



## PEACE BRIGADES INTERNATIONAL – GUATEMALAN PROJECT

### MONTHLY INFORMATION PACKAGE - GUATEMALA

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### 1. NOTES ON THE CURRENT SITUATION

#### IMPUNITY

##### **Army suspends annual 30 June march**

Guatemala, 10.06.2008 (PL, EP, N7, CA).- Following the requests of groups affected by the armed conflict, the Secretary for Peace, Orlando Blanco, announced that the Government has decided to cancel the annual 30 June Army Day march. It will be replaced by commemoration in the Mariscal Zavala Military Brigade Complex.

##### **CSJ reject legal action by Rios Montt**

Guatemala, 20.06.2008 (EP).- The Supreme Court of Justice (CSJ) rejected as procedurally improper an application lodged by the defence of the retired General Efraín Rios Montt, seeking a declaration that the Second Instance Penal Court is incompetent to carry out documentary due diligence to obtain details of military operations during the internal armed conflict. On 12 March 2007, the court had ordered that the documents relating to the military plans “Victory Campaign” and “Operation Sofia”, both of which were launched on 15 July 1982, as well as the military operations “Civil Matters Operation Ixil” and “Plan ‘Strength’ 83”, should be disclosed to the public prosecutor (MP).

##### **General Anibal Guevara presents complaint against Judge Pedraz**

Guatemala, 21.06.2008 (PL).- The retired General Angel Anibal Guevara presented a complaint against the Spanish Judge Santiago Pedraz. “I want to set a precedent, so that justice is done, because this judge has groundlessly accused me”, said Guevara. According to Guevara, he spent 14 months in Prison without a hearing before a Judge, and confirmed that an arrest warrant had been issued despite the lack of evidence. The grounds had been perverting the course of justice and constitutional violation.

#### LAND

##### **CONGCOOP propose expropriation of 18,000km of unused land**

Guatemala, 10.06.2008 (CA).- Hélder Velásquez, representative of the Coordinator of NGOs and Cooperatives (CONGCOOP), stated that a report of the Ministry of Agriculture, Business and Food (MAGA) includes a map which confirms the existence of 18,000 square kilometres of unused land, in various parts of the country, that should be expropriated in order to cultivate staple grains and alleviate the food crisis that threatens to deepen yet further as petrol prices continue to rise.

##### **Business leaders reject mandatory grain production**

Guatemala, 04.06.2008 (SV).- Business leaders, politicians and some constitutional commentators have rejected the Government’s intention to renew Decree 40-74, that requires the cultivation of staple grains in 10% of the largest landholdings in Guatemala, due to the fact that the law, in force, but unapplied since 1974, violates the principles of

freedom of trade and private property guaranteed by the Constitution of the Republic. The Agrarian Chamber of Commerce of Guatemala was the first to pronounce itself against the application of the law, and threatened legal action seeking a declaration of unconstitutionality.

Guatemala, 10.06.2008 (EP, SV, PL).- President Alvaro Colom asked the members of his party, the National Unity of Hope (UNE) to seek the annulment of Decree 40-74, which requires the use of 10 percent of land in every 100 hectares, for basic grains. "With all frankness, I recognise that it was based on bad advice and we are now asking that the party members vote against the law" he stated. The Director of the Agrarian Chamber of Commerce, satisfied by the decision, said "the law is beside the point, it is a good decision and I believe that in the future this type of measure should be accompanied by private sector support in order to avoid friction"

#### **Women declare hunger strike; demand legal formalisation of their lands**

Guatemala, 11.06.2008 (FD).- Over 50 inhabitants of peripheral urban settlements, perched on steep unused lands around the capital and in other similar areas, have been demonstrating since last Thursday in front of the National Palace of Culture in order to make their demands to President Alvaro Colom. 11 women members of the Guatemalan Movement of Settlers (MGP) declared a hunger strike and demanded the initiation of a coherent dialogue with high level members of government.

### **GLOBALISATION**

#### **Constitutional Court declares Mining Law unconstitutional**

Guatemala, 17.06.2008 (PL, LH).- A "victory for the environment" is the commonly held view of the declaration of unconstitutionality which was made this Monday by the Constitutional Court (CC), relating to seven articles of the Mining Law. This now opens the door to the promotion of a whole new approach in relation to mining activity. The CC stated that it should take into consideration the gravity of the environmental implications of mining, as they are non-renewable resources whose extraction affects the environment.

#### **Colom declares martial law in San Juan Sacatepequez**

Guatemala, 23.06.2008 (EP, PL, SV, CA).- The second declaration of martial law this year was declared on the night of 22 June by President Alvaro Colom. The measure was taken due to the disturbances that occurred this weekend in the communities of San Antonio las Trojes, San Juan Sacatepequez Guatemala. Under Decree 3-2008, the President of the Republic declared martial law for a duration of 15 days. It limits the carrying out of meetings in the open air, public demonstrations and other similar events; it prohibits the carrying of arms in the municipality save by security forces; it limits the right of free movement in vehicles, and requires people travelling to other parts of the country to register their itineraries with the authorities. On 21 June, members of the community San Antonio Las Trojes blocked traffic and pedestrian passage in a rejection of the construction of a cement factory on the San Jose Ocana estate. Members of the community have been in opposition to the cement works since October 2007.

Guatemala, 24.06.2008 (CA).- Backed by the martial law declaration of President Alvaro Colom, 1000 agents of the National Civil Police (PNC) and elements of the army of Guatemala arrived in San Antonio Las Trojes, San Juan Sacatepequez, only days after the death of Francisco Tepeu, ex-leader of the sector of the community that refused to participate in the activities protesting against the construction of the cement works. The security forces captured 43 people, amongst them a woman and various mayoral assistants, under the guise of the recently declared emergency. The Ecumenical Christian Council of Guatemala said that the situation had deteriorated due to the government's failure to deal with the high vulnerability and sensitivity of the population to mining extraction and exploitation projects. The police took advantage of the declared emergency in order to carry out 64 arrest warrants previously pending in the municipality of San Juan Sacatepequez, as the population had previously denied them access. Nine of these additional arrests related to the conflict regarding the construction of the Cementos Progreso factory.

### **OTHERS**

#### **US State Department certifies Guatemala as recipient of military aid**

Washington, 06.06.2008 (PL, AP).- The US State Department has cleared the way for the Guatemalan air force, navy and engineering corps to receive educational and military aid from the USA. An announcement published in the Federal Register stated that these institutions respect human rights and are cooperating with judicial investigations of military personnel who have received "credible complaints of violations of human rights". The State Department decision was announced less than two months after the visit to Washington of Guatemalan President Alvaro Colom, which included a personal meeting with President George W. Bush at the White House.

Sources: Prensa Libre (PL), Siglo Veintiuno (SV), La Hora (LH), El Periódico (EP), Noti Siete (N7), Diario de Centro América (CA), Al Día (AD), Fuentes Directas (FD).

## 2. ACTIVITIES OF PBI GUATEMALA: IN 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 Vázquez (Spain), Caroline Tessier (Canada), Silvia Weber (Germany)

### 2.1. MEETINGS WITH AUTHORITIES AND MEMBERS OF THE DIPLOMATIC CORPS

Meetings with authorities and members of the diplomatic corps in Guatemala are essential components of PBI's work, enabling us to make known our objectives and 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:

- Dr. Bodo Schaff, Chief of Mission, German Embassy
- Ian Hughes, Ambassador of the United Kingdom
- Susana Dagg, Human Rights Representative, Delegation of the European Union
- Friederike Brinkmeyer, Human Rights Project Coordinator, German Cooperation

Guatemalan Authorities:

- Sergio Morales, Human Rights Ombudsman of Guatemala
- Marco Vinicio Hernández, Workers Rights Section, Office of the Human Rights Ombudsman
- Delfín Fuentes López, Third Official, National Civil Police, San Rafael Pie de la Cuesta, San Marcos
- Marco Tulio Escobar, Prosecutor, Public Prosecutor's Office
- Aura Marina Mancilla, Prosecutor, Public Prosecutor's Office

### 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:

Civil Society Organisations:

- Luís Lara, Secretary General, Syndicated Union of Workers of Guatemala (UNSTRAGUA).
- Claudia Samayoa, Human Rights Defenders Protection Unit
- Mario Minera, Director General, Centre for Legal Action for Human Rights (CALDH).
- Claudia Hernández, Subdirector, Association of Survivors
- Carmen Aída, Political Coordinator, Myrna Mack Foundation
- Arturo Aguilar, Legal Head, Archbishop's Human Rights Office
- Arnoldo Yat, Coordinator, Q'eqchi' Defender
- Luz Méndez, President of Advisory Council, National Union of Guatemalan Women (UNAMG)
- David Morales, Secretary General, Federated Union of Food, Agro-Industry and Similar Workers of Guatemala (FESTRAS).
- Amílcar Pop, President, Association of Mayan Lawyers of Guatemala
- Justo Mendoza, Leader of the National Coordinator of Indigenous Peoples and Campesinos (CONIC).

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. PROJECT COORDINATION MEETING

Every six months the team meets with the coordinating committee in Guatemala in order to evaluate the project's work, follow-up on issues and plan the project's future work. On this occasion the meeting took place between 23 and 28 June with the participation of Eva Scarfe, Kerstin Reemtsma, Estefanía Sarmiento and Tara Ward on the part of the coordinating committee, Mayte Quesada, project administrator, and María José Urgel Riquelme y Giovanna Tejido Vázquez as representatives of the team of volunteers in Guatemala, together with other team members as work permitted. The members of the committee also used their time in Guatemala in order to meet with various human rights defenders accompanied by the project and other human rights activists, as well as with governmental and diplomatic authorities.

### 2.4 ACCOMPANIMENTS

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. During June we have continued to accompany him in his movements between home and office, as well as meetings and training workshops.

*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 2<sup>nd</sup> 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 13<sup>th</sup> 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 June 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 of 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 21<sup>st</sup> 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. We have continued to accompany Eloyda Mejía in her activities this month.

*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 21<sup>st</sup> 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.

*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**. We visited Julio in San Marcos, in the far West of Guatemala, on two occasions in June and have maintained regular contact at all other times.

*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 4<sup>th</sup> 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 15<sup>th</sup> 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. We were also present at a number of their activities this month including a forum regarding the social vulnerabilities of the transgender population in Guatemala and the annual gay pride march.

*Background: On 17<sup>th</sup> 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 22<sup>nd</sup> 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 10<sup>th</sup> September 2006. This month, we have continued to accompany Roly Escobar with regular visits to the organisation's office and we have been present for some of the settlers' protest activities.

*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 18<sup>th</sup> August 2006, Carmen Sagastume, another member of the organisation, was brutally murdered. Following this, on the morning of 10<sup>th</sup> 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 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 7<sup>th</sup> May 2007. On 17<sup>th</sup> 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 16<sup>th</sup> May 2007 we have intensively accompanied the person who suffered this grave incident. During the month of June we continued the accompaniment, accompanying the worker of the organisation in journeys between his house and office.

*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, 7<sup>th</sup> 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 17<sup>th</sup> 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."*

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. We continue our regular contact with José Manuel Morales, this month accompanying him to the Public Prosecutor's Office in order to register a complaint regarding intimidation of members of CRP in addition to a complaint against the mayor of the town for misappropriation of public funds.

*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.

## 2.5. FOLLOW UP OF PRIOR ACCOMPANIMENTS

The **Guatemalan Association of Indigenous Mayors and Authorities (AGAAI)**. Following a break-in in the office of AGAAI on 20<sup>th</sup> March 2007 we provided accompaniment in the city and during the association's activities outside of the capital. We maintained contact with AGAAI in June.

*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 25<sup>th</sup> 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 20<sup>th</sup> 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 Madre Selva, visiting their office and accompanying them to a workshop that they organised to raise awareness of the protected areas of the department of Zacapa.

*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.*

## 2.6. OBSERVATIONS

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.

At the start of June we observed an event organised by the Guatemalan Association of Indigenous Authorities and Mayors (AGAAI) at which more than 100 indigenous mayors presented to the Human Rights Ombudsman the results of the community referenda carried out in San Juan Ixcay, Huehuetenango. The results demonstrated an almost unanimous rejection of the licence recently awarded by the Ministry of Energy and Mines for metal mining exploitation in the area.

During June, we had the opportunity to observe the demonstration that the National Coordinating Body for Inhabitants of Marginalised Areas (CONAPAMG) carried out in front of the National Palace of Culture (the Presidential Palace). More than 50 members of the organisation, inhabitants of zones 18, 21,12 and 7 of the capital, protested their situation and demanded an effective government response. The demonstrators remained in place for an entire week, until the Government committed itself to monitor and follow-up on the dialogue regarding housing that stalled in April.

Furthermore, this month we were also present in the commemorative march of World Gay Pride Day in which participated a number of organisations, amongst them the Organisation to Support an Integrated Sexuality to Confront AIDS (OASIS) and the Friends Collective Against AIDS. During the march, the participants carried placards demanding respect, equal treatment and social inclusion.

Finally, on 30 June, we observed peaceful demonstrations in the Central Square of Guatemala City during the National Day of Heroes and Martyrs, also known as Army Day. Those who congregated there celebrated and honoured the dignity and lives of the people killed during the armed conflict.

### 3. ACTIVITIES OF PBI GUATEMALA: OUTSIDE 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 26 June Montse Garcia, Project Coordinator, participated in a seminar organised by the Spanish Diplomatic School in Madrid, in which she spoke of the situation of human rights defenders in Guatemala.

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



#### **ANTE EL ESTADO DE PREVENCIÓN ESTABLECIDO Y EL CONFLICTO EN SAN JUAN SACATEPEQUEZ A LA OPINIÓN PÚBLICA NACIONAL E INTERNACIONAL**

Con toda certeza afirmamos que las demandas y oposición de habitantes de San Juan Sacatepéquez, en relación a la construcción privada de una cantera para la extracción de minerales y a la operación de una planta para la producción de cemento están ajustadas al derecho que asiste a las comunidades de ser debidamente informadas y consultadas sobre proyectos de esta naturaleza. Asimismo que a toda costa se ha pretendido desvirtuar la legitimidad de la oposición y criminalizar las manifestaciones de descontento a través de la persecución y encarcelamiento de los líderes. A pesar de la gravedad del conflicto el Estado, en relación a crear las condiciones que permitan encontrar una salida pacífica y negociada, ha estado ausente. Sin embargo sí ha pretendido encararlo por medio del uso de la fuerza movilizando a la policía y al ejército en magnitudes solo observadas durante la guerra y poniendo a funcionar de manera diligente y parcial las instituciones encargadas de la persecución penal en contra de los



dirigentes y de las propias comunidades. La implantación del Estado de Prevención es otra acción más que sigue dando forma a este tipo de actuación que de suyo pretende ignorar salidas justas al contrarrestar, con la medida, las posibilidades de las comunidades afectadas de hacer escuchar su voz y de poner a luz sus argumentos.

Con la implantación del Estado de prevención el gobierno ha privilegiado la fuerza y ha decidido intervenir

tardíamente, muy bien pudo desde que tomó posesión promover una mesa de diálogo sentando a todos los actores en igualdad de condiciones. Hoy las consecuencias, por sus efectos, son irreversibles para las

comunidades en tanto no permitirán una salida justa y respetuosa de sus derechos. Por lo anteriormente expuesto:

Expresamos nuestro más enérgico rechazo a la medida del gobierno de implantar el Estado de Prevención en San Juan Sacatepéquez, por considerarla una forma fácil e inapropiada de encarar el conflicto. Asimismo por los efectos lesivos que la implantación de una medida de este tipo tiene para la democracia y en tanto no es la forma, en tiempos de paz, de garantizar la gobernabilidad. La decisión gubernamental de establecer el Estado de Prevención es contraproducente y constituye una vez más, el irreconocimiento del Estado a los procesos sociales y la criminalización de la protesta ciudadana por lo que exigimos al Presidente Alvaro Colom una actitud responsable y seria, dando marcha atrás a esa decisión política incorrecta e injusta. Demandamos del Ministerio Público que investigue con objetividad e imparcialidad los hechos de violencia

sucedidos en el municipio. Que responsablemente proceda y evite de entrada relacionar los hechos con las demandas legítimas de las comunidades respecto a la construcción privada de una cantera para la extracción de minerales y a la operación de una planta para la producción de cemento. Qué acuse con fundamentos y que en la investigación observe los derechos indígenas en materia del uso del idioma y de las tradiciones comunitarias.

Guatemala, 24 de junio de 2008

## CONVERGENCIA POR LOS DERECHOS HUMANOS



Memoria  
Verdad y Justicia



## LA NO VIOLENCIA Y LA DESMILITARIZACIÓN ES UN DERECHO

El Día Nacional de la Desaparición Forzada, el sábado 21 de junio, las fuerzas oscurantistas que creen en la violencia, la intimidación y la impunidad quisieron enviar un mensaje de muerte y de miedo a H.I.J.O.S. y a la Campaña “**No queremos armarte, queremos desmilitarizarte**”; que ha buscado a través de acciones no violentas y artísticas mostrar una ruta para salir del ciclo de la violencia que envuelve a nuestra sociedad. A las 3:30 p.m., en el centro de la ciudad un voluntario de H.I.J.O.S. fue abordado y golpeado por dos hombres que se bajaron de un pick up Nissan gris, que le transmitieron entre otros mensajes que: “... sólo queremos que me hagas el favor, que le digas a esos de HIJOS que dejen de estar haciendo babosadas porque nos van a cansar y los vamos a tener que matar”. H.I.J.O.S. es parte de un movimiento nacional que ha solicitado por décadas la eliminación del Día del Ejército y del desfile militar. Este año, H.I.J.O.S. junto con 15 organizaciones han realizado una campaña que ha incluido marchas,

actividades artísticas y programas radiales llamando a la desmilitarización y a la conmemoración del Día de la Memoria de los Mártires y los Héroes, el 30 de junio. Esta amenaza no está aislada, ya que voces en los medios de comunicación han insultado a los miembros de H.I.J.O.S. y han tratado de rebajar su lucha por la verdad, la justicia y la no violencia a una de odio; retratándose a sí mismos y su actitud ante todos y todas aquellas que claman por un cambio en nuestro país.

Estas agresiones se suman a las sufridas por la Fundación de Antropología Forense de Guatemala (FAFG) y otras organizaciones de Derechos Humanos en el mes de mayo, y son parte de la actual tendencia de violencia. Ante esta situación exigimos de las autoridades que:

1. Se realicen todas las acciones pertinentes para la identificación tanto de los autores materiales como de los intelectuales de estos hechos.
2. Se garantice la seguridad de los y las ciudadanas que participen en la Marcha por la Memoria de los Mártires y los Héroes el 30 de junio.
3. Se proteja a los defensores y defensoras de Derechos Humanos que han sido agredidos en su lucha por la verdad y justicia, particularmente aquellos de H.I.J.O.S. y de la Campaña.
4. Se dignifique la actividad de los defensores y defensoras de Derechos Humanos.

Guatemala, 24 de junio de 2008

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