



PEACE BRIGADES INTERNATIONAL – GUATEMALAN PROJECT

MONTHLY INFORMATION PACKAGE - GUATEMALA

Number 58, July 2008

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1. NOTES ON THE CURRENT SITUATION

IMPUNITY

CC upholds sentence for assassination of Bishop Juan Gerardi

Guatemala, 03.07.08 (PL) – The Constitutional Court (CC) upheld the 20-year prison sentence of Byron Lima Oliva for the assassination of Monsignor Juan José Gerardi and denied an appeal to the sentence.

Government will not extend State of Prevention in San Juan Sacatepéquez

Guatemala, 07.07.08 (CA, PL) President Álvaro Colom reaffirmed that the State of Prevention, in effect in San Juan Sacatepéquez since June 22, ended Sunday, July 6 and will not be extended. Nonetheless, he advised that if the conditions that gave rise to its implementation were to reoccur, the measure would be applied once again. This decision follows the recommendations of SEPАЗ (PL 04.07.2008) and of various social organizations such as the Rigoberta Menchú Foundation (FRMT) and the Association of Maya Lawyers and Notaries (AANM) (PL 04.07.2008). The State of Prevention resulted in many denunciations of abuse of authority brought by the inhabitants of the affected communities. (LH, PL, EP – 23.07.2008). The government has been asked to open a dialogue in order to end the conflict with intervention and participation of various actors, including the presence of high officials of the Executive, the Catholic Church, and the United Nations.

SEPREM notes relationship between low gun control and femicide

Guatemala, 16.07.2008 (LH) – According to the Presidential Secretary for Women (SEPREM), a large number of reported violent assassinations of women were committed with firearms that are not legally registered, so the organizations supports the initiative of the Weapons and Ammunitions Law in the Congress of the Republic calling for greater control. (TD 23-07-2008) To date in 2008 cases of femicide approach 455. Of these, 236 occurred in the country's interior. From 2001 to the present, at least 3,666 acts of femicide have been committed and almost all of them continue in impunity.

New threats against Judge Eduardo Cojulún

Guatemala, 25.07.2008 (LH) – The judge that heard testimonies of genocide committed during the armed conflict continues being the victim of telephone threats. The threats began one day after Cojulún ruled inadmissible two actions brought forward by the defense for Ángel Aníbal Guevara that opposed the judge hearing testimonies of massacre survivors, requested by the National Audience of Spain.

Attempt against brother of Helen Mack, director of Myrna Mack Foundation

Guatemala, 30.07.2008 (EP, PL, CA, ND, AD, SV) – The brother of human rights activist, Helen Mack, was wounded by a firearm on July 29. This attempt is added to the wave of insecurity that human rights defenders suffer in Guatemala, highlighting the new threats against the FAFG of July 28.

Guatemala ratifies Protocol of Convention against Torture

Guatemala, 23.07.2008 (PL) – Guatemala ratifies the Protocol of the Convention that obliges each signing country to take effective measures to prevent acts of torture and other inhuman or degrading treatment or cruel punishment.

LAND

30 peasant families without legal certainty of land

Guatemala, 16.07.2008 (LH) - Some 30 families that occupied the perimeters of the Ternal plantation were evicted violently July 9, 2008 in the community of Bethel, Cobán, Alta Verapaz by the land owners. According to the assistant to the PDH of Cobán, the settlers who initiated the denunciation stated that the eviction happened after the community members started investigations into ownership of the plantation since they have occupied the land for 12 years and deny that the Cuhá family is the owner.

GLOBALISATION

First effects of DR-CAFTA begin to appear in agriculture

Guatemala, 03.07.2008 (LH) – According to a study done by the Agrarian and Rural Studies Institute (IDEAR), in the two years since its implementation, “more clearly the effects that the Free Trade Treaty between Dominican Republic, Central America and the United States (DR-CAFTA) has had on national agriculture and food sovereignty begin to appear.” The information delivered by IDEAR indicates that the TLC has resulted in the concentration of control of agricultural markets, principally those of basic grains. (To request the report, contact: jp.ozmeta@congcoop.org.gt)

Cardenal asks for moratorium on mining concessions

Guatemala, 14.07.2008 (PL) – July 13, Cardenal Rodolfo Quezada Toruño demanded that the Congress agree to the moratorium in order to grant no more mining licenses, *until that no new law is approved* as the deputies had promised.

Rise in petroleum prices and growing popularity of biofuels spark increased demand for land

Guatemala, 15.07.2008 (EP) – The rise in petroleum prices and growing popularity of biofuels is creating a demand for land in Guatemala for cultivation of African palm for the production of vegetable oil and biodiesel. This situation has caused the disappearance of communities in various regions in the north of the country by which entire communities, forced by poverty or in some cases coerced, have decided to sell their lands.

OTHERS

Colom faced with various changes in Ministries of Interior and Defense

Guatemala, 03.07.2008 (EP, PL, RP, SV, CA, ND, AD) – Colom named the two successors to the Minister and Vice-Minister of the Interior who died following an airplane accident June 27. The appointments were seen as good news by members of human rights and security organizations – (15.07.2008). Following the violent death of the Assistant Attorney General for Capital Crimes (that investigated the assassinations of Salvadoran deputies and of the former assistant to the Minister of the Interior) and the resignation of the Attorney General and the chief of the Public Ministry (MP), Juan Luis Florido, - (30.07.2008), Colom announced the termination of two high officials of the Ministry of Defense.

Guatemala adheres to the energetic Venezuelan initiative PETROCARIBE

Guatemala, 14.07.2008 (EP, PL, CA) – On July 13, 2008, Guatemala officially became a part of the energetic regional initiative, PETROCARIBE, begun by the leader Hugo Chavez. The ratification was put to a vote of the 158 deputies of the Congress of the Republic.

SOURCES: Prensa Libre (PL), Siglo Veintiuno (SV), La Hora (LH), El Periódico (EP), Tele Noticiero: Tele Diario (TD), Nuestro Diario (ND), Agencia Cerigua (AC), Diario de Centro América (CA), Centro de Reportes Informativos sobre Guatemala (CERIGUA), Noti Siete (N7), Al Día (AD)

2. ACTIVIDADES DE PBI GUATEMALA: EN GUATEMALA

Team: María José Urgel Riquelme (Spain), Marion Sornay (France), Maren Enders (Germany), Johanna van Strien (Holland), Valentina Gori (Italy), Wiebke Schramm (Germany), Jacqueline Benfield (United Kingdom), Maria Giovanna Tejido Vasquez (Spain), Carolina Tessier (Canada), Silvia Weber (Germany)

2.1. DIALOGUE WITH GUATEMALAN AUTHORITIES AND 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 our way of working. Through these meetings, when necessary, we can also confidentially express our concerns about critical situations of which we have first hand knowledge through our work in the field. During June meetings were held with the following authorities:

Diplomatic Corps:

- Thilo Hoppe, Deputy of the Green Party and Chief of the Commission for Economic Development and Cooperation of the German Congress
- Wolfgang Wodarg, Deputy of the German Social-democrat party
- Peter Lindner, German Ambassador
- Diego Nuño, Consular of Spain
- Helena Guergis, Secretary of State for International Relations and Commerce of Canada

Guatemalan Authorities:

- Arbol Gonzalo Parrilla, Assistant Ombudsman for San Juan Sacatepequez, Environmental, Consumer and Client Protection, PDH, Guatemala City
- Guillermo Tabin Álvarez, Director of Departmental Assistants of the PDH, Guatemala City
- Iván Contreras, Under Secretary of the Secretary for Agrarian Affairs, Guatemala City
- Francisco Ricardo Merida Orozco, Governor of San Marcos
- Rudí Castillo, Assistant Ombudsman, PDH of San Marcos, San Marcos
- Antonio Rodas Hernandez, Chief of Service of the PNC of San Marcos, San Marcos
- Osmar Ramirez, Third Member, Municipality of San Rafael Pie de la Cuesta, San Marcos
- Carlos Mazariegos, Mayor of San Rafael Pie de la Cuesta, San Marcos
- Ana Leticia Riviera, Secretary, Ministry of the Environment and Natural Resources (MARN), San Marcos

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 that helps us to develop our analysis of the internal political situation. During June meetings were held with the following organisations:

Organisations and individuals from Guatemalan Civil Society:

- Luis Lara, President of the Nacional Front for Struggle (FNL), Guatemala City
- Mariano Calel, Legal Representative of the Civil Association Pro-Justice Group *Nueva Linda*, Department of Retalhuleu
- Willy Morales, Alliance of Peasants United with Society (ACUS), Guatemala City
- Mario Minera, Centre of Legal Human Rights Action (CALDH), Guatemala City
- Vinicio López, Director, Pastoral Peace and Ecology Commission of San Marcos (COPAE), San Marcos
- Esperanza López, Director, Human Rights Section, Archdiocese of San Marcos, San Marcos
- Claudia Samayoa, Erenia Venegas y Javier Zavala, Unity for Protection of Human Rights Defenders (UPDDH), Guatemala City
- Julio Antonio Rosales Colón, Director Nacional Movement for Human Rights (MNDH), Guatemala City
- Arturo Aguilar, Coordinator of defense of human dignity, Human Rights Office, Archdiocese of Guatemala (ODHAG), Guatemala City
- Nery Rodenas, Director, Human Rights Office, Archdiocese of Guatemala, (ODHAG), Guatemala City
- Mario Domingo, Coordinator of Human Rights, Human Rights Office, Archdiocese of Guatemala y legal representative of the Church in the Gerardi case (ODHAG), Guatemala City

International Organisations and Agencies:

- International Accompaniment in Guatemala Coordination, CAIG, Guatemala City
- Human Rights Commission of the International Organisations Forum, FONGI, Guatemala City

2.3 ACCOMPANIMENT

We started accompanying **José Roberto Morales Sic**, Co-ordinator of the Indigenous Peoples Human Rights Programme of the **Centre for Human Rights Legal Action (CALDH)**, in February 2007. In July we continued to accompany him in his travels between his home and office, as well as to meetings and activities outside of the capital.

Background: Since 1994 CALDH has had its headquarters in the capital, where it receives reports of Human Rights violations and directs investigations into the cases. The institution provides counselling, accompaniment and training to organisations, groups and communities. One of its main areas of work is promoting justice in genocide cases, and other crimes committed during the internal armed conflict. We have accompanied CALDH on various occasions between 2004 and 2006. In February 2007, members of the legal team received direct threats. José Roberto Morales Sic was the victim of a kidnapping on 2nd February. Two armed men kidnapped him in his car and threatened to kill him. He was later released and the CALDH vehicle recovered with all his belongings present (including personal documents, cheques and a laptop which belonged to the organisation).

Since 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. In July we have remained in contact with the leaders of UVOC in their visits to the capital. We remain concerned about the security of the members of the members of the organization as they continue receiving threats and noticing surveillance.

Background: UVOC is a campesino organisation in the Verapaces (the departments of Alta and Baja Verapaz) and works principally on access to land for campesinos and providing support in the process of legalisation of the communities' titles to land. UVOC also offers training for communities affiliated with 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 with 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. UVOC's offices and personnel continue to be under surveillance from unknown persons. The situation in some communities affiliated with UVOC continues to be delicate: in February and April 2006, the campesino families that live in the Mocca Estate were violently evicted, leaving several people with gunshot wounds. In July 2006 there was a confrontation between two groups of campesinos leaving one dead and 39 injured of the evicted campesinos.

We have been accompanying the **Association of Friends of Lake Izabal (ASALI)** and **Eloyda Mejía**, the organisation's Legal Representative, 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 concerned about mining activities in the area. In the months of January and February 2007 we accompanied Eloyda and ASALI after a tense situation arose between groups of campesinos that had occupied lands, the CGN and state actors who wished to remove them. During July, Eloyda was out of the country participating in a tour of Great Britain organised by PBI UK. PBI remained attentive to the activities of the other members of the association.

Background: Eloisa Mejía has suffered a number of threats as a result of her work to protect Lake Izabal, in the department of Izabal, east Guatemala, and because of her work informing 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, she received yet more serious threats, which she reported to the Public Prosecutor's Office (MP) and the Human Rights Ombudsman's Office (PDH). In February 2006 Eloyda Mejía's restaurant wall was graffitied with the words "Yes to CGN" (Guatemalan Nickel Company)." Since late 2006 Eloyda Mejía has had to deal with a legal process accusing her of usurping lands. This legal action is seen by her as a form of persecution and intimidation intended to force her to abandon her work against the mining company CGN in El Estor. In October 2007, Eloyda Mejía received a threatening letter that mentioned her and other active members of civil society organizations in Izabal as 'personas non gratis' in the town of El Estor and as enemies of the town and the State. The letter mentioned that the law of "an eye for an eye and a tooth for a tooth" would be applied.

We continue to accompany the **National Coordinator of Guatemalan Widows (CONAVIGUA)** with regular visits to, and presence in, its office as well as during exhumations and inhumations of clandestine cemeteries in rural areas. We continue with these frequent visits due to increased surveillance, which has been apparent since December 2006. In July we continued with weekly 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 efforts for the recuperation of the collective memory of Guatemala's recent history. This process provokes

tense situations in these small rural communities between victims and perpetrators, and the women of CONAVIGUA receive threats and intimidation to stop them from continuing this work.

We accompany the **Movement of Campesino Workers (MTC)**, an entity of the Social Pastoral Office of the Diocese of San Marcos. MTC is made up of associations of campesino communities working to defend their labour rights. In particular, we accompany its founder, **Julio Archila**. In July, we accompanied Julio Archila and his son to the High Criminal Labor Court of Malacatan, San Marcos, where the official dismissal of the robbery case against him and his son was awaited. The anticipated hearing for Julio was cancelled at the last moment. This was the third time that the Tribunal cancelled the hearing at the last moment. Finally, at the time of publication, the conclusions of the judge were made known with criminal proceedings suspended in favour of Julio and his son, Antonio.

Background: Since the beginning of November 2005, Julio Archila, founding member of the MTC, has suffered various forms of intimidation and threats directed against him and his family. His security problems appear to be related to the support the MTC offers to campesinos 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 a judge and freed, as no proof of the accusation was found. 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 October 2005. The arrest warrants were substituted for other measures while the investigation continued. In June 2007, the judge of the Court of First Instance absolved Julio of all the charges due to a lack of evidence. Nevertheless, the following month the Appeals Court in Quetzaltenango authorised more time for the further investigation of the case. On 15th November 2007 the Las Delicias campesinos came to an agreement with the estate's owners, who agreed to pay them 500,000 quetzals. The owners also agreed to drop the charges against Julio Archilla and his son. There was a moment in which the negotiations had appeared to breakdown, but finally in January 2008 the campesinos were able to buy a new estate and they are now in the process of constructing their new community. At the time of writing, the promise to drop charges against Julio Archilla and his son had not yet been fulfilled.

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. During June we kept in contact with Zulma and accompanied her in journeys around the city. In addition we have paid weekly visits to the organisation's office and we continue with preparations for a tour of the United States, Canada, and Europe that will take place in September and October with national PBI groups.

Background: On 17th December 2005, Paulina, a transgender worker was killed, the seventh murder of a transgender worker that year. Zulma was present when the crime was committed, and was seriously injured during the incident. She is a witness to the murder of Paulina, accusing members of the National Civil Police (PNC) of the killing. 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 to be subjected to harassment and threats, and Jorge López, Executive Director of OASIS, reported that he was pursued by a police car during the night of 22nd January 2006. Given the few advances made in the case in the Guatemalan courts, OASIS wishes to bring it to the attention of the CIDH with the support of the Centre for Justice and International Law (CEJIL).

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 November 2006 we brought to a close the activation of our Support Network, activated because of our concern about the security of **Roly Escobar**, CONAPAMG's Coordinator General, after he received a death threat on 10th September 2006. We continued accompanying Roly Escobar, who during this month has pushed for dialogue with the Vice-minister of housing.

The situation of the marginal settlers is VERY ALARMING especially in the capital due to the heavy rains that affect the country during this season and which provoke serious wash-outs and landslides, leaving many families homeless and without basic necessities for living. In many cases, and despite the danger, the families do not abandon their precarious houses for fear of losing the little that they have and terrible accidents happen which cost the lives of entire families.

Background: We have accompanied CONAPAMG since July 2004 when its office was broken into and lists,

invoices, floppy discs and money stolen. 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 18th August 2006, Carmen Sagastume, another member of the organisation, was brutally murdered. Following this, on the morning of 10th September, General Coordinator Roly Escobar Ochoa was informed that armed individuals in the community Carmen del Monte were threatening to kill him, supposedly because of his denunciation of the murder of Carmen Sagastume. During the following weeks he and his family found themselves under heavy surveillance.

We accompany the **Commission of Peaceful Resistance of San Rafael Pie de la Cuesta (CRP)**. We received a petition for accompaniment from Jose Manuel Morales, Vice President of the organisation, after a meeting of 15 September during which a founder member of the Commission was detained and questioned by police who accused the organisation of carrying out illegal actions. The organisation later denounced the events to the Human Rights Programme of the Diocese of San Marcos (PDDHS) and the Human Rights Ombudsman (PDH). Those in attendance at the meeting of 15 September expressed their concerns regarding the construction of a hydro-electric project planned by the Mayor of the municipality of San Rafael de la Cuesta, San Marcos. Since then, members have suffered various threats and intimidations, which led the Commission to request accompaniment from PBI for their meetings. Since December 2007 we have accompanied members of the CRP in their activities. This month we have continued with the accompaniment of José Manuel Morales and other members of the CRP. We have held various conversations with local authorities to obtain more information about the progress of the hydroelectric project in this municipality.

Background: 15 days before the general elections of 9 September 2007 the Mayor of San Rafael Pie de la Cuesta (and current Mayor elect) declared his intention to seek the construction of a hydro-electric project during the first months of 2008, during a public audience with mayoral candidates. This hydro electric project would be based on a previous project that never reached the construction stage and before the public meeting was not known by the local inhabitants. On 15 September the Campesino Association for Integral Development of San Rafael (ADICSR) organised a meeting with the local population in order to inform them regarding the construction plans for the hydro-electric project. The same meeting also realised the formation of the CRP in order to investigate and inform regarding the proposed project. Police officials entered the meeting and removed a man without explanation, in order to question him regarding the meeting and accusing those in attendance of planning illegal actions. Since this date, the members of CRP have regularly suffered threats and intimidations of various kinds.

To **Lesbiradas**. We started accompaniment of the organisation this month after the daughter of one member, also an activist, was the victim of direct acts of intimidation threatening her life by different State security forces. The actions have been reported to the Public Ministry (MP) and to the Human Rights Ombudsman (PDH) as well as to the Unity for the Protection of Human Rights Defenders. In principal, the threats are connected to the women's activism and for Lesbiradas it is proof of the presence of a social cleansing strategy in the country. We accompany the mother and the daughter in their daily activities.

Background: The Lesbiradas collective is involved in the defense and promotion of human rights of Guatemalan lesbian women, promoting among other things, the auto-determination of one's body and sexuality of lesbians and a struggle against an exclusive, patriarchal system, discrimination, and systematic violence that they face. The two participate in various social movements, for which on three occasions in July, one of the activist directly was threatened with death by agents of the army of the PNC, to the point of having a gun aimed at her on July 21, 2008.

2.4 FOLLOW UP

We received a request for accompaniment from **Project Counselling Services (PCS)** on behalf of a Guatemalan worker of the organisation who suffered a kidnapping, sexual aggression and the theft of a vehicle on 7th May 2007. On 17th May 2007 the same person received a phone call to their house threatening all the members of the organisation. These facts were reported to the Public Prosecutor's Office and the Human Rights Ombudsman (PDH). Since 16th May 2007 we have intensively accompanied the person who suffered this grave incident, diminishing the level of accompaniment in the measure that his security situation improved. During July, after analyzing the security situation of the organisation and of the person being accompanied, we decided to move the case to follow up. We have maintained contact and with remain attentive to their situation.

Background: Project Counselling Services (PCS) is an international organisation supported by a partnership of agencies in Europe and Canada. Its mission is to strengthen the capacities of refugees and populations

affected by displacements and other forms of exclusion to participate in autonomous, democratic and inter-cultural processes, including from a gender perspective, within the framework of the promotion, defence and exercise of human rights. In Guatemala, PCS has been involved with the struggle against impunity relating to human rights violations committed during the armed conflict and in post-conflict Guatemala, with special emphasis on sexual violence. On Monday, 7th May 2007 a worker was the victim of a temporary kidnapping during which they suffered verbal, physical and sexual aggression. The PCS vehicle in which they were travelling and which was carrying 'International Mission' signage was stolen. On 17th May 2007 the same worker received a telephone threat in their home in which a male voice stated: "(Expletive), that wasn't enough... We told you not to do anything. You didn't get it. We are going to break your ass and those of the lesbians and whores in your office. We know who you are and what you do. Don't mess around, leave things as they are."

The **Guatemalan Association of Indigenous Mayors and Authorities (AGAAI)**. Following a break-in in the office of AGAAI on 20th March 2007 we provided accompaniment in the city and during the association's activities outside of the capital. In July, we continued to be in contact with the organisation.

Background: Carlos Guarquez has suffered from various forms of threats, accusations, and intimidations because of his work rejecting the Free Trade Agreement (DR-CAFTA) and mining activities. On 25th March 2005, in the village of El Tablón, Sololá, his vehicle was doused in petrol and set on fire by unknown individuals. Death threats specifically naming Carlos Guarquez, Dominga Vásquez, the then Indigenous Mayoress of Sololá, 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. More recently on 20th March 2007, the office of AGAAI was broken into by persons unknown who took important documentation and containers. The association denounced this incident as a clear act of intimidation against workers and members of AGAAI for their work in supporting and accompanying the mayors and indigenous authorities struggling for the protection of the land. They reported the act to the office of the Human Rights Ombudsman (PDH).

PBI has accompanied the **Madre Selva Collective** since June 2004 with regular visits to its office and has had frequent contact with its members during their work in different departments throughout the country. During this month, we continued contact with them and we accompanied them to a workshop.

Background: Madre Selva is an environmental organisation which holds regular workshops on the negative impact of mega-projects, 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 appear in the Collective's reports. Since December 2006 the organisation has been subject to defamation campaigns linked to the publication of an environmental study concerning the mining pollution found in the waters of the River Tzalá in San Marcos. The study's Italian author received a series of threats after its publication. This situation provoked an international reaction from various human rights organizations in support of the organisation and the author, who eventually left the country.

The **Women's Sector** is 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 the murder of women. This month we maintained contact with the members of the organisation by telephone and through visits to the office.

Background: In less than 10 days, between the end of May and the beginning of June 2006, the headquarters of the Women's Sector were 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 these acts as clear intimidation and asked for police protection, which was provided.

2.5 OBSERVATION

PBI Guatemala provides international observation at public events where Guatemalan social organisations require international attention and interest or when it is judged necessary to be able to communicate what we witness to the international community.

With the increase in tensions for defenders in the case of the Nueva Linda plantation (Retalhuleu) in response to the possible discovery of the remains of Héctor Reyes' body, we went to observe the security situation of family members on site and we obtained information to publish an article in our next trimestral bulletin.

This month we observed a public visit convened by the Mutual Support Group (GAM) in a forced disappearance case presented to the Supreme Court of Justice. We were able to listen to the testimonies of the family members of one victim of forced disappearance and to be witnesses of a "special proceeding of immediate investigation", which transferred the legal mandate for investigation in the case of "special crimes" from the Public Ministry (MP) to the Human Rights Ombudsman (PDH).

We attended the public presentation of the results and hypothesis of a study done by the Foundation of Forensic Anthropology of Guatemala (FAFG) on the Verbena cemetery in Zone 7 of the capital. The event was organized in order to make known important progress in the search of victims of forced disappearance of the internal armed conflict, following the opening of a sepulcher with 6,000 unidentified skeletons in that cemetery. It will be the first forensic investigation carried out in the capital with respect to the clarification of acts of violence of this period.

3. ACTIVITIES OF PBI GUATEMALA – OUTSIDE OF GUATEMALA

The Regional Representatives, the Coordination Office of the project in Madrid and other members of the Project Committee, as well as PBI national groups, carry out public relations campaigns with numerous NGOs, national governments and agencies, parliamentarians, etc. These meetings work to develop and strengthen the "Support Network" of the project, a tool that is indispensable for the functioning of PBI's international presence in Guatemala.

On July 31, Eva Scarfe, member of the Committee and representative of the Guatemala Project for Australia, met with members of the National Group of PBI-Australia to exchange information and, in particular, to provide input for advocacy meetings that members of PBI-Australia will have during the month of August in Canberra (federal capital). She explained the concrete concerns of the Guatemala Project with regard to the current situation of human rights defenders in Guatemala (including the defenders of economic, social, and cultural rights), so that they can convey these concerns to the members of the Australian government, to the parliamentarians, and to the functionaries of the Ministry of Foreign Affairs and Commerce (DFAT), with whom they will meet.

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.



ALARMING ACTS OF INSECURITY AGAINST WHOLE COMMUNITY OF HUMAN RIGHTS DEFENDERS

The Facts:

1. In the early afternoon of Tuesday, July 29, Ronald Chang Apuy, brother of Hellen Mack, recognised defense lawyer, was attacked with a firearm near his house. Mr. Chang, a communications businessman, had been part of bringing an accusation against the State of Guatemala for the extrajudicial execution of Myrna Mack, his and Hellen Mack's sister. Throughout the 18 years since the execution of Myrna, Hellen Mack has sustained an untiring struggle for justice in Guatemala, not only in the case of the execution of her sister but for the transformation of the judicial system that has been an emblem of impunity worldwide. From the Myrna Mack Foundation, an organisation founded in honor of the anthropologist executed by a command of the now nonexistent (**Estado Mayor Presidencial**) Major Presidential State (EMP), she has impelled processes for justice and democratic reform in Guatemala. On this account, Helen as well as her family and the Myrna Mack Foundation have been in the middle of

harassment and aggressions that have required special measures of protection ordered by the Inter-American Human Rights Court (CIDH), in the proceedings against the Guatemalan State.

2. The same day, July 29, José Suasnavar, director of the Foundation of Forensic Anthropology of Guatemala (FAFG), received the third threat in three days on his cellular phone. This attack becomes part of the more than fifty acts of aggression to which the FAFG has been subjected in the context of its work on the exhumation of victims of massacres and in the identification of the whereabouts of persons disappeared in the context of the internal armed conflict.
3. One day before these events, Monday, July 28, a pamphlet circulated with the logo of the Association of Military Veterans of Guatemala (AVEMILGUA), signed by retired generals Luis Felipe Miranda Trejo and José Luis Quilo Ayuso, president and ex-president, respectively, of said group. The text wielded constitutional article 244 which establishes the functions of the Guatemala Army, calling “to oust and to capture, immediately, the President of the Republic Álvaro Colom Caballeros and he who has been beside him, the Vice-president of the Republic Rafael Espada.”
4. This call to oust the president,, which Colom says has no relation to AVEMILGUA, constitutes a call to sedition, which would imply a military coup d’etat.
5. The day the armed attack against Ronald Chang took place and the most recent threat against a director of FAFG, the President of the Republic announced changes to the leadership of state security and justice entities. In a press conference, President Álvaro Colom announced that he had accepted the resignation of Attorney General Juan Luis Florido, questioned publically for the inefficiency of the agency under his command in confronting impunity and combating common, organized or politically motivated criminality.
6. The governing leader also announced the dismissal of the Chief of the Major State of National Defense (part of the high command of the Guatemalan Army), of the General Inspector of the Army and of the commanders of the Honor Guard and of the General Quarter of the Army.

Such positions in the military system of Guatemala are the most important positions after the titular of the Ministry of Defense. It practically signifies a beheading of the tactical leadership of the Army of Guatemala that happens outside of normal timing of changes in the institution.

The Concerns

7. That the attacks on the immediate family of Hellen Mack Chang and on José Suasnavar are part of a reaction against the changes in the military hierarchy or that they are linked to sectors jeopardized by the changes in the titular of the Attorney General.
8. That the movements in military leadership are governmental reactions to conspiracies among officials acting with retiring officials that can threaten the democratic stability in our country.
9. That in the context of the dispute for spaces of power and political control in the areas of justice and military apparatus a new wave of attacks and aggressions be produced against defenders of Human Rights.
10. That these acts are part of a directed force to detain efforts of purification and changes to the face of security and justice institutions bound with impunity in Guatemala.

The Calls

11. To the authorities of the National Civilian Police, the Attorney General, and the Human Rights Ombudsman, for an effective and profound investigation as well as complete clarification of the armed attack against Ronald Chang Apuy, brother of Hellen Mack Chang and of the threats against personnel of the FAFG.
12. To the Presidency of the Republic, authorities of civil security, and the Presidential Human Rights Commission (COPREDH), for the security measures to guarantee the physical integrity of the Mack Chang family, of Hellen Mack Chang, Ronald Chang Apuy and personnel of the Myrna Mack Foundation.

13. To the Presidency of the Republic, authorities of civil security, and the Presidential Human Rights Commission (COPREDH), for the security measures to guarantee the physical integrity of José Suasnavar and all of the personnel of the Foundation of Forensic Anthropology of Guatemala.
14. To the Presidency of the Republic and Ministry of National Defense, for an investigation into the origin and context related with the call for destabilization, in order to avoid whatever attempt of aggression against the institutional stability in Guatemala, coming from the military ranks.
15. To Hellen Mack and family, José Suasnavar and team of the FAFG, we send signs of solidarity and fraternity in the face of the aggressions experienced.

Guatemala, July 30, 2008.



ALERT!
We Support the Struggle of Union Women and Workers
SITRACIMA Y SITRACHOI

Today, Friday, July 18, 2008: UNION WOMEN AND WORKERS in the early morning hours found the doors of their workplace closed at the CHOI SHIN maquila factory, located in Zone 4 of Villa Nueva, Guatemala. (km 18.5 Mayan Golf Highway, Villa Nueva)

Women workers and unionists of SITRACHOI and SITRACIMA, that struggle for Justice in their work centres, in similar situations lived by women in all of the maquila businesses facing workdays between 9, 14, 16 hours daily, violating mandated work hours; who face abuse in word and action day after day by supervisors that exercise control and pressure over the body and integrity of the women to meet high production goals at all cost, they who make thousands of efforts with their daughters, their sons, their own lives in order to come to work on time, without having time for themselves... They, comprise one of the few, almost the only, UNION OF WOMEN OF THE MAQUILA in all of the maquila industry in Guatemala and are who have set the historic precedent of being the first organized union in the maquila in Guatemala.

The NETWORK OF WOMEN UNIONISTS IN CENTRAL AMERICA, together with STITCH, as Women, United for Labor and Social Justice:

SUPPORT:

The life, the dignity and the struggle of the women unionists of SITRACHOI and SITRACIMA; as well as the women workers of Choi Shin.

The just, prompt, and compliant negotiation that the women of SINTICATO SITRACHOI have initiated.

The union struggles and actions that they determine to undertake to promote JUSTICE!

We Make Known:

To the Government of Guatemala, the Ministry of Labor, the Public Ministry, and the Human Rights Ombudsman that we are watching the prompt and compliant actions to bring JUSTICE for the workers, that they continue with their employment, that you protect their labor, union, and life guarantees.

To the business owners of the Choi Shin factory and the lawyers for the Clothing and Textile Commission (VESTEX), that are bound in the zipper of the businesses, that they put an end to the violations of labour and union rights. At the same time, to the businesses of the labels for whom CHOI SHIN produces, such as Liz Claiborn LCI, that they be subjected to Labour Justice in Guatemala and that they know that the union, social, national, international and women's networks demand justice!

We Join the Call to Action:

Of women's organizations, women workers, unionists, social and human rights organisations that we join, we act, and we support the union women in this cause.

STITCH: Women United for Labor and Union Justice

PBI GUATEMALA NO SE IDENTIFICA NECESARIAMENTE CON LAS OPINIONES Y CONTENIDO DE LOS ARTÍCULOS Y COMUNICADOS REPRODUCIDOS

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