

## Resistance in La Puya

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Photo: PBI 2012.

Members of the resistance movement in the Puya, taken during a visit from PBI. San José del Golfo, Guatemala.



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# Resistance in La Puya

## Taking on mining companies in their communities.

With gold extraction projects active in their districts, residents of San José del Golfo and San Pedro Ayampuc have been organised in a movement of social resistance since 2010. This movement, founded on constitutionally guaranteed rights, is in reaction to the impact extraction projects have been having in these communities. Peace Brigades International (PBI) began to observe the communities' public protests and activities in demand of their rights in 2011, and following an analysis of their petition, formal accompaniment began in November 2012.

In recent years the price of gold has increased dramatically, increasing by 440% between 2003 and 2012, reaching a maximum value (of US\$1,900 an oz.) in 2011.<sup>1</sup> The impact of this high price has been felt not just by the economic world, but also by the communities from whose land this gold has been extracted. This has been the case with San José del Golfo and San Pedro Ayampuc, situated 30 kilometres outside Guatemala City. Canadian firm Radius Gold Inc. first took an interest in this area in 2000, receiving their operating permit on the 24th November 2011. Reacting to this situation, inhabitants of these communities began a resistance movement to confront the effects of this exploitation, an action which has drawn attacks, intimidations and defamations - not an unusual scenario in Guatemala.<sup>2</sup>

Despite the fact that the company had been carrying out activities in the area since 2008<sup>3</sup>, a good part of the population in the affected communities only became aware of this in 2010 when they gained access to the Environmental Impact Assessment (EIA). This was facilitated by the Ecological Collective Madre Selva, one of the Guatemalan social organisations that support these communities.<sup>4</sup> The EIA, an obligatory phase in the concession of exploitation licences, refers in this case to 14 mining projects, including the project El Tambor. The El Tambor project includes the El Progreso VII Derivada mine, located on the road between San José del Golfo and San Pedro Ayampuc. The area at the entrance to the mine is a place called La Puya – the eponym for the resistance movement. There, a camp has been set up by this collective which is questioning the whole mining project and is currently maintaining a permanent, public and peaceful protest (which stops any of the mining company's vehicles or personnel from entering the mining site).



Photo: PBI 2012

**Meeting between members of the resistance movement of the Puya and members of the PBI team. Photo take at the main entrance to the El Progreso VII Derivada mine, between San José del Golfo and San Pedro Ayampuc, Guatemala.**

Tono Reyes, an active member of the resistance, cites a problematic lack of legitimacy inherent to the EIA.<sup>5</sup> He says that although the report mentions the information was public and there was a consultation of the communities, this wasn't carried out in an open way. The consultation process drew on a biased selection of people who supported the project.<sup>6</sup> Furthermore, experts who have analysed the report<sup>7</sup> have questioned the viability of the project due to various environmental risk factors encountered. Highlighted amongst these was the presence of arsenic in the water, and the lack of information, planning and guarantees of recuperation.<sup>8</sup> During the public presentation of this analysis in La Puya (February 2013), one of the analysts, Robert Robinson, warned that the anomalies identified in the EIA could worsen when extraction begins. He concluded that the document, presented by the company to the Ministry of the Environment and Natural Resources (MARN) and the Ministry of Energy and Mines (MEM) and approved by both, lacks the fundamental elements needed to determine the viability of the project.<sup>9</sup>

Having become aware of the activities of the mining company in the area, some inhabitants organised protests and marches against

1 Goldprice.org, "10 year gold price history". [http://goldprice.org/gold-price-history.html#10\\_year\\_gold\\_price](http://goldprice.org/gold-price-history.html#10_year_gold_price).

2 PBI, Interview with Antonio Reyes and Yolanda Oqueli, residents of San Pedro Ayampuc and San José del Golfo and participants in the La Puya movement. La Puya, Guatemala, 21.11.12.

3 Radius Gold Inc. "Construction Underway at Radius's Tambor Gold Project, Guatemala", press release, 27.02.12.

4 PBI, Interview with Antonio Reyes, Cit. 21.11.12.

5 Antonio Reyes, press conference. Guatemala City, 28.11.12.

6 PBI, Interview with Antonio Reyes, Cit. 21.11.12.

7 Robert H. Robinson, environmental and mining engineer, and Steve Laudeman, geotechnical engineer.

8 Robinson, R. and Laudeman, S., Preliminary Observations - Progreso VII Derivada Mine, Analysis of the Environmental Impact, 29.12.2012.

9 CERIGUA Agency, Authorities approved Environmental Impact Assessment of mine that is not viable, Guatemala, 13.02.2013.



the exploitation of the natural resources of the area, in conjunction with meetings designed to inform the communities that would be affected by the project<sup>10</sup>. Tono Reyes explained why people are worried: "Firstly, it's the impact of the mine on the water supply, as it needs a large supply of water. Various communities nearby only receive water for 2-3 hours every 8 days. We're worried about all types of life, about the ecosystems and the environment that will be affected. We're not arguing with them because they're taking away this wealth, even though it's outrageous; it's that we can live without gold, but not without water."<sup>11</sup>

Since March 2012, the peaceful encampment at La Puya has been the principle strategy developed by the resistance movement to stand up to the mining project. This protest camp began when a neighbour blocked the path of a mining truck and was joined by other people.<sup>12</sup> Since then, the communities have maintained a continual presence in La Puya. "It was an important day in the struggle against mining in the region", explained Yolanda Oqueli, resident of San José del Golfo. "It was one of the happiest days for me because I saw that we weren't alone and that there were communities interested in saying 'no' to the mine".<sup>13</sup>

Relatively quickly, the struggle has turned into an emblematic example of peaceful resistance against mining in Guatemala. The communities have been able to challenge the whole mining plan in the region and through their opposition they have halted the advance of the exploitation work in their communities.

The resistance is composed of a large part of the population of nearby villages that would potentially be affected by the mine. Tono Reyes explained that those who form part of the protest camp at the entrance to the mine are "men and women, young and old, people with and without financial resources. There's no flag of any religious denomination, political party, or trade union; we're defending the flag of life. It's the communities themselves who have organised the resistance, formed of groups that do 24 hours shifts at the protest camp. Each group has a shift every six days."<sup>14</sup>

It bears noting that the movement and its participants have confronted plenty of obstacles from the outset.

### *Social Mobilisation and non violence: the peaceful sit-in*

The night of May 7th 2012 began as any other at the La Puya protest camp. However in the early hours of the morning, the communities received a warning that 28 mining company trucks were heading for the mine, escorted by 45 patrol cars and 400

members of the National Civil Police (PNC), as well as Police Special Forces (riot police).<sup>15</sup> When the convoy reached the protest camp, they found their way blocked by members of the community. In an hour's time the 27 people who had been taking the shift at the camp that night were backed up by more than 2,000 other community members.<sup>16</sup> As Yolanda Oqueli explains, they spoke to the state forces present, appealing to them "not to launch tear gas because we were peaceful; [we told them] that no one was going to attack them, that we respected that they were following orders but to please retreat because it wasn't right that they had come to attack us."<sup>17</sup>

The police, the riot police, and the mining company's trucks, withdrew. For Yolanda Oqueli this night showed that "the people knew how to act peacefully, in spite of the police contingent, the provocation and the fact that it was the middle of the night".<sup>18</sup>

### *The attempt on Yolanda Oqueli's life*

A month after these events, Yolanda Oqueli suffered an attempt on her life. As she explained, "I had certainly said that if we die in this struggle – then we die. But it's one thing to say it and another to live it personally."<sup>19</sup>

The first sign of danger wasn't the motorbike that blocked her path, nor the pillion passenger who was apparently responsible for firing the shots at her. For Yolanda, the first indications of trouble had been the death threats and defamatory rumours directed towards her in the weeks prior to the assassination attempt. She had shared her concerns with various institutions, amongst them PBI. She couldn't say where the threats were coming from but she was in no doubt that they were as a result of her visible work in resistance to the mine.

During the afternoon of the 13th of June, on her way back from La Puya to her house, located in the town of San Jose del Golfo, two men on a motorbike intercepted Yolanda's car. When Yolanda saw that one of them had a pistol, she reacted rapidly, breaking so hard that she was thrown to the side of the road, a reaction that she believes saved her life<sup>20</sup>. They fired at least three shots at her car, one of which hit Yolanda in her side. She was rushed to hospital and survived, though the bullet has remained inside her as the doctors deemed the potential risks of extracting it to be too high.

As a result of this attack, and following a petition by Yolanda, the Inter-American Commission for Human Rights granted protective measures for her and her family in August 2012. They urged the Guatemalan State to adopt measures to guarantee Yolanda's life and physical integrity – in a manner acceptable to her - and to inform

10 PBI, Interview with Yolanda Oqueli, Cit. 21.11.12.

11 PBI, Interview with Antonio Reyes, resident of San Pedro Ayampuc. La Puya, Guatemala, 02.12.12.

12 Oswald J. Hernández and José Andrés Ochoa, "Gold so close to the Capital", Plaza Publica. Guatemala, 22.06.12. <http://www.plazapublica.com.gt/content/el-oro-tan-cerca-de-la-capital>.

13 PBI, Interview with Yolanda Oqueli, Cit. 21.11.12.

14 PBI, Interview with Antonio Reyes, Cit. 02.12.12.

15 Castillo, D., "The children of San José del Golfo

16 PBI, Interview with Antonio Reyes, Cit. 02.12.12.

17 PBI, Interview with Yolanda Oqueli, Cit. 21.11.12.

18 PBI, Interview with Yolanda Oqueli, Cit. 21.11.12.

19 PBI, Interview with Yolanda Oqueli, Cit. 21.11.12.

20 PBI, Interview with Yolanda Oqueli, Cit. 21.11.12.



Photo: PBI 2012

**Yolanda Oquelí, residente en San José del Golfo durante una intervención pública en la resistencia pacífica de La Puya, donde participa activamente. San José del Golfo, Guatemala.**

them about investigations made regarding the attempt on her life as well as the previous threats. At the moment there are police agents permanently assigned to protect Yolanda and her family. Even though Yolanda describes the attack as one of the most difficult situations of her life, she always knew that after recovering she would return to take part in the resistance at La Puya. "I realised that my presence in the resistance was impacting the mining company because I think that our peaceful resistance threatens them", she explained a few months after the attack<sup>21</sup>.

### *Investment interests vs. community claims. Accusations from the mine.*

In August 2012, the US company Kappes, Cassidy & Associates (KCA) took complete control of the mining project El Progreso VII Derivada. Soon after, they accused the people who opposed their project of getting in the way of economic growth in the area<sup>22</sup>. In the opinion of Tono Reyes, the divergence of interests of the involved parties is clear: "the company wants the silver and gold, they want the exploitation. The communities don't want silver, gold or exploitation. We want water"<sup>23</sup>. The company explains that it has invested more than US\$300,000 in local projects. For Tono Reyes however, "this is an illusion; they are taking advantage of the needs and the economic poverty of the people and their families for the benefit of the mining company. It is a considerable investment but it is an investment that we call 'bread today, hunger tomorrow'... It's not the company's duty to provide education; it's an obligation

for the Guatemalan State. The Guatemalan government should be ashamed that a private company has come to do what the state has a constitutional obligation to do. The communities are being swindled"<sup>24</sup>. In addition KCA, which employs various ex-military personnel through its subsidiary Exploraciones Mineras de Guatemala (EXMINGUA) (see the box "Who is behind the El Tambor project?"), claimed that those who oppose the project are "the same type of anarchists who contributed to the Guatemalan civil war for more than 30 years"<sup>25</sup>. The Madre Selva collective explains that "we have seen these tactics the company are using to 'save' El Tambor before. We shouldn't rule out an intensification of threats and other desperate actions to fulfil this objective. Repression of leaders and the resistance movements were part of the counter-insurgent strategies that we suffered during the internal armed conflict. Today they're used against communities who peacefully and legally oppose a model of supposed development based on the looting of the communities and delivering our territories and natural wealth to mining companies, hydroelectric companies and agro industrial plantations"<sup>26</sup>.

### *Daily confrontations, threats and intimidations*

The people taking part in the resistance point out other types of attacks that they have identified during their months at La Puya. They speak of helicopters flying overhead every day for months which they interpret as a form of intimidation. They see this as a show of force against the resistance, demonstrating that despite the protest, the company could always find a way to transport their people to the mining site.<sup>27</sup> In an interview with the radio station Emisoras Unidas, the mine's director, Selvyn Morales, accused Yolanda Oquelí and other participants of the resistance of being linked to criminal acts, including assault and burning the house of a mining employee.<sup>28</sup> For Yolanda, such accusations are a sign that "they want to keep implementing a tactic of criminalisation, defaming people and discrediting the resistance movement"<sup>29</sup>. Offensive and defamatory flyers have also appeared, especially targeting the women of the resistance. In November 2012, almost a year after the concession of the exploration licence, every day for two weeks EXMINGUA sent a group of up to 150 people to spark confrontation with the population of La Puya.<sup>30</sup> According to various Guatemalan civil society organisations, the attitude of the people employed by the mining company was provocative and aggressive; insults and threats were directed at those in the resistance and also at international observers present.<sup>31</sup> The population in resistance at La Puya reacted peacefully, singing hymns and refusing to respond to the provocations. Finally, the mine's employees had to withdraw.<sup>32</sup>

21 PBI, Interview with Yolanda Oquelí, Cit. 21.11.12.

22 Kappes, Cassidy & Associates, paid advertisement, Prensa Libre and El Periódico. Guatemala, 13.11.12.

23 PBI, Interview with Antonio Reyes, Cit. 02.12.12.

24 PBI, Interview with Antonio Reyes, Cit. 02.12.12.

25 Kappes, Cassidy & Associates, Cit.

26 The Madre Selva Collective, Press release, "Social Organisations speak out against the attempt on the life of the anti mining leader from San Jose del Golfo" Guatemala, June 2012.

27 PBI, Interview with Antonio Reyes, Cit. 02.12.12.

28 Radio Emisoras Unidas, interviews with Selvyn Morales and Yolanda Oquelí. Guatemala, 08.05.12.

29 PBI, Interview with Yolanda Oquelí, Cit. 21.11.12.

30 Hernández, M., "Blockade at mine causes tension", Prensa Libre. Guatemala, 14.11.12.

31 Press Release signed by 22 Guatemalan Civil Society Organizations, "We denounce the threats and aggressions against the people of San José del Golfo and San Pedro Ayampuc, and we support their legal right to peaceful resistance". Guatemala, 28.11.12.

### Impacts on the social fabric

Another significant impact of the presence of the mining project in the region has been the internal divisions produced within communities. As Julio Cuscul, who lives in San Pedro Ayampuc explains, “it’s painful to see a brother or family member there on the other side. In part they’re not to blame because we’re facing difficult economic circumstances, but if they weren’t being paid, they wouldn’t be there. We’re here doing this from the heart.”<sup>33</sup> For Yolanda, “the social conflict, the family division, the homes destroyed - are because of the presence of the mine. It hurts a lot to see mothers suffering because their child is on the other side, or to see children whose parents are on different sides.”<sup>34</sup>

In spite of the challenges they have faced, “there’s a unification between the different neighbouring villages that didn’t exist before”, explains Yolanda. “Also it’s good to see that people know how to struggle and defend their rights in a peaceful way, the wisdom that they have shown in putting up with the provocations”<sup>35</sup>. The protest camp at La Puya has received support and recognition at both a national and international level, as an example of a peaceful resistance movement. In September 2012 the communities of San Pedro Ayampuc and San San José del Golfo received the Alice Zachmann Award for Human Rights Defenders, awarded by the Guatemalan Human Rights Commission in Washington.

### Who is behind the El Tambor project?

Radius Gold Inc.: a mining company from Vancouver, Canada, that started the El Tambor project in 2000. The project progressed as a joint operation with Gold Fields (a South African company) until 2003<sup>36</sup>. Then, working with their partner Kappes, Cassiday & Associates (KCA) – and through their Guatemalan subsidiaries Exploraciones Mineras de Guatemala S.A. (EXMINGUA) and Servicios Mineros del Centro de América S.A., they obtained exploration and exploitation licences. In August 2012 Radius Gold sold its share in the project to EXMINGUA S.A. and KCA for US\$ 400.000. Radius Gold expressed its satisfaction in having recuperated the investment made in the region since the discovery of gold in the year 2000. The president of Radius Gold explained that the sale was in response to their preference of investing in areas with less conflict<sup>37</sup>. For the Madre Selva Collective, this sale shows “the abandoning of the project due to evidence of its lack of viability. This was achieved by the firm resistance of the organised communities at La Puya”.

Currently KCA has 100% control of the El Tambor project. In November 2012 the company ran a paid advertising campaign in the Guatemalan national press in which it justified the project because of the investment it would bring to the region, and by claiming the support of its 9,000 residents. According to the company, only one hundred people have shown opposition to the project and it accused these people of having played a belligerent role in the internal armed conflict<sup>38</sup>. Through its Guatemalan subsidiary EXMINGUA S.A., KCA employs various ex-military personnel. For Tono Reyes, “this is a tactic to intimidate people. They know full well the role that the army has played in Guatemala. But we live in peaceful times, and people won’t fall for it.”<sup>39</sup>

The current EXMINGUA S.A. director, Selvyn Morales, previously held the role of Director of Mines at the Ministry of Energy and Mines (MEM), where he was involved in granting the exploitation licence to the company he is now directing. “He is just another employee. It was the company’s decision”, explained a representative of Servicios Mineros de Centroamérica S.A.<sup>40</sup> However, Yolanda Oqueli questions the professional ethics of the former MEM director “who in his time in that position began the process to obtain the licence for this mine and now is the director of EXMINGUA. We’re not blind.”<sup>41</sup>

Interesting numbers<sup>42</sup>.

387 – mining licences currently valid in Guatemala 283 – mining exploitation licences currently valid

104 – mining exploration licences currently valid 690 – applications for mining licences currently being processed

32 PBI, Interview with Antonio Reyes, Cit. 02.12.12.

33 PBI, Interview with Yolanda Oqueli, Cit. 21.11.12.

34 PBI, Interview with Yolanda Oqueli, Cit. 21.11.12.

35 Radius Gold Inc., “Update on Tambor Gold Mine Project, Guatemala”, press release, 06.10.09.

36 Radius Gold Inc., “Radius Gold sells Interest in Guatemala Gold Property”, press release. 31.08.12.

37 Madre Selva Collective, “The resistance movement results in changes in investments for the Progreso VII Derivada mining project”, press release. Guatemala, 17.09.12.

38 Kappes, Cassiday & Associates, Cit.

39 PBI, Interview with Antonio Reyes, Cit. 02.12.12.

40 Hernández, O.J., y Ochoa, J.A., Cit.

41 Castillo, D., Cit.

42 The Ministry of Energy and Mining (MEM), “Licences awarded and applications in process – categorized by mineral type”. Guatemala, 01.11.12.

## Women speak out: “We are not struggling solely for our own existence but out of a commitment to our ancestors and the coming generations.”

Through the observation of diverse expressions of community-based resistance in the departments of Guatemala, El Quiché and Jalapa we have heard the perspectives and experiences of the women of these movements and the central role that they play in the defence of natural resources, human rights, respect for life and non-violence. Peace Brigades International (PBI) interviewed different women in resistance, whose struggles are typical of many others ongoing in the country. What follows is a summary of those interviews:

### *The women sustaining the resistance in La Puya*

Women from the municipalities of San José del Golfo and San Pedro Ayampuc, department of Guatemala that participate in the resistance movement at La Puya - a protest camp that was established over a year ago just outside the entrance to the Progreso VII Derivada mine<sup>1</sup> (see article on page 1) - told us: “We are here for our children, for our health, voluntarily and wholeheartedly. Those who come here out of love for their people and their land are welcome. They are all here on a voluntary basis”



Photo: PBI 2012

Las mujeres resistencia pacíficamente el intento de desalojo de La Puya el 7 de diciembre de 2012.

*How many women are part of the resistance in La Puya? How did they organise in order to sustain the protest camp continuously over the last months?* We are many women and are from many different communities. We organise ourselves in shifts. When someone from the mining company

attempts to enter the mine, we all gather around the entrance. For example one morning we knew someone wanted to get into the mine. It was half past one in the morning. We spread the word and we got together. We had to struggle blindly across mountains in the dark. We arrived with dirty clothing, but we made it. This is the way we do it every time there is any problem - we arrive at La Puya in whatever way we can.

At the protest camp we are not protesting against the people working for the company, our resistance is to the mining operation itself.

*How do you cope with being at the protest camp and continuing with your everyday life?* It is really difficult. We

have to bring our children. If we do not have children we bring food, not just during our shifts, but during other shifts as well. Our daily routines have been disrupted. In some communities and even within families there are divisions, some are in favour, others are against the mining project. There are divisions between parents and children and between husband and wife. If the company left, these divisions that have formed in our communities would fade away.

*Had you participated in a resistance movement before?*

*What do you gain from coming to La Puya?* No we never took part in any resistance movements. Coming to La Puya, we felt as if we were joining a family. Some have learnt how to cook and we have gotten to know different people. The Carrizales for example is a rather isolated place and the people from there did not really know the rest of the communities. Now we are like a family. All the food is shared and we all eat together. It's really important for us to come and when we're not able to be here we miss it.

*How are you, the women, affected by slander you receive?*

Women are always affected to a greater extent. They say that we are here because we are lazy and we don't have anything better to do, or that we are coming to sleep with the men here. That does hurt but it won't stop us because we are not doing anything wrong here. They can say what they want, we will keep coming. This shouldn't divide the women; rather it should motivate us to strive for greater unity among us. We are not afraid. We feel supported by the people who come and visit us, and we need them to continue coming, because it has helped us hold out for such a long time. We need to spread the news of what's happening in La Puya. Here we have children, elders, young people and families. Here we make tortillas, here we share maize to make the dough

<sup>1</sup> Ecological Collective Madre Selva, “Resistance generates shifts in inversion into mining project Progreso VII Derivada”, 2012, Guatemala. <http://madreselva.org.gt/?p=833>



for the tortilla, sometimes we make food that tastes great, other times, not so great, but we carry on regardless. When you get involved in a struggle, it's because you want a better future for your children, but some people don't care, they only live for today,



Photo: PBI 2012

Member of the CPK, Aura Lolita Chávez during an interview with PBI. Taken at her home on the 14th of August 2012.

## Lolita Chávez, proponent of Buen Vivir

The concept of *buen vivir* is not living with the purpose of accumulating material wealth and taking something off others; rather it is based on a balance and respect between nature and human life. Aura Lolita Chávez is member and spokesperson for the Council of the Quiche People (CPK) for the defence of life, mother earth and nature, comprised of 87 communities in Quiche. She spoke to us about the defence of a territory free from violence and the importance of life in harmony with nature.

### On which principles is CPK based?

When the CPK was established, many ancestral principles were adopted: reciprocity, "I am you and you are me"; unity alongside diversity, duality; acceptance of the participation of women as well as men in a spirit of mutual support; the principle of respecting elders; community consultation; balance and harmony. All these components make up the idea of *buen vivir*. We are not struggling solely for our own existence but out of a commitment to our ancestors and the coming generations.

### What is the role of women in the defence of life, land and nature?

Within the life that we have lead as women we offer a broader perspective to the focus of the defence of territory. It is not just about defending the territory as a private property, it is about accepting that we are part of it. The women are givers of life and this provides us a perspective of respect and reciprocity with nature. Our elders have given us the spiritual force based on our principles and values - and in our cosmovision as Quiches, we have a great force of resistance. When there is persecution, repression, the ones that come to the forefront with

ideas and strategic suggestions are the women. We strengthen the defence of water, land and nature.

### What problems do you identify and what central demands do you as women put forward as part of this struggle for the defence of territory?

One of the biggest problems we face as women is violence. As such, the women have demanded that if we are to declare the territories free of mining, we also want them to be declared as territories free of violence within our own households. There are symbolic issues on a small scale that limit the actions of the women, when there is sexual violence, when there is extra work in the house, when there is persecution of women that participate in activities. But little by little we are being recognised as legitimate political actors, not in the sense of political parties, but for our commitment to humanity. At the same time we continue to suffer repression and violence. A population cannot enjoy self-determination if the women are denied it. We know it is difficult to change - but it is not impossible.

### What are the most important characteristics of the attacks you have suffered because of your political and social activism?

As women, the oppression has targeted our bodies and our identities in a different way, and we feel it differently from men. Those of us that are public activists are being defamed<sup>2</sup>, in a sexual context. It is a psychological war because it is something very intimate that has to do with morality. But it is not against individuals, it is against women in general. We are clear on these issue, we take position as women, not individuals. Why do we work in networks and through collective action? Because it's not a personal struggle, what's happening to me is happening to my sisters, to my friends, my neighbours and it may be that it is being silenced. The more hidden the attack, the more violence it may generate.

### What stands out in the participation and the contribution of women in these processes of collective resistance?

In principal, we love life and that is why we are in the council. We're often told that we've got a death wish, but in fact the things we value most are simply to exist and to be well. We do not want to live while feeling dead, to exist but not really exist. That is why our elders taught us a practice, a history that we can pass on to our daughters as well. The people realise the strength we women are giving. It is necessary to promote the participation of women from the perspective of our sensitivity, our community and our people. We know there is a lot of work to do but we are on the right path. The new generations may not remember how we stopped violence in different periods of our history but they will be putting it into practice. Our daughters no longer accept violence, which is a legacy we are leaving.

<sup>2</sup> Council of Quiche People for the Defence of Life, Mother Earth and Nature (CPK), Press Statement, "Mayan Women of the Quiche population publicly denounce the criminalization, repression, and the increased militarization of their lands", Guatemala, 12.02.12.

## Lorena Cabnal, community feminist, defender of the territory: body and land

"Just as it has been a difficult struggle for feminists all around the world, it has cost the indigenous women a lot of hard work to get noticed." The Association of Indigenous Women in Santa Maria Xalapan (AMISMAXAJ) is an organisation of Xinca women from the mountain of Santa Maria Xalapan in the department of Jalapa, struggling for the recuperation and defence of the territory of body and land. In this interview, Lorena Cabnal a Maya-Xinca woman, community feminist and defender of woman's rights and natural resources, spoke to us about what it means to be a feminist in the Xalapan communities.

### When did you start with your struggle for the defence of territory and body?

From 2005 we started our struggle for the defence of territory and body because in the course of that year we started to publicly denounce cases of sexual violence against girls, involuntary kidnapping as well as sex trafficking, in the mountains of Xalapan<sup>3</sup>. That same year we aggressively promoted the demand for the respect of sexual and reproductive rights of women, given the quantity of pregnancies characteristic of Xinca women and the elevated number of abortions and deaths of pregnant women due to malnutrition. In November 2005 we mobilised during the resistance against the Free Trade Agreement<sup>4</sup>, we occupied the road in Sanarate and denounced the massive importation of transgenic maize into the mountain by the political parties to mediate the hunger of women and communities. By 2008, we raised the flag of resistance against mining exploration and exploitation. To this day, we are continuing our community feminism in order to establish the importance of constructing a new world of harmony with nature and between women and men.

### How has community feminism emerged from AMISMAXAJ?

It was the result of a lengthy process and developed as we got organised in the mountains of Santa Maria Xalapan. At the start we saw community feminism as necessary to strengthen the awareness of women rights in confronting poverty - also the importance of uniting our strength as women to achieve something. As we continued, spaces for political education emerged from AMISMAXAJ. One of the first and strongest political demands that we articulated was linked to our bodies. We started to see the importance of being recognised as women that existed independently and are also an important part of the community. We started demanding our rights: the right to health, the right to organise. After that, the defence of territory and body emerged as a central issue, along with a forceful and unequivocal condemnation of sexual violence. From then on, we embraced the struggle to make ourselves visible as

indigenous women and as part of a community. In the course of defending of our territory and body, we, the women, met to talk about the oppressions we confronted and how we were dealing with them.



Women from Amismaxaj at a feminist school held on the 15th and 16th of October 2012.

### What does AMISMAXAJ, and the Xinca women, offer through this collective experience?

For us, an element that we bring as Xinca women is a liberating cosmovision that enriches feminism as a movement of love and construction of life in all dimensions. Being transgressive is a process of self-consciousness that depends upon certain historical conditions. In this sense, we are inspired by the heritage that our female ancestors have left us. If the body is oppressed and manifests the historical disadvantages of the ancestral patriarchy and western colonialism, it is precisely in the body where the potential for political liberation lies. This body that lives in the earth - with the air, mountains, water and minerals - needs harmony in its surroundings, harmonising with its environment and with itself. This is part of our cosmovision - that is why we tell the indigenous people: you are not worth more than a tree. A tree is not worth more than a stone. This relation of existing and being one with the cosmos invites us to oppose violence and to promote actions in the defence of life.

### Did this struggle for the defence of the territory and body have consequences for the women involved?

In my case some men told me that I was a threat for the way I think - that I think like a foreign women and that this is a result of meeting too much with feminists. I've also been accused of trying to impose a foreign way of thinking, there have even been comments regarding my sexual orientation and my sanity. All the stigmatisation that has been aimed at feminism we also face it within the communities - in mixed or indigenous organisations as we talk about our bodies and the autonomy we have to decide whether or not to have children, with whom, and how

3 UDEFEGUA, "Life Histories of Women Defenders of Human Rights", Guatemala, August 2012.

4 Michel Andrade, "Colombia, Guatemala and the FTA", <http://www.plazapublica.com.gt/content/colombia-guatemala-y-el-tlc>, 20.08.2011.



often. That's why AMISMAXAJ works clandestinely, otherwise it would not have been possible. I remember the first time we left for a political workshop in Jalapa we said we would stay at a hotel. Even this was a difficult issue because of varying understanding of what is meant by staying in a hotel. The first time we danced in the community, we were also repressed by the men.

***What is the position of AMISMAXAJ with respect to the implementation of megaprojects?*** Neo-liberalism has expropriated of the energy of nature, it has commercialised it and assigned an economic value to it. In a country like Guatemala, development is seen in terms of exploiting the natural resources in order to contribute to the economy. Even schools and health centres are constructed using this economic perspective. And whose going to oppose what has been accepted as representing development? The indigenous people are fighting today and resisting the hydroelectric plants, mining<sup>5</sup>, large-scale monoculture plantations because we understand it as a threat against the integral forms of life - of the people - and consider that this relation, of integral respect, benefits humanity.<sup>6</sup> We are in resistance because we have lived and experienced that our daily life is left without harmony due to this model of economic development. That is why we the people say that we will defend life, that is why we act, defend and resist against the system. That is why we pronounce ourselves for the creation and construction of a new world, where all forms of oppression against women, humanity and nature are eradicated.



Photo: PBI 2012

**Police Special Forces at the Puya on the 7th of December 2012. A man from the resistance with a bible in his hand calls for calm in to affront the eviction.**

5 O. Cardona, "Xinka's fear martial law", Prensa Libre, [http://www.prensalibre.com/jalapa/Xincas-temen-Sitio\\_0\\_674932537.html](http://www.prensalibre.com/jalapa/Xincas-temen-Sitio_0_674932537.html)02.04.12

6 Pueblo Xinka, Press statement, "Xinka People against mining exploration and exploitation", [http://www.cuc.org.gt/es/index.php?option=com\\_content&view=article&id=200:pueblo-xinka-contra-la-exploracion-y-explotacion-minera&catid=36:noticias&Itemid=57](http://www.cuc.org.gt/es/index.php?option=com_content&view=article&id=200:pueblo-xinka-contra-la-exploracion-y-explotacion-minera&catid=36:noticias&Itemid=57). 30.07.2009.

## News relating to our work

The work of Peace Brigades International in Guatemala focuses on three central issues: the struggle against impunity, issues relating to land, and the negative effects of globalisation on human rights. From the end of 2011 until April 2012, we highlighted concerns regarding the security of several organisations that we accompany in Guatemala and the rising rate of security incidents that have continued through to the **last months of 2012**.

Linked to the problem of access to land, at the end of the year the **Verapaz Union of Campesino organisations (UVOC)** and some of its members, have faced a variety of threats and intimidations. Communities that participate in the UVOC have continued to endure a particularly precarious situation, suffering acts of violence which have profoundly impacted the population and activists from these communities.<sup>1</sup>

Between the 14<sup>th</sup> and 16<sup>th</sup> November 2012 there was a forced eviction of the community Veinte de Octubre from the Secamquim farm in the municipality of Cahabón, Alta Verapaz. At least 260 families were evicted from their homes without the prior warning required of the corresponding authorities. Members of the community have said that during the eviction the National Civil Police (PNC) used tear-gas, killed farm animals, set fire to various homes and destroyed crops; and that the public institutions hadn't made plans for temporary accommodation nor for their relocation to another area. Due to these violations the risks posed to this population's rights to housing and food the vulnerability of the families evicted from Veinte de Octubre have been exacerbated.

We have continued monitoring this situation through meetings with community members, with the UVOC and with the Social and Pastoral Care Office. Similarly we have met with the public authorities in the region involved in the eviction and those responsible for preventing and documenting human rights violations, particularly the Secretariat for Agrarian Issues (SAA), the Human Rights Ombudsman's Office (PDH), and the PNC.

The eviction of the community Veinte de Octubre was carried out despite the ongoing dialogue process and negotiations with the SAA and the Land Fund (FONTIERRAS) regarding the purchase of land required for the re-housing of the population in another area. One of the central obstacles identified by the

1 UVOC, "Eviction of the Veinte de Octubre community", press release, Santa Cruz, Alta Verapaz, 15.11.2012. UVOC, "Urgent Action about the arrest of UVOC members", press release. Santa Cruz, Alta Verapaz, 24.11.2012.

SAA was the excessive price of the properties selected for the resettlement of the communities making it impossible for the Veinte de Octubre community assume the cost: the landowner asked for 31 million dollars for the property, an impossibly high price for a rural, indigenous and campesino community from the Verapaces.

This situation has raised concern for other communities, such as La Primavera in the municipality of San Cristobal, Alta Verapaz. La Primavera has continued to participate in dialogue and negotiations with FONTIERRAS and the SAA to administer the purchase of the property where they have lived for more than a century. Forced eviction and criminalisation are the principal concerns of the community and UVOC.

On the 28th November we observed a court hearing, initiating legal proceedings against two inhabitants of La Primavera accused of detaining workers of the company Maderas Filitz Díaz, S.A. in January 2012. They have been placed under house arrest with surveillance measures for six months, with the trial date set for June 2013.

With the conclusion of 2012 there had still be no response or clarification for the numerous complaints made by members of the community La Primavera for the series of grave threats and aggressions suffered in the beginning of that year.<sup>2</sup>

Another community facing threat of eviction in the region is San Miguel Cotoxjá, in the Polochic Valley in the municipality of El Estor, Izabal. The community had been included in the judicial order for the eviction of 13 communities on the banks of the Polochic river in March 2011, which resulted from a land conflict with Chabil Utzaj, a sugar cane company that operates in the area. However, the eviction of San Miguel wasn't carried out at that time, due in part to the fact that the community was outside the jurisdiction of the judge who had given the order. Furthermore, public authorities had agreed that the community would not be evicted whilst they were still taking part in efforts to resolve the conflict using dialogue and civil tribunals.

The San Miguel community was included among the 14 communities in the Polochic Valley awarded protective measures by the Inter-American Commission for Human Rights (CIDH). In its recommendations, the CIDH urged the Guatemalan State to take measures to guarantee the food security, physical security and housing security of the 87 families of San Miguel.<sup>3</sup>

We were present in a meeting organised by the Reverend José Pilar Álvarez, member of the Lutheran Church in Guatemala (ILUGUA) and the **Association for the Protection of**

**the Las Granadillas Mountain (APMG)**, with Alberto Brunori, representative of the Office of the United Nations High Commission for Human Rights (OHCHR) in Guatemala. Also participating were representatives of the Centre for Human Rights Legal Action (CALDH), the Madre Selva Collective, and members of the **'New Day' Chorti Central Campesino Coordinator (CCCCND)** from Chiquimula. The meeting was convened to inform the OHCHR of a letter the company Las Tres Niñas S.A. had sent to the organisations, in which they were accused of influencing the opinion of the communities against the company who are developing a hydroelectric plant known as El Orégano in Jocotán. For these organizations, this accusation misrepresents and distorts their role in the communities and their work in the ongoing social processes in the region. This work revolves around the defence of economic, social, environmental and cultural rights that have been threatened by ongoing plans for hydroelectric exploitation and other large-scale projects over which the communities were never consulted. The right to land, food, environmental protection, and to consultation of the indigenous communities remain the central demands of communities in the region and, therefore, the priorities of the aforementioned Guatemalan organisations. Previous experience has shown that defamation of the organisations and individuals who participate in these processes serves to increase the lack of understanding, complicate the possibility of overcoming conflicts, and expose the subjects of the defamation to added intimidation and elevated risk.

Consequently, the commitment of the international community to the respect and compliance with human rights commitments, and to the monitoring of the defamation campaigns against human rights defenders, is an increasingly relevant factor for the protection of these rights.

During the same period, members of the **Human Rights Defenders Protection Unit (UDEFEFUGA)** and other Guatemalan human rights organizations have denounced numerous intimidations and threats that have been made against them. During the week of November 12th, Claudia Virginia Samayoa, UDEFEGUA's coordinator learned of a plan for her assassination. A few days earlier, on November 5th, Claudia Samayoa had denounced before the CIDH that the "Foundation Against Terrorism" had published a press release including threats and unfounded accusations against her, putting her security and integrity at risk.<sup>4</sup>

UDEFEFUGA was founded in 2004 with the aim of promoting the security and protection of human rights defenders in Guatemala. For years PBI has maintained a collaborative relationship with UDEFEGUA and in 2007 PBI initiated a phase of inter-

2 UVOC, "UVOC denounces the attack of DEIC against campesino leaders", press release. Santa Cruz, Alta Verapaz 15.03.2013.

3 CIDH, "On the 20th of June 2011 the CIDH awarded protective measures to 14 communities of ethnic origin Q'echi from the Municipality of Panzos in Guatemala" MC 121/11 - 14 Comunidades Indígenas Q'echi del Municipio de Panzos, Guatemala" Washington D.C, EEUU, 20.06.2011.

4 Frontline Defenders, "Guatemala: threats and defamation against human rights defender Claudia Samayoa.", press release. Dublin, Irlanda, 22.11.2012. <http://www.frontlinedefenders.org/es/node/20854/action>

national accompaniment during a period of or heightened risk amidst ongoing threats (reactivating the accompaniment in May 2009, following threats that were denounced to the Public Ministry (MP)). Since then UDEFEGUA has denounced a series of critical security incidents, highlighting in March 2010 the break-in to the residence of two of its members and the tampering of their car.<sup>5</sup> We currently maintain regular visits to UDEFEGUA's office, hold periodic meetings with their staff and accompany them during journeys around the country, in which they carry out investigation, verification and analysis of attacks against human rights defenders.

**Campesino and indigenous organisations demand the approval of the Law of Integral Rural Development (LDRI):**

From the 25th to the 30th of November, social, indigenous and campesino organisations gathered in front of the Congress of the Republic to demand the approval of the Law for Integral Rural Development (LDRI).<sup>6</sup> Amongst the organisations represented was the National Coordinator of Campesino Organisations (CNOO), the Campesino Unity Committee (CUC), the Campesino Development Committee (CODECA) and the National Indigenous and Campesino Coordinator (CONIC). The protest was replicated in other parts of the country including Sololá, Escuintla, Coteles, Patulul, Chiquimula and Cuatro Caminos.

PBI observed the demonstrations in the capital that were held to demand the urgent approval of the LDRI initiative by the Congress of the Republic. While the presence of Special Police Forces (FEP) on the 25th generated tension for those participating in the demonstration - who had asked for the presence of PBI - they were able to exercise their right to protest peacefully without significant repression. As a result of these activities, a delegation of the community leaders met with the president of Congress, Gudy Rivera, and with deputies of various political parties represented in Congress (WINAQ, UNE, TODOS, and the URNG).

Despite these events, Congress had not succeed in addressing the topic before the conclusion of their session in December 2012.

The Coordinating Committee of Agricultural, Commercial, Industrial and Financial Institutions (CACIF) suggested in a press conference that the LDRI initiative was an attack on the individual rights of the Guatemalan people. The Agro Chamber similarly expressed concern that the initiative could violate the right to private property.

However, members of the international community present in Guatemala maintain that agrarian policy reform and the development of the necessary legislative framework to protect the right to land and food are obligations of the state with widespread social support.<sup>7</sup>

In addition to the aforementioned organizations, we continue to accompany the **Association of Indigenous Women of Santa María Xalapán (AMISMAXAJ)**, the **12 Communities of San Juan Sacatepequez**, the **Cunen Community Council (CCC)**, the human rights lawyer **Edgar Pérez Archila**, the **National Coordination of Guatemala Widows (CONAVIGUA)**, and the **Historical Archives of the National Police (AHPN)**.



From left to right: Omar Jeronimo and Edgar Hernandez of CCCND and Carlos Hernandez. Photo: 2010, PBI

Carlos Hernandez was assassinated on March 8th, 2013 in the department of Chiquimula. Carlos was accompanied by PBI from 2010 to 2012 as a member of the Camotan Campesino Association. He participated in a wide range of social organisations in defence of labour rights and the protection of natural resources in Guatemala; he was active in the National Health Workers Union, the National Front for the Defence of Public Services and Natural Resources, Coordination of Social, Indigenous, Religious, Union, and Campesino Organisations of the East (COPIISCO), and as a public servant participated on the Development Council of Chiquimula. As of the publication date of this bulletin, the responsibility and motivation for his assassination has remained undetermined.

5 Frontline Defenders, "Guatemala: forced entry into the home of human rights defender Erenia Vanegas, and threats against Claudia Samayoa and members of SEDEM", press release. Dublin, Ireland, 10.03.2010.

6 Noticias Comunicarte, "ADRI call for the immediate adoption of the law initiative 40-84", article. Guatemala, 30.11.2012.

7 FONGI, CIFCA, FIAN, CIDSE, APRODEV "Press Release about Law 4084", international press release. Guatemala, 07.12.12. La Hora, "Representatives for The United Nations in Guatemala express their support of the Law for rural development" newspaper article. Guatemala, 30.11.12.





## PEACE BRIGADES INTERNATIONAL GUATEMALA PROJECT

**PBI** is an international non-governmental organization (NGO) which protects human rights and promotes non-violent transformation of conflicts.

At the request of threatened social organizations, it provides international accompaniment and observation. The presence of international volunteers backed by a support network helps to deter violence.

In this way, **PBI** creates space for local activists to work for social justice and human rights.

### PBI in Guatemala

**PBI** maintained a team of volunteers in Guatemala from 1983 to 1999. During those years, it carried out accompaniment work with human rights organizations, unions, indigenous and campesino organizations, refugees and churches. In 1999, after an evaluation process, it was decided to close the project since the country had greatly advanced in the opening of space for the work of human rights organizations. Nevertheless, **PBI** continued attentive to the happenings in Guatemala through a follow-up committee.

From the middle of 2000, **PBI** began receiving a number of requests for international accompaniment. Due to these requests, **PBI** carried out an investigation in the field that made evident a turn in the direction and a losing of space for human rights defenders. In April of 2002, **PBI** decided to reopen the Guatemala Project in order to carry out international accompaniment and observation in coordination with other international accompaniment NGOs. In April 2003, the new **PBI** office was opened in Guatemala.

The accompaniments realized by **PBI** after receiving a petition by the Guatemalan organizations are focused in three areas: fighting impunity, right for land and negative effects of the economic globalization on human rights.

### Mission

To improve the human rights situation in Guatemala and contribute to the democratizing process of the country through an international presence that works to maintain open political space for human rights defenders, lawyers, union members, campesino and indigenous organizations, and civil society groups that are suffering repression due to their work supporting human rights.

### Objectives

1. To provide an international presence that contributes to the opening and protection of the political space of Guatemalan organizations that are working for an end to impunity, national reconciliation and compensation to the victims of human rights violations and the fulfillment of the commitments achieved through the Peace Accords.
2. To sensitize the international community to the human rights situation in Guatemala through the regular communication of information as well as frequent contact with international authorities and the diplomatic community both within and outside the country.
3. To sensitize the International Community to the need for creating and applying policies, tools, and mechanisms for the protection of human rights defenders.
4. To share experiences and tools with Guatemalan Organizations that help in achieving the general objectives of **PBI** in Guatemala.

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