finca, atacó de forma violenta y alevosa a las familias que permanecen en la carretera.

Alrededor de las nueve de la noche el señor Galicia acompañado de otro hombre no identificado, se movilizó en una moto en dirección sur, pasó frente a las Champas de las familias en resistencia y unos minutos después regresó, se detuvo y empezó a romper las mantas, consiguiendo romper la tela pero no desmontarlas completamente. Al no lograr quitar las mantas, procedió a golpear el carro de la familia reyes, averiando varias piezas. Las familias atacadas procedieron a llamar a la policía quien no respondió. El señor Galicia continuo destruyendo el carro de la familia Reyes y posteriormente procedió a DISPARAR con una arma de fuego, atentando alevosamente contra la vida de mujeres, niños y hombres que ahí permanecían.

La familias insistieron en llamar a la policía, consiguiendo como única respuesta, la sugerencia de presentarse al siguiente día a poner una denuncia. Finalmente, con la intermediación de la Procuraduría de los Derechos Humanos quien exigió la presencia de la policía, fue enviada una unidad policial de las destacadas en la comunidad Caballo Blanco, quienes se presentaron a la zona del ataque y levantaron las denuncias y pruebas correspondientes.

Autoridades cómplices de la IMPUNIDAD

Después de hacer los correspondientes peritajes la policía levanto un parte que debía ser ratificado el día domingo 17 de diciembre. Sin embargo cuando los denunciantes se presentaron a ratificarlo se encontraron con la sorpresa que el mismo, había sido cambiado y los hechos tergiversados. Tampoco fueron entregadas al las autoridades judiciales las pruebas que se levantaron en el lugar de los hechos.

Asimismo cuando las familias se presentaron al ministerio publico, lejos de ser atendidas como lo obliga la ley, fueron interrogadas acerca de otros hechos y atendidas de forma despectiva y discriminatoria.

Las familias en resistencia de la finca Nueva Linda, han denunciado que hechos similares se han producido constantemente a lo largo de los últimos dos años. Con la complicidad de las autoridades policiales, judiciales y Ministerio Publico.

Ante estos acontecimientos, exigimos que se investigue y proceda a detener y juzgar inmediatamente al señor Selvin Augusto Pérez Galicia por haber cometido varios delitos de forma alevosa y pública.

El Bloque Antiimperialista nuevamente se une y solidariza con las familias en resistencia de la Finca Nueva Linda, exigiendo justicia por el secuestro de Héctor Reyes.

¿ DE QUÉ PAZ HABLAMOS ? SI ESTE PAIS SIGUE SIENDO EL REINO DE LA IMPUNIDAD Y LA INJUSTICIA

COORDINADORA NACIONAL DE ORGANIZACIONES CAMPESINAS

-CNOC-

"SÍ AL AUMENTO DEL SALARIO MÍNIMO, NO AL SALARIO POR PRODUCTIVIDAD PORQUE VIOLA LA CONSTITUCIÓN, EL CODIGO DE TRABAJO, LOS CONVENIOS INTERNACIONALES Y EL TRATADO DE LIBRE COMERCIO".

ORGANICÉMONOS Y LUCHEMOS

POR UN SALARIO QUE NOS ALCANCE PARA COMER Y VIVIR

Están subiendo los precios del frijol, el arroz, las tortillas, cada día aumenta el costo de los servicios de luz, agua, transporte, combustible, pasaje, las medicinas, el vestuario, la educación, todo esta cada día mas caro, tanto en la ciudad como en el campo y con nuestro salario compramos menos.

La insistencia del Presidente de Guatemala de pretender fijar un salario mínimo atendiendo el criterio de productividad es de carácter económica - alejada de la realidad salarial- más no una decisión política emanada de un Jefe de Estado. Además es ilegal, porque viola el ordenamiento jurídico laboral, sobre todo la concepción que configura el salario mínimo.

El salario mínimo debe responder a las necesidades del trabajador y no al índice de ganancia o renta empresarial. Debe estar claro que como Derecho Humano forma parte de los derechos económicos y sociales contenidos en el Protocolo de San Salvador, que contempla: "una remuneración que asegure como mínimo a todos los trabajadores condiciones de subsistencia digna y decorosa para ellos, sus familias y un salario equitativo por igual trabajo, sin ninguna distinción" (Art. 7 literal "a" del código de trabajo).

Por tratarse de una decisión de carácter político, basada en principios de justicia social que pretenden la protección de la persona y la familia, la fijación del salario mínimo está concebida a nivel constitucional y se desarrolla a través de una ley específica que considera factores de producción económica, pero por sobre todo las necesidades de la persona, tomando en consideración índices de inflación y del costo de vida.

De nuevo la clase trabajadora se enfrenta a otra injusticia, de seguirse inobservando la norma constitucional que orienta la fijación periódica del salario mínimo de conformidad con la ley (102 f.), porque el Código de Trabajo claramente prescribe que los trabajadores tienen derecho a devengar un salario mínimo que cubra sus necesidades personales y familiares, con periodicidad anual, atendiendo a las modalidades de cada trabajo, condiciones regionales y posibilidades del empleador (Art. 103 y 113). Para el efecto se deben de tomar en cuenta las encuestas sobre costo de vida, precio de vivienda, vestido y requerimientos alimenticios, teniendo en consideración las observaciones provenientes de la Junta Monetaria, Banco de Guatemala y del Instituto Guatemalteco de Seguridad Social (Art. 111).

A diferencia de la ilegalidad incurrida en el año dos mil cinco, al no fijar salario mínimo como lo manda la ley, en esta oportunidad el Gobierno de Guatemala también estaría poniendo en tela de duda la consistencia del Tratado de Libre Comercio (TLC-DR-CAUSA) porque entre los compromisos asumidos por los suscriptores del Tratado está el de pleno respeto a sus respectivas Constituciones y garantizar la observancia de condiciones aceptables de trabajo respecto a salarios mínimos, horas de trabajo, seguridad y salud ocupacional (Arts. 16.1, 16.8 del TLC). Por aparte, la Corte de Constitucionalidad encontró la "excusa perfecta" para agravar y dejar impune la actitud del Organismo Ejecutivo renuente a la fijación del salario mínimo del año 2005; entonces ¿cómo funcionarán los mecanismos legales del TLC?

DIGAMOS NO AL SALARIO POR PRODUCTIVIDAD QUE ES TRABAJAR MÁS HORAS Y GANAR MENOS
EXIGIMOS TRABAJO Y SALARIOS JUSTOS

PBI GUATEMALA DOES NOT NECESSARILY IDENTIFY WITH THE OPINIONS AND CONTENT OF THE ARTICLES AND COMMUNIQUÉS REPRODUCED.

PBI GUATEMALA PROJECT

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