



Monthly Information Package Guatemala

Number 178 - July 2018

1. THE CURRENT SITUATION

Monthly update on the situation in Guatemala as highlighted by the press, related to the main thematic areas of PBI Guatemala's work: the fight against impunity, land issues and defense of territory.

Attacks against human rights defenders in Guatemala continue

On Friday, July 27th human rights defender Juana Raimundo, member of the Campesino Development Committee (CODECA) and a member of the Municipal Executive Committee of the Movement for the Liberation of Peoples was tortured and murdered in Nebaj, Quiché.¹ CODECA reports that this is the sixth murder of a member of its organization since January and all of the perpetrators continue in impunity.²

Another case of criminalization in Alta Verapaz was reported. Rogelio Cac, member of the COCODE and Environmental Commission of Pansamalá was detained on June 30 in Cobán for his struggle against the hydroelectric company Renace. A worker for the company denounced that Rogelio illegally detained them. His hearing was scheduled for August 1.³

Several communities from the Ixquisis micro region in San Mateo Ixcatán, Huehuetenango who are in resistance against the Energy and Progress hydroelectric company denounced acts of intimidation, threats and defamation against members of the resistance by the companies' private security guards. They also reject the militarization in the area and repression of peaceful protests while denouncing a pattern of sexual aggressions by security forces.⁴

The International Commission of Jurists (ICJ) condemns the criminalization and violence towards defenders of territory in Izabal who oppose the Felix mining project of the Guatemalan CGN company. These include the criminalization of journalist Jerson Xitumul and Vice President of the Fishermen's Guild Eduardo Bin Pooou, the murder of Carlos Maas Coc, leader from the same organization, and the attack on fisherman Alfredo Maquín Cocol.⁵

Fight against corruption and militaristic inflection

Former President of Congress Luis Rabbé Tejada was arrested in Nuevo León, Mexico on July 23 after being a fugitive for two years. The MP's Special Prosecutors Unit against Impunity (FECI) and the International Commission Against Impunity in Guatemala (CICIG) accuse Rabbé of abuse of authority, embezzlement and illegal appointments during his term in office.⁶ The Government of Guatemala has sixty days to request his extradition from Mexico.⁷

Former Attorney General Thelma Aldana stated her intension to run for president in the next election. She will include the fight against corruption in State's structures through a transversal political coalition, although

¹ Prensa Libre, [Matan a joven dirigente campesina Juana Raymundo en Nebaj](#), 07.29.2018.

² CODECA, Exigimos justicia: repudiamos y condenamos el asesinato de nuestra hermana y compañera defensora juvenil de DDHH Juana Raimundo, 07.28.2018.

³ Prensa Comunitaria, [Cobán: Detienen A Rogelio Cac Autoridad De La Comunidad Pansamalá](#)

⁴ Resistencia pacífica de la Microrregion de Ixquisis, denuncia pública, 07.24.2018.

⁵ CIJ, GUATEMALA: Comisión Internacional de Juristas condena persecución de defensores y defensoras de derechos humanos en el departamento de Izabal, 07.24.2018.

⁶ Prensa Comunitaria, [Luis Rabbé Expresidente Del Congreso, Intenta Escapar De La Justicia Guatemalteca](#) 07.28.2018.

⁷ Nómada, [¿Mantendrá Rabbé su sonrisa tras ser capturado en México?](#), 07.23.2018.

it is still not clear to analysts how much such transversality can restrict the space for political action of a possible coalition.⁸

The fight against corruption, which has affected members or former members of recent administrations, reduces the political space of Guatemala's power structure.⁹ The response of State structures is apparently a militaristic flexion.¹⁰ This is reflected in the governments' payroll with naming Kamilo Rivera, former member of the Task Force against Kidnappings and member of the group called Los Riveritas, First Vice Minister of Security in January. Since then, there have been at least 167 changes in the ranks of the National Civil Police (PNC) without interrogating Erwin Rolando Tzi Juarez, Director of the institution. Recently, Rivera stated he is evaluating a call to hire new PNC and penitentiary guards with "citizen security" experience, that profile will allegedly match the profile of military officials that took part in joint patrols.¹¹

Coupled with this, President Jimmy Morales recently visited victims of the Fuego Volcano¹² dressed in military fatigues, legitimizing and normalizing the de facto reproduction of militaristic symbolism which fits in a context of progressive increase in the military budget.¹³ It is worth mentioning that the vulnerability of some of the communities affected by the Fuego Volcano is product of the displacements that took place during the conflict by the military themselves.¹⁴

Other important events

The 2018 Census started on July 23 after being delayed several times. There is criticism about the lack of thoroughness in planning and numerous irregularities that have come forth to date.¹⁵ This could affect the accuracy of the information collected and opens the possibility to phenomena like gerrymandering and manipulation of the representation of indigenous peoples.

The search for victims of the Fuego Volcano eruption continues. Volunteers continue to find bodies of those killed in the tragedy. At the same time, the State's role and support considered on occasion as "marginal" is questioned.¹⁶ On July 23, survivors of the Fuego Volcano eruption blocked the RN-14 highway to denounce the government's arbitrary retention of volcanic material with human remains and to request more time to look for their relatives.¹⁷

⁸ Prensa Libre, [Thelma Aldana busca aliados para proyecto político](#), 07.25.2018.

⁹ The New York Times, ["El presidente de Guatemala obstaculiza la lucha contra la corrupción"](#) 08.28.2017.

¹⁰ El Periódico, ["La política en la antesala del infierno"](#), 08.05.2018

¹¹ El Periódico, ["Los Riveritas", la sombra de Degenhart en Gobernación](#), 07.04.18.

¹² Prensa Libre, [Jimmy Morales, vestido de militar, visita albergue para damnificados por el Volcán de Fuego](#), 07.30.2018.

¹³ El Periódico, [Jimmy Morales autoriza nuevo aumento al presupuesto del Ejército](#), 03.05.2018.

¹⁴ Nómada, El resumen diario, 07.31.2018.

¹⁵ Prensa Libre, [Censo 2018: Expertos señalan proceso accidentado](#), 07.07.2018.

¹⁶ Nómada, [Los voluntarios rescatan los restos de 60 víctimas del volcán de Fuego](#), 07.10.2018.

¹⁷ Prensa Comunitaria, [Voces que no se escuchan: sobrevivientes del #VolcanDeFuego piden tiempo para buscar los restos de sus familiares](#), 07.26.2018.

2. ACCOMPANIMENTS

PBI accompanies social organizations and individuals who have received threats for their work in the defence and promotion of human rights. In this context we are accompanying social processes in the fight against impunity, land inequality and defense of territory.¹⁸

STRUGGLE AGAINST IMPUNITY

During the month of July we accompanied the **Human Rights Law Firm (BDH)** to court proceedings for the following cases:

- **Ixil Genocide Case**

The genocide case trying Mauricio Rodríguez Sánchez, former head of Military Intelligence for the de facto government José Efraín Ríos Montt, is in its final stage. In the July 6th hearing, the Public Prosecutor's Office (MP) read excerpts from the "Estado Mayor's Officer Manual" which details specific duties. US Documents translated into Spanish were read in the courtroom. These documents provide details of confidential intelligence information by the US Embassy in 1982 and 1983. They outline the army's strategies, the State of Siege declared by Ríos Montt, internal conflicts within the army, and the importance for US funding the Guatemalan government to terminate guerrilla/delinquency. The papers mention attacks on communities, murders, bombings, burning of homes and state that on occasion these were done by guerillas and other times performed by the army. Finally, an IACHR report was read. The report was from a 1983 visit to communities in Quiché and Huehuetenango which verifies human rights violations that were taking place in Guatemala at the time. The report also states that communities did not know how to distinguish between the army or guerilla forces when attacked as they both dressed the same. The report references the "guns and beans" program in which the army prepared communities to be civil defense patrols. The report also mentions the role of the Catholic Church's letter which reported massacres by the army and spoke of genocide.

On July 13, the Public Prosecutor's Office called two witnesses to testify via video conference from Mexico City. The witnesses were kaibiles, elite military agents, in 1982 and 1983. The first witness is a retired military official who worked from 1976 to 1994. He had knowledge of counterinsurgency operations and central intelligence. The second witness was a cook and later a kaibil. He knew the accused from the kaibil training school where he was stationed from 1979 to 1987. He stated that each military command had a S2 and all the movements and patrols were ordered from the Estado Mayor of Intelligence and also that the kaibiles had participated in the Dos Erres massacre against the civilian population. Congressmen Manuel Conde Orellana read the conclusions of his assessment of the internal armed conflict and the 1996 Peace Accords. He stated that he was unaware that military action focused on a single ethnic or social group during the conflict.

Public Prosecutor's Office continued to read the IACHR report in the July 27th hearing which also recounts the testimony of people who survived massacres by the army in the communities where they lived, tells of forced recruitment of community members, destruction of churches and the use of their buildings for army bases, about many people who voluntarily went into exile or were refugees, most left for Mexico. The document affirms the existence of forced disappearances, torture, restriction of free speech, and the existence of camps for forced recruitment into the army. Next, they read another Amnesty International document which speaks of massive executions during the Ríos Montt government, from a government document entitled "National Plan for Security and Development" and lastly they read a letter that Amnesty International sent to Ríos Montt expressing concern for human rights violations that were happening at that time.

- **Bernardo Caal Xol Case**

The criminal cases against human rights defender Bernardo Caal Xol continue. This month the public trial for the crimes he is being criminalized for started. Bernardo is still in preventative confinement. The hearing scheduled for July 5th was suspended just like the hearings scheduled in June. This time the trial was suspended because the joint plaintiff did not show up to court. A representative of the Swiss Embassy was going to attend the hearing as an observer. We accompanied the BDH to the Preventative Detention Center for Men and Women in Cobán to visit Bernardo Caal Xol. On July 6th we accompanied a press conference in Guatemala City denouncing the delays in the judicial process.

¹⁸ See our website for general information on organizations and individuals we accompany: <http://www.pbi-guatemala.org/field-projects/pbi-guatemala/who-we-accompany/>

The trial finally started on July 13th. The prosecutor presented charges of “illegal detention and aggravated robbery” against Bernardo Caal Xol. The BDH lawyers argued there is no evidence to convict the accused of such crimes, stating that the entire process is a huge injustice and attrition to the judicial system. The judge officially declared the start of the trial and called the witnesses of the Public Prosecutor's Office (MP) to the next hearing, in principle there are four witnesses to declare but the judge called for 10 witnesses. In the July 27th hearing, only three witnesses showed up to court and the BDH called on the importance to respect the agenda programmed for each hearing as to not provoke further delays in the judicial process.

- **Lake Izabal Fisherman Case**

On July 9th we accompanied the BDH to a first statement hearing for Eduardo Bin Poou, Vice President of the fishermen's guild, who is accused of usurpation of protected areas. The Public Prosecutor's Office (MP) argued that Eduardo participated in a roundtable discussion with several state entities, the Governor of Izabal, PDH and others, trying to resolve the social conflict. The next hearing is scheduled for October 30, 2018. Additionally, on July 19th a hearing took place to resolve the judicial situation of Prensa Comunitaria journalist Jerson Xitumul and Juan Eduardo Caal, a retailer in Izabal with ties to the merchants' guild. Judge Aníbal Arteaga did not allow the press, international observers, other organizations like UDEFEGUA, the PDH and the International Commission of Jurist (ICJ) in the courtroom. Relatives of the accused were also not allowed into the courtroom despite it being a public hearing. When the hearing was over, the BDH informed us that the case against the two accused was dismissed due to lack of evidence against them. There are still eight others accused in the same case.

- **Criminalization cases of defenders in Barrillas and Santa Eulalia, Huehuetenango:**

On July 31st, we accompanied the BDH to three consecutive hearings against defenders of life, land, and territory in face of hydroelectric companies in Huehuetenango. During the first hearing Alfredo Baltazar Pedro and Emigdio Florentino Castañeda Francisco voluntarily attended. They are accused of several crimes for events that took place on January 19th and 20th, 2015 in the Justice Administration Center in Santa Eulalia, Huehuetenango even though there is no evidence to show they are responsible for the acts. In the second hearing, Diego Diego Marcos from Barrillas appeared in court. He is accused of participating in illicit meetings and demonstrations in April 2013, although the judge found contradictions in testimony and there is no evidence to support the accusation. The third hearing took place to assess accusations against defenders Maria Toledo Juan, Juana E. Toledo Toledo, and Susana Elizabeth Toledo Toledo from Santa Eulalia, Huehuetenango. The judge considered that none of the acts are crimes in the stories that were reported in January 2014, the alleged events also took place at the Justice Administration Center in Santa Eulalia.

Six cases of criminalization against defenders have been dismissed due to contradictions in witness testimony and lack of evidence for which arrest warrants were revoked. The judge reiterated what was said by BDH representatives, stressing that the Justice Administration Center was created in the Peace Accords to guarantee access to justice and in this case the opposite happened, given that the accused have not been guaranteed the right to access to justice and generating unnecessary criminal proceedings against them. Representatives from OHCHR, UDEFEGUA, AOGUATE, Guatemalan women's organization Mamá Maquín and the Network of Ancestral Healers of Community Feminism observed the hearing to accompany the criminalized defenders.

This month we also accompanied the **Neighborhood Association of Chicoyogüito of Alta Verapaz (AVECHAV)** during their activities in Cobán and Guatemala City in the commemoration of the 50th anniversary of the eviction by the military of the Chicoyoguito community which took place on July 28, 1968. The community was evicted so that the military could use the land for Military Base #21 where grave human rights violations were committed during the internal armed conflict. The case against Military Officials for the existence of clandestine graves where the remains of 565 adults, elderly, girls and boys were found with signs of torture and evidence that they were executed. AVECHAV is a joint plaintiff in the case. Every year AVECHAV members hold a peaceful march to Chicoyoguito, Cobán lands where the Military Base #21 used to operate and from 2005 to the present the Regional Command of Training Operations for the Maintenance of Peace (Creompaz) operates to denounce eviction from their lands and demand to return to their lands. This year they carried out different activities.

On July 24th in Cobán, a press conference was held to express their claim to the lands followed by a panel forum with testimonies from neighboring communities, as well as other civil society organizations from Alta Verapaz. They gave their testimonies on the history of the Chicoyoguito land eviction. Likewise, families from San Luis Chocoyou, San Peditro, Petet and Chixic who lived as mozos colonos on the plantains controlled by the army told their stories. An interview recording with deceased Don Pablo Tot, who lived in Chicoyoguito and was forced to leave his house after it was destroyed by military agents, was played.

On July 26th, we accompanied approximately 130 people from Cobán to Guatemala City. They came to Guatemala City to attend an annual march that took place on July 27th. They were welcomed by Human Rights Ombudsman, Jordan Rodas, and we accompanied their march which ended in Central Park with a photographic exposition. Adjunct Ombudsperson Miriam Roquel, UDEFEGUA and organization H.I.J.O.S. Guatemala also accompanied the march.



PROBLEM OF ACCESS TO LAND

In our accompaniment to the **Union of Campesino Organizations of Verapaz (UVOC)**, this month we monitored the security situation of its members and communities that they accompany.

DEFENSE OF TERRITORY

This month we stayed in contact with the members of the **Peaceful Resistance of La Puya**, who struggle against the El Tambor mine, whose members reside in San Pedro Ayampuc and San José del Golfo.

Also, on July 4th we visited members of the **Peaceful Resistance of La Laguna**, in San Pedro de Ayampuc, who struggle against the TRECSA company project of building an electrical substation in the municipality. To date the construction license is canceled because the courts ruled in favor of the community. None-the-less, the Resistance continues to monitor the situation as they have observed trucks going in and out which have extracted dirt and cut down trees. This project is directly relation to the mining activity in La Puya and the contact between both Resistances is permanent.

We continue to closely monitor the worrisome security situation of members of the **Campesino Central Coordinator New Day' Chortí (CCCND)**. We visited the community of Tituque (Olopa) on July 14 and on July 15 we observed the assembly that took place in Lela Obraje (Camotán). Likewise, we accompanied the Ch'orti' Women's Network during a meeting in Camotán. In the meeting women from different communities of the region expressed their concerns for violent acts against women and about the uncertain status of the legal process for the rape and murder of a girl that took place in February of this year. On July 30th, we also accompanied an assembly that took place in La Prensa (Olopa) in which different indigenous ch'orti' representatives participated.

In our accompaniment with the **Peaceful Resistance of Cahabón**, we visited the communities of Seka Tal

Cab and Saktá at the beginning of the month. We also visited Bernardo Caal Xool in jail in Cobán. We continue to monitor the security situation of the accompanied communities due to the high level of conflict in the region as a result of the confrontations caused by the existence of hydroelectric megaprojects on the Oxec and Cahabón Rivers.

We accompanied **TZK'AT - Network of Ancestral Healers of Community Feminism** on July 16 to the community Santa Cruz de Chinautla where they performed an ancestral healing ceremony with the indigenous poqomam peoples. They are experiencing conflict for protesting against the work of sand extraction companies. The companies operating in the region are causing destruction to houses and instability of the bridge that crosses the Chinautla River, which makes crossing the bridge a big risk for those who cross it.



Communities denounce ecocide in the Chinautla River where waste from Guatemala City, Mixco, San Juan Sacatepéquez and Chinautla flows. No state entity has responded to date to this situation. On July 28th, they held the first festival for life and territory in Santa Cruz Chinautla in which the community demonstrated their resistance against sand extraction companies who continue to cause social and environmental impact, despite CONRED's recommendations to fully suspend sand extraction.

3. POLITICAL ACCOMPANIMENT

Meetings and other contact with the diplomatic bodies, international organisations and Guatemalan authorities

Meetings with national and international authorities are an important way for PBI to make known what we do and what our objectives are. Through these meetings, where necessary and in a reserved manner, we share our concerns about worrying situations that we have witnessed first-hand from the work we do in the field.

In our interlocution work with the diplomatic corps and international organisms this month we met with the following:

- Carolyn Davidson, **Ambassador of United Kingdom**, and Alejandro Gallardo, **Human Rights Officers at the UK Embassy**
- Edoardo Pucci, **Italian Ambassador**
- Luis Manuel Moreno, **Mexican Ambassador**; Guillermo Alejandro Hernandez Salmeron, **Human Rights Officer**; and Salim Ali Modad Gonzalez, **Head of Political Section at Mexican Embassy**
- Miguel Ángel Pablo Araya, **Head of Business Affairs** and Rodrigo Araya Mourques **Consul at the Chilean Embassy**

At the municipal, departmental and regional level we met with the following authorities:

- César Jucub, **Municipal Secretary, Santa María Cahabón**
- Officer Julio Santiago López Hernández, of the **PNC of San Pedro de Ayampuc, Guatemala**
- Agent Eric Ruiz Méndez and Chief of the **Marcos Alvarado PNC Substation in Olopa, Chiquimula**
- Inspector Herbert Estuardo Grijalba, **Head of PNC in Jocotan, Chiquimula**
- Yesenia Sandoval, **Representative of the PDH in Chiquimula**
- Luis Fernando Molina, **Governor of Chiquimula**.
- Hector Hernández, **Head of Strategic Planning and Institutional Development of the National PNC**

4. OTHER ACTIVITIES OF PBI GUATEMALA IN GUATEMALA

The fourth **security workshop** was conducted on **July 6th and 7th** for members of the Peaceful Resistance of Cahabón in the community of Champerico. The workshop was facilitated in the q'eqchi' language and approximately 50 men and women from the Resistance participated.

5. NON-GOVERNMENTAL ORGANISATIONS

In this section we publish statements (some abbreviated) from human rights organisations in which they express their concerns regarding recent events.

DENUNCIA PÚBLICA

Las comunidades Pojom, Yulchen Frontera, Ixquisis, Bella Linda, Nuevo San Mateo, Nueva Concepción, El Rincón, San Francisco, El Platanar y Primavera de la Microrregión de Ixquisis, del Municipio de San Mateo Ixtatán, departamento de Huehuetenango, ante los recientes actos represivos por parte de las fuerzas de seguridad y la tergiversación de la información en medios digitales, EXPONEMOS que desde el sábado 14 de julio del presente año, nos reunimos para realizar manifestaciones pacíficas en rechazo a la presencia de la Policía Nacional Civil y del Ejército Nacional en nuestro territorio, tomando en cuenta que se han dedicado únicamente a proteger los intereses y a los empleados de la empresa hidroeléctrica Energía y Renovación, mientras que a las comunidades, nos han reprimido e intimidado. Es necesario hacer mención que las mujeres de la Microrregión han sido víctimas de abusos sexuales, agresiones verbales, intimidaciones y amenazas por parte de los elementos de las fuerzas de seguridad.

Tanto la Subestación de la Policía Nacional Civil y el Destacamento Militar se encuentran en terrenos propiedad de la empresa hidroeléctrica Energía y Renovación, que anteriormente se denominaba PDH, S.A., y ha invadido nuestro territorio sin previa consulta, imponiendo así sus proyectos hidroeléctricos que únicamente han traído conflicto y división en nuestras comunidades.

Queremos recalcar que Mujeres y Hombres, nos identificamos como comunitarios indígenas y campesinos, Defensores de Derechos Humanos y de la Madre Naturaleza. No somos terroristas, no somos personas que buscan desestabilización social, además no portamos armas -menos de grueso calibre-, ni pertenecemos a grupos criminales organizados, como se ha aseverado en artículos que circulan en las redes sociales y otros medios.

Como hombres y mujeres de campo lo único que portamos son nuestras herramientas de trabajo. Nosotros y nosotras pertenecemos a la organización comunitaria pacífica que se dedica al cuidado y protección de nuestro territorio, de los bienes naturales y de la vida. Nuestro movimiento, la Resistencia Pacífica de la Microrregión de Ixquisis, es reconocida a nivel mundial y es ganadora regional para las Américas del premio de Frontline Defenders 2018 por nuestra lucha pacífica en defensa de nuestro derecho al territorio y para la justicia ambiental.

Sabemos que el Estado debe garantizar la seguridad ciudadana, pero debe garantizar que la seguridad efectivamente sea para la población y no para proteger intereses empresariales tal como actualmente sucede en la Microrregión de Ixquisis, en donde desde el 2014 la PNC y el Ejército, se han instalado para resguardar la propiedad privada y no la vida de las personas allí asentadas.

Por ello manifestamos nuestro total rechazo a:

- La presencia policial y militar en las comunidades de la microrregión de Ixquisis, San Mateo Ixtatán, Huehuetenango.
- Los señalamientos en contra de los liderazgos comunitarios que nos encontramos organizados para la protección y cuidado de nuestros territorio, bienes naturales y de la vida.
- Las campañas de difamación, estigmatización y la represión de la cual somos víctimas día y noche por parte de las fuerzas de seguridad.
- Los actos de intimidación por parte de la seguridad de la empresa hidroeléctrica Energía y Renovación.
- La violación al derecho de manifestación establecido en la Constitución Política de la República.
- Los trabajos que pretende llevar a cabo la empresa porque dañan a los ríos, las montañas y la naturaleza donde vivimos y a nuestros medios de vida.

SOLICITAMOS:

- Al Estado de Guatemala que se garantice el Estado de Derecho con transparencia, eficacia y siempre en busca del buen vivir, la armonía y la paz en nuestro territorio.
- Al Ministro de Gobernación y al Ministro de la Defensa Nacional que ordenen el retiro inmediato de las fuerzas de seguridad del territorio.
- Al Organismo de Justicia de Guatemala que reconozca las irregularidades con las que se han impuesto estos proyectos en nuestro territorio y las violaciones de derechos humanos que sufrimos como resultado de su presencia en la microrregión de Ixquisis.
- A los organismos nacionales e internacionales de Derechos Humanos propiciar medidas inmediatas que resguarden la vida de las comunidades que en el marco de proteger la vida, su territorio y sus recursos humanos, rechazan la construcción de los proyectos hidroeléctricos Pojom I, Pojom II y San Andrés.
- A la comunidad internacional que denuncie ante las instituciones financieras internacionales y de desarrollo que invierten en los proyectos hidroeléctricos en la Microrregión, las numerosas violaciones de derechos humanos

La Resistencia Pacífica de la Microrregión de Ixquisis

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**GUATEMALA PROJECT
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