



PEACE BRIGADES INTERNATIONAL – GUATEMALA PROJECT

MIP - MONTHLY INFORMATION PACKAGE – GUATEMALA

Number 102, March 2012

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1. NOTES ON THE CURRENT SITUATION

IMPUNITY

Pedro Pimentel Ríos is condemned to 6,060 years for his participation in the massacre of Las Dos Erres community
Guatemala, 13.03.2012 (EP).- Pedro Pimentel Ríos, ex-subinstructor of the Kaibil Military School, was condemned to 6,060 years in prison, without remission, by the High Court Tribunal B. The ex soldier was found guilty of crimes against humanity and murder, for his part in the massacre of Las Dos Erres, in La Libertad municipality (Petén). The judge heard from the Public Prosecutor (MP) that the accused formed part of the elite forces patrol of the army which murdered 252 people in this community in April 1982. On the 24th of April 2009 the Interamerican Human Rights Court ruled that people responsible for committing the slaughter must be prosecuted in Guatemala.

The United Nations High Commissioner for Human Rights refers to a “critical period in the history of Guatemala”
Guatemala, 16.03.2012 (PL, EP, SV).- At the end of her trip to Guatemala, Navi Pillay – UN High Commissioner for Human Rights-, said she was concerned about military participation in the fight against violence, work that should be left to the National Civil Police. She noted that there are now more violent deaths per year than during the internal armed conflict, and a high level of femicide and violence against women. Other highlighted concerns were discrimination and racism, after she had met with more than 3,000 indigenous leaders. Pillay said that Guatemala was one of the countries which promoted the UN Declaration on the Rights of Indigenous Peoples and that they have the right to participate in all decision making which will affect them; this – said Pillay – has not been the reality.

UN High Commissioner denounces 448 cases of Femicide in the country
Geneva, 21.03.2012 (SV).- The United Nations denounced the unprecedented levels of femicide in Guatemala with 448 women murdered between January and August of 2011, and criticised the lack of sufficient financial support and an effective implementation of programs for the prevention of violence against women. These are just a few of the observations collected by UN High Commissioner Navi Pillay in the Annual Report.

Military Commissioner and ex patrol officers are condemned for their participation in the massacre of the Plan de Sanchez Community

Guatemala, 21.03.2012 (PL, EP).- The High Court Tribunal A condemned a military commissioner and four ex patrol officers of the Civil Patrols (PAC) to 7,710 years in prison for their part in the massacre of the Sanchez Community in Rabinal (Baja Verapaz), July 18th 1982, in which 256 people were murdered. These accusations refer to former commissioner Lucas Tecú and former civil patrols, Santos Rosales Garcia, Eusebio Geleano and brothers Julián and Mario Acoj.

Central American magistrates report coercion and interference in their activities to the Interamerican Commission on Human Rights

Guatemala, 24.03.2011 (PL).- The Interamerican Human Rights Commission heard the Central American magistrates decrying the increase in political interference, pressure from drug trafficking, and media intrusion into their activities. They noted the generalised politicisation of the Supreme Courts in the region, attributed to the appointment of its members by the legislature. Tracy Robinson, member of the CIDH, identified threats to the development of the military judiciary in countries of the region and stated that she will continue to address this problem.

At least four people, including union leader Luis Ovidio Ortiz, were murdered by unknown criminals

Guatemala, 24.03.2011 (PL, EP).- A shoot-out in the Salud Pública borough, in zone 17 of Guatemala City, left four dead and one wounded. Among those murdered was trade unionist Luis Ovidio Ortiz, 52, disputes secretary of the Frente Nacional de Lucha (FNL).

After 30 years, citizens of the Iloom village recall the massacre by the army in their community

Guatemala, 28.03.2012 (AC).- Citizens of the Iloom village, in Chajul (Quiché) remembered with various commemorative activities the massacre in their community by the army on March 23rd, 1982, in which 95 people were killed, according to Antonio Caba, a villager and former president of the Association for Justice and Reconciliation. (AJR)

The Public Ministry calls Ríos Montt to stand trial for genocide

Guatemala, 29.03.2012 (PL) y 02.03.2012 (EP).- The MP called José Efraín Ríos Montt, head of state between 1982 and 1983, to the High Court B to stand trial for genocide against the Mayan Ixil during his tenure. On March 1, Ríos Montt's defence failed to win him amnesty in the continuing criminal proceeding against him. Among the evidence presented by the MP against the retired military commander are the statements of victims' families and military plans Victoria 82, Sofia, Firmeza 83 and other declassified documents. Further evidence was provided by the Forensic Anthropology Foundation of Guatemala (FAFG). Ríos Montt is charged with planning counter-insurgency against the Ixil population in the department of Quiché, and with responsibility for the murder of 1,771 indigenous people, regarded as "enemy within" by the de facto government. Today, Ríos Montt remains under house arrest having paid a 500,000 quetzals bail to stay out of jail.

LAND

Rural women seek to mitigate climate change

Guatemala, 14.03.2012 (AC).- Rural women of Latin America and the Caribbean met recently in Ecuador, in the Third Encounter of Rural Women of Latin America, demanding that regional authorities to: implement policies to mitigate climate change; create spaces for dialogue opened to facilitate land reform, improve access to water and sanitation, and ensure social security.

In her report, the IACHR Reporter Dinah Shelton signalled delays in the fulfilment of the Rights of Indigenous Peoples.

Guatemala, 28.03.2012 (PL).- The report of Dinah Shelton, the Commission for Guatemala and Rights of Indigenous Peoples reporter, highlights concerns about the marginalisation of indigenous peoples, and assesses progress in the fight against impunity. Situations such as the violation of human rights of indigenous peoples, forced violent evictions, and the persistence of racism, discrimination and violence against the indigenous, are the central concerns.

Campesino delegations meet with government officials and present their demands following their nine day march.

Guatemala, 28.03.2012 (AC, PD).- After walking 216 kilometres over nine days, two delegations of farmers organisations and communities across the country met with the President of the Republic, Otto Pérez Molina, magistrates of the judiciary, legislators of Congress and other authorities: Adrián Zapata, presidential Commissioner for Rural Development, Elmer Lee, Secretary for Rural Affairs and Miguel Ángel Balcarcel, presidential Commissioner of Dialogue. They called for the cessation of evictions and the approval of the Rural Development Act, amongst other demands. The meetings addressed eight issues, and also included safeguards raised by the Executive branch: agrarian debt, conflicts in the Polochic Valley, a bill to declare a moratorium on all operations in mining and hydroelectric projects, the resolution of conflicts in Santa María Xalapán, conflicts in Sierra Chinajá, conflicts in Quiché and Alta and Baja Verapaz, the withdrawal of troops from regions such as San Juan Sacatepéquez and proposed mechanisms to respond to other points raised in the demands.

NEGATIVE EFFECTS OF GLOBALIZATION

Council of Indigenous acts against mining law

Guatemala, 13.03.2012 (PL).- The Council of Indigenous Peoples of the West presented a wholly unconstitutional action against the Mining Act. Haydee Valley, Council attorney, said they believe that the current law violates the rights of indigenous peoples by ignoring the community referendums where mining companies operate, which has resulted in civil unrest.

According to European NGOs, European Union – Latin America trade agreements suspended on social and environmental grounds

Brussels, 03/22/2012 (ABC).- Several NGO platforms in Brussels reported that the Association Agreement between the European Union (EU) and Central America does not meet the expectations of environmental protection and observance of human rights. The platforms of civil society organizations, such as ALOP, CIFCA, ODHACO and Grupo Sur, organised, with members of the European Parliament, a conference on natural resources in Latin America and the outstanding ratification of the EU trade agreements with countries of this region. During the debate, experts from Latin America analysed the social and environmental consequences of these agreements, including the expansion of mining and agro-fuels, and their impact on local populations' access to clean water.

Sources: Agencia Cerigua (AC), Prensa Libre (PL), Siglo Veintiuno (SV), El Periódico (EP)

2. PBI-GUATEMALA ACTIVITIES: IN GUATEMALA

Team: Kathrin Rüegg (Switzerland), Kathi Dunkel (Germany), Álvaro Zaldívar (Spain), María Cayena Abello (Colombia), Francisco Bernal (Colombia), Ilaria Tosello (Italy), Phil Murwill (United Kingdom), Christa Hijkoop (Netherlands), Lucía Gorosito (Argentina/Spain), Claudia Molina (Argentina).

2.1. MEETINGS WITH DIPLOMATIC CORPS AND GUATEMALAN AUTHORITIES

Meetings with national and international authorities are an important tool in PBI's efforts to make our objectives and the nature of our work known. Through these meetings, where necessary, and in a reserved manner, we express our concerns about critical situations that we have come to know first-hand from the work we carry out across the country.

International Authorities and other international entities in Guatemala:

- Jennifer Echeverria and Birgit Vleugels, Cooperation and Human Rights Program Officials of the European Union. Guatemala City.
- Jan-Jaap van der Velde, Ambassador of the Kingdom of the Netherlands. Guatemala City.
- Jacques Remmerswaal, first secretary, responsible for governance and human rights of the Embassy of the Kingdom of Netherlands. Guatemala City.
- Patrick Egloff, Deputy Head of Mission, Embassy of Switzerland, Guatemala City.
- Jocke Nyberg, First Secretary, Embassy of Sweden, Guatemala City.
- Idar Instefjord, First Secretary, Embassy of Norway, Guatemala City.
- Filter Group, a group of representatives from several European embassies in Guatemala, Guatemala City.

Guatemalan Authorities:

- Officer César Augusto Ríos Herrera, Officer of the second substation National Civil Police (PNC). San Juan Sacatepéquez, Guatemala.
- Officer López Ramírez, commander, PNC substation. Santa Cruz, Alta Verapaz.
- Maura Díaz Ortega, secretary, station 16 of the PNC, Guatemala.
- Rolando Yoc, director of conflict resolution unit and incidents in public policy, Human Rights Ombudsman (PDH). Guatemala City.
- Raúl Monzón Fuentes, assistant department of Guatemala and national director of procurement, PDH. Guatemala City.
- James Gramajo, head of the central region, Presidential Commission for Coordinating Executive Policy in Human Rights (COPREDEH). Guatemala City.
- Conrado Catalan and Stuart Melchor, legal advisers, fourth vice ministry of justice sector support, Interior Ministry. Guatemala City.

2.2 MEETINGS WITH CIVIL SOCIETY ORGANISATIONS

The team in the field meets periodically with civil society organisations to follow up on the situation of human rights defenders, to inform one another about the work being done, and to gather information that contributes to the processes of contextual analysis on specific issues in Guatemala.

Guatemalan Civil Society:

- Diocesan Coordinator Environment (CODIDENA) and Committee for Life and against mining. San Rafael Las Flores, Santa Rosa.

International Organisations and Agencies:

- Coordination of Accompaniment International in Guatemala. (ACOGUATE), Guatemala City.

2.3 ACCOMPANIMENT

National Coordinator of Guatemalan Widows, CONAVIGUA

In March we regularly visited offices in the capital, and had meetings with its members. Members of the organisation participated in the meetings convened for the visits of the United Nations High Commissioner for Human Rights, Navi Pillay, and the Reporter on the Rights of Indigenous Peoples of the Inter-American Commission on Human Rights (IACHR), Dinah Shelton.

Background: CONAVIGUA carries out exhumations and inhumations in different departments throughout Guatemala, above all in Quiché, Chimaltenango, and the Verapaces, as part of its work towards the recuperation of the collective memory of Guatemala's recent troubled history. These processes provoke very tense situations in rural communities where victims and perpetrators live side by side, occasionally culminating in threats aimed at stopping the work of the women of CONAVIGUA. Due to increasing requests from the communities in which CONAVIGUA works, the organisation has expanded its work offering legal and organisational advice to communities in the process of organising themselves. In 2010, CONAVIGUA accompanied this process in San Juan Sacatepéquez and in Uspantán, where CONAVIGUA supported the preparation of a "good faith" community consultation on extractive industry projects. We have periodically accompanied the association since August 2003 with visits to its office and during its members' journeys around the country. Various members of the organisation were subjected to grave death threats in 2010, due to the work that they were carrying out.

Association for the Protection of the Las Granadillas Mountain, APMG.

We supported the Association in Zacapa in March and we have maintained constant contact with its members. We were present at a meeting of internal assessment undertaken by the APMG.

Background: APMG was created in 2003 in Zacapa to protect the ecosystem of Las Granadillas Mountain (the principal source of water and natural diversity in the region) due to diverse threats identified by the local population: illegal logging, monoculture, deforestation, large-scale cattle farming and the diversion of water sources. The organisation is supported by the Lutheran Church in Guatemala (ILUGUA), led in the region by Reverend José Pilar Álvarez Cabrera, and the Madre Selva Collective. One of APMG's goals is to have the mountain designated a protected area. However, existing economic interests in the land have made APMG's work dangerous, and its members have faced diverse types of persecution and threats since they denounced the illegal logging trade and started, with the population of the La Trementina community, a permanent social monitoring process of licences granted and logging carried out on the mountain's private estates. We have accompanied APMG since August 2008 and, since then, have observed the spaces for dialogues in which the Association has participated with public authorities and private actors. At the beginning of 2009 and the end of 2010, the permanent conflicts between the owners of private estates on the mountain and the population of La Trementina and the APMG led to criminal accusations against members of the Association and the community, based on complaints lodged by, among others, Mr Juan José Olaverrueth, owner of the Tachoró Estate. In both cases, the accusations were linked to APMG's work promoting the protection of the mountain. Also, in both cases, the cases were thrown out in the first court hearing before the judge. In total nine people have been affected by unfounded criminal accusations (three in 2009 and eight in 2010). José Pilar Álvarez Cabrera has been the target of death threats and defamation in the local media during these conflicts.

Association of Indigenous Women of Santa María Xalapán, AMISMAXAJ.

We observed the inauguration of the organisation's headquarters in Jalapa, after the women of the organisation held their first feminist education workshop. The inauguration of the new headquarters was attended by about 50 people and entailed a number of artistic and theatrical activities to inform the public about the impacts of mining in their region.

Background: AMISMAXAJ was founded in February 2004 as an association of women workers and became part of the Women's Sector in June of the same year. AMISMAXAJ is made up of 75 women leaders representing 15 Xinka communities from the Santa María Xalapán Mountain (Jalapa). They work at the local, departmental and national levels in opposition to all forms of patriarchal, neo-liberal, racist, homophobic and lesbophobic oppression, and have established strategic territorial and national alliances to promote their political actions. The association works actively in the region of Jalapa, promoting women's rights, the revitalisation of the Xinka ethnicity and the defence of land and territory. In particular, it is actively working to defend natural resources and to monitor and raise awareness about plans for mining and oil extraction in the region. We have accompanied AMISMAXAJ since July 2009. Various members of the organisation were subjected to grave death threats in 2009 and 2010, due to the work that they carry out.

'New Day' Chortí Campesino Central Coordinator.

On February 29 we were present outside the Magistrates Court at a hearing in Jocotán that aimed to resolve a dispute over the cancellation or the validity of a Community certificate containing a statement by a member of the community Las Flores manifesting pressures from the company *Las Tres Niñas SA*, to act as mediator between business and community and thus facilitate the activities inherent to the construction of the hydroelectric dam El Oregano. Outside the magistrate's court, more than 40 people were waiting for the outcome of the hearing, which concluded with the drafting of a report stating that the Community Act in dispute cannot be annulled, and clarifies that the company should contact the community to formulate its approach, not a single person.

Background: "New Day" Chortí Campesino Central Coordinator is part of the Agrarian Platform, working in the municipalities of Camotán, Jocotán, Olopa and San Juan Hermita in the department of Chiquimula. It trains and informs rural communities on issues relating to the rural economy, the environment, rights and land, in coordination with other local organisations. In 2006 New Day became aware of construction projects for three hydroelectric plants in two of the Department's municipalities: the projects El Puente and El Oregano in Jocotán and the project Caparjá, in Camotán. They form part of

the largest project of the Electrical Interconnection System for Central American Countries (SIEPAC). As part of its work, the organisation has shared this information with communities in the area, enabling the evaluation and analysis of the environmental effects and impact on local economies that this, and other development projects planned for the region, may have. They carried out this work in relation to the project known as the “Technological Corridor”, that is intended to link the Atlantic coast with the Pacific Coast in Guatemala, which in turn forms part of the biggest plan produced under the Mesoamerican Project (successor of the Plan Puebla-Panama, PPP). Members of New Day say the lack of information and consultation of Chiquimula’s communities by public institutions is a constant source of conflict.

PBI has accompanied New Day since 2009. Several members of the association have been threatened and attacked due to their work with the communities. In 2010, members of the organisation denounced death threats and intimidation by unknown armed persons. Also, a number of national and local media outlets carried statements from local authorities accusing members of New Day and the Camoteca Campesino Association as being linked to social protests demanding improved information regarding the construction of the Technological Corridor, due to affect the region.

Camoteca Campesino Association.

This month we continue to maintain contact with members of the association and we met with several of them in Guatemala City. We are still concerned by the climate of tension in the town of Camotan.

Background: The Camoteca Campesina Association was founded in 1988, made up of the then health promoters and midwives of Camotán (Chiquimula). Now the association is an active member of the Coordinator of Popular Indigenous Unions and Eastern Campesinos (COPISCO) Its primary objective is defending life and natural resources and its ultimate aim is well being of the people and the land they live on. It is now made up of 718 associates who monitor whether laws are complied with and follow up violations of human rights in the eastern part of the country. They have a long-term relationship of cooperation and alliance with the ‘New Day’ Chortí Campesina Central Coordinator, especially with regards to community information about the land, agriculture and protecting the environment. When the association heard of the plans to build hydroelectric plants El Puente, El Orégano and Caparja (see background to the accompaniment of ‘New Day’ Chortí) and the Technological Corridor project which affected several towns in the department, they started work informing the communities about the effects of these megaprojects on the environment and the economic situation.

PBI has accompanied the association since 2009. Two of its members were detained in November 2010, accused of crimes against internal security and illegal meetings and demonstrations, for participating in a public gathering carried out more than 6 months previously (30 March 2010), in which more than 70 persons demonstrated their opposition to the plans and projects for interconnecting electricity provision in the region. On 2 March we observed the second judicial hearing in Chiquimula in which the two accused persons were examined. The judge refused to impose a penal sanction and instead imposed a fine of 1,000 Quetzales respectively and prohibited the promotion or participation in illicit demonstration activities.

Q’a molo Q’i San Juan– People of San Juan Unite.

Following negative remarks against the organisation in March, we have intensified the accompaniment of Q’amolo Q’i San Juan. We have increased international presence through visits to the communities of San Juan Sacatepéquez, particularly la Palma, Santa Fe Trojes and Ocaña. We also inform public authorities, international community actors and members of the support network of PBI Guatemala, of our concern about the accusations against the work done by the organisation in the course of his defense of collective rights indigenous peoples as well as their Economic, Social, Cultural and Environmental rights. We believe that this increases the vulnerability and the risk of individuals and communities members of the organisation. This month, we accompanied its members during one of their weekly meetings, and had the opportunity to assess with members of the organization participating in the meeting the effectiveness of the international accompaniment we are developing.

Background: Q’a molo Q’i San Juan-People of San Juan Unite is an organisation that brings together neighbours from diverse communities in the municipality of San Juan Sacatepéquez, that participate in the struggle to defend territory and natural resources in the region. Since 2006, the Guatemalan company Cementos Progreso S.A. has been working on “project San Juan”, which includes the construction of a factory and a quarry in the San Gabriel Buena Vista estate and the villages of San Jose Ocaña and San Antonio Las Trojes I and II. Cementos Progreso has an 80% share in the project, while the remaining 20% belongs to the Swiss multinational company Holcim. On 13 May 2007, without the support of the municipality, the communities of San Juan Sacatepéquez carried out a community consultation on the factory’s installation. 8,950 people participated, of which 8,946 voted against and four in favour of the factory. Although the mayor and the municipal council agreed to take into account the results of the consultation prior to the authorisation of any licence for construction, the construction work continued. During more than three years, the residents of San Juan Sacatepéquez have made numerous complaints about human rights abuses and a criminalisation campaign against them. The dialogue process in which various Guatemalan public authorities and institutions have participated has ended without reaching a resolution or transformation of the conflict.¹ PBI has accompanied Q’a molo Q’i San Juan since December 2009, following a request from the organisation due to threats and persecution against several of its members and the communities it represents.

¹ Further background information in the PBI Special Report published in 2010:
http://www.pbiguatemala.org/fileadmin/user_files/projects/guatemala/files/english/Mujeres_Completo_ING.pdf

Council of Cunén Communities.

This month we continue to maintain regular contact with members of the Council and met with one of their representatives in the capital.

Background: The Council was established at the first communities' assembly in San Siguán. It consists of 22 directly elected members from eight micro-regions of Cunén. One of the main focuses of the Council's work is the defence of their land and natural resources. In October 2009 they organised a community consultation on mining exploitation and on the construction of hydroelectric plants, among other mega-projects, planned for the Municipality. PBI observed part of the preparation process as well as the consultation itself, in which approximately 19,000 people from 71 communities voted against the aforementioned projects. We began our accompaniment of the Council in February 2010, due to the security risks faced by persons actively promoting the right to land, territory and natural resources in the region.

Guatemalan Human Rights Defenders Protection Unit (UDEFEUGA).

In March, as part of their work for verification and analysis of attacks against human rights, defenders UDEFEGUA published their bi-monthly report on the situation of this sector. Additionally, during a visit to Guatemala, the High Commissioner for Human Rights, Navi Pillay, and several social organisations UDEFEGUA handed over a report on the human rights situation in the country.

Background: The Human Rights Defenders Protection Unit (UDEFEUGA) was founded in 2004 to promote the security of human rights defenders in Guatemala and helps protect the political space in which they work. The Unit's programmes support threatened human rights defenders and their organisations and advise them about preventing and responding to threats and attacks, through information, training, monitoring and psychological support. UDEFEGUA also lobbies for the protection of human rights defenders by government institutions and the international community. For many years PBI has maintained a close collaborative relationship with UDEFEGUA and in 2007 provided the Unit with international accompaniment during a period of threats. We recommenced our accompaniment following further threats received during May 2009, which the Unit denounced to the Public Prosecutor's Office. Several international organisations have expressed their concerns about what they describe as a "serious pattern of persecution". We intensified the accompaniment again in March 2010 following break-ins to the home and vehicle respectively of Erenia Vanegas and Claudia Samayoa, increasing our visits to UDEFEGUA's office, carrying out periodic meetings with its staff and accompanying them during their movements to the interior of the country during their investigation and verification of reports of attacks against human rights defenders.

Verapaz Union of Campesino Organisations, UVOC.

Every month, we accompany the organisation to dialogues in Coban (Alta Verapaz), to address issues related to land conflicts in the region. We have also maintained a presence in the region with visits to the offices of the organisation in Alta Verapaz. On 24 March, coinciding with the arrival in the capital of the peasant and indigenous march, we observed the marching of various communities of Alta Verapaz in Cobán.

UVOC has expressed concern this month about the presence of helicopters flying Cahabón, considering their chilling effect on the community population in the area who fear being evicted from the land they inhabit.

Background: UVOC is a campesino organisation based in the departments of Alta and Baja Verapaz and that works principally to defend and promote access to land for the campesino population, as well as advising communities about the legalisation of their lands. UVOC also offers training and support to member communities in the management of development projects. We have accompanied Carlos Morales, leader of the UVOC, since May 2005 because he has been the victim of death threats, intimidation, and persecution by unidentified individuals. We also continue to observe the delicate situation of communities that are part of the organisation that are struggling for access to land.

Human rights lawyer Edgar Pérez Archila.

This month we continue to visit the human rights law firm headed by Mr. Perez, regularly, and have had meetings with him and other members of the office. We observed the public hearing against Pedro Pimentel Ríos, a former subinstructor of Kaibiles School, indicted for his involvement in the massacre at Las Dos Erres. Also, on several occasions this month, we observed public hearings in the case of genocide against Lopez Fuentes, Ríos Montt and Rodríguez Sanchez, in the Tower of Courts and the Military Hospital. The matters in hand were: i) The constitutional complaint filed by the defense of Ríos Montt, considered inadmissible by the judge. ii) A request to challenge which the judge allowed. iii) The clinical pictures of Rodríguez Sanchez and Lopez, resources that were subject to appeal, accepted only in the second case, so Lopez Fuentes will have a mental health examination to determine whether or not it is appropriate to continue with the criminal proceedings. We also accompanied Edgar Pérez to a hearing in the Court of Appeals, - the trial for the massacre of the community of Las Dos Erres, where the legal defense of the convicted appealed the conviction of August 2011. Our concern for Perez' safety persists, in the context of prosecutions for crimes against humanity committed during the internal armed conflict taking place in the Guatemalan courts.

Background: In August 2010 we began the accompaniment of lawyer and human rights defender Edgar Pérez Archila in his work defending justice and battling impunity. He works on legal proceedings relating to massacres committed during the internal armed conflict and other cases of past and current human rights violations. We have specifically accompanied him during his work on criminal prosecutions relating to the following: the forced disappearance, torture and extrajudicial execution of the guerrilla commander Efraín Bámaca Velásquez in 1992; the massacre of the community Las Dos Erres in 1982;

the massacre of the community of Río Negro in 1982; and the prosecution for genocide that has been pending before a number of Guatemalan tribunals since 2000.

National Police Historical Archive, AHPN.

In March, we regularly visited the facilities of the Archives and maintained contact with several of its officers and staff.

Background: The AHPN was discovered by chance in 2005, by staff of the Human Rights Ombudsman's Office (PDH), when they carried out preventative procedures relating to the storage of explosives in Guatemalan public security force buildings. In a building in Zone 6 of the capital (built during the internal armed conflict to house the National Police (PN) hospital, although never used as such), 80 million documents were discovered, abandoned, piled up and poorly conserved. This is the historical-administrative documentation of the PN, from its creation in 1881 to its closure in 1997. The institution's participation in the commission of human rights violations during the internal armed conflict was documented by the Historical Clarification Commission (CEH). In its report "Guatemala: Memory of Silence", CEH affirms that the PN was an operative body for army intelligence, serving as the facade of the G-2, and acted on its orders in the majority of cases. During the CEH investigation, various state bodies, including the Interior Ministry and the PN itself, repeatedly denied the existence of archives or documentary materials that would assist an investigation into human rights violations. Following the first phase of work headed by the PDH to recover the documentation and then create the conditions necessary to allow public access to it, work since 2010 has centred on the institutionalisation of the Archive, the search for political, legal and administrative certainty, the technical stabilisation of the resource and the initiation of procedures to ensure permanent, public access to its contents. Today the AHPN forms part of the General Archive of Central America, its title and control is the responsibility of the Guatemalan Ministry of Culture, and it functions exclusively on the basis of donations and funds from international cooperation. The Archive is also a member of the International Coalition of Sites of Conscience, as the building which houses it was used as a clandestine detention centre by the PN during the armed conflict. Well-known Guatemalan human rights activists participate in the direction, coordination and documentation recovery work, and also promote public access to the information it holds. 150 people work on the tasks of conservation, organisation and archival description. As of 31 March 2011 more than 12 million documents have been digitalised, including more than 19,000 books. To that date they had received 4,503 requests for information, to which they have responded with the provision of 45,020 documents (1,001 to victims' relatives and 1,298 to the Public Prosecutor's Office (98% of these to its Human Rights Office).

2.4 FOLLOW-UP

We regularly receive requests for accompaniment from social organisations and human rights defenders who are being, or who feel threatened. Through international accompaniment, we seek to reduce the threats they receive and to open up a more secure space within which they can carry out their work. Once the level of risk, the threats, and security incidents suffered by the accompanied organisations and individuals have diminished, we continue the accompaniment in the "follow up" phase. This means that we reduce the physical accompaniment but continue to maintain contact with them through visits and/or phone calls to their workplaces and offices. At the same time, we remain available to respond should they have specific requests for international presence.

We currently are providing follow-up accompaniment to the following social organisation:

Organisation to Support an Integrated Sexuality to Confront AIDS, OASIS.

In March we kept in regular contact and met with Jorge López, founder of the organisation. The organisation's work continues to be hampered due to a funding crisis.

Background: OASIS is an organisation that works with HIV/AIDS education and prevention and promotes and protects the rights of gay, lesbian, bisexual and transgender people. On 17 December 2005, a transgender worker, Paulina, was killed, the seventh murder of a transgender worker that year. Zulma Robles, who witnessed the crime, was seriously injured during the incident. OASIS reported the case to the Public Prosecutor's Office (MP). Zulma, as a witness to the murder, identified alleged agents of the National Civil Police (PNC) as the perpetrators of the crime. Members of OASIS then continued to suffer harassment and threats for which, in February 2006 the Inter-American Commission of Human Rights (CIDH) ordered protection measures for thirteen members of the organisation, which were put into effect by the Guatemalan state three years later.

PBI started to accompany OASIS at the beginning of 2006. During almost all of 2009 Jorge Lopez, director of the organisation, was accused in the courts of the attempted murder of sex worker Laila (Axel Leonel Donis González) and subsequently of concealment of the crime. Jorge López viewed the prosecution as a further manifestation of the constant persecution and intimidation he had suffered for years, which were aimed at impeding the organisation's work and discouraging respect for the human rights of sexual minority communities. On 29 September 2009, Jorge's case was dismissed by the Ninth Criminal Court of the First Instance, and Jorge López was absolved of all charges, after two court hearings at which the members of various European embassies participated as observers.

2.5 OBSERVATION

PBI in Guatemala provides international observation of those public events in which Guatemalan social organisations require it, in order to demonstrate international attention and interest and to be able to communicate what we observe outside the country.

In March, during the visit of the High Commissioner for Human Rights, Navi Pillay, to Guatemala, we observed several activities organised by the OHCHR. Among them, we attended the official presentation of the Report of the High Commissioner on the activities of his office in Guatemala in 2011, illustrating the human rights situation. We attended the public meeting attended by Ms. Pillay with social and human rights organisations in Guatemala. After presenting their concerns and requests the High Commissioner promised to take the complaints and concerns to the Government of Guatemala. She also congratulated the organisations and people committed to defending human rights in the country and urged them not to abandon their important work. We attended the public forum "Breaking down the wall of impunity: Challenges and Threats", which included welcoming remarks from Mr. Alberto Brunori, representative of the OHCHR in Guatemala, which emphasised the close connection between current and past impunity. Ms. Navi Pillay's speech in this forum focused on, among other things, the impacts of impunity, noting that this is reflected in the gaps in social justice and is an obstacle for the defense of human rights, as it facilitates the violation of human rights and endangers their advocates. According to the High Commissioner in the fight against impunity social injustice affecting indigenous peoples need to be faced.

As international observers, members of the PBI Guatemala team attended the "Fifth Festival Muralístico of Cultural Memory and Hope" organised by the Historical Archive of the National Police (AHPN). In this activity, "dozens of people of different religions gathered in the Interfaith Committee of Guatemala, they celebrated the life and work of Mother Lucia Godoy and prayed for national justice."

In the courtroom of the Constitutional Court (CC), we also observed an appearance by Curup Abelardo, a resident of San Juan Sacatepéquez, charged with the murder of Francisco Tepeu. His attorney requested an appeal, which is currently pending response.

On March 27 we observed the arrival of the indigenous, peasant and popular march into the capital of Guatemala, which culminated in the delivery of demands to Congress, the judiciary, the Public Ministry and the President of the Republic and ended with cultural festivities in the central park.

3. PBI-GUATEMALA ACTIVITIES – OUTSIDE GUATEMALA

Regional Representatives, the Project Office Coordinator and other members of the committee and the Project Office and national groups of PBI, conduct public relations campaigns with many NGOs, agencies and national governments, parliamentarians and others. These meetings result in the development and strengthening of the project's "Support Network", an essential tool in the international presence provided by PBI in Guatemala.

The European representatives of the project met earlier this month with Ms. Ana Gomes, MEP, its Subcommittee on Human Rights (DROI) and the Committee on Foreign Affairs (AFET). At the end of the month in Brussels we participated in a meeting between the organisations of the Human Rights and Democracy Network and staff from the European External Action Services (EEAS).

In March, PBI Guatemala submitted draft documentation to the office of the United Nations High Commissioner for Human Rights, under the Universal Periodic Review (UPR) in Guatemala in 2012. The UPR is a mechanism of the Human Rights Council to regularly monitor compliance with the obligations and commitments on human rights by every UN member states.

4. NON-GOVERNMENTAL ORGANISATIONS

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

Guatemala, 8 de marzo de 2012

ANTE LOS ATAQUES CONTRA LA GENEROSA COOPERACIÓN DEL PUEBLO DE SUECIA, LA CONVERGENCIA POR LOS DERECHOS HUMANOS, MANIFIESTA:

1. Desde hace más de tres décadas, ha sido tradicional la cooperación solidaria del pueblo de Suecia con el pueblo de Guatemala, en la construcción del desarrollo sostenible y la consolidación de la democracia con justicia social.
2. Dicha cooperación ha incluido el apoyo financiero a diversidad de procesos que tan solo en la relación directa bilateral para este período, contempla un desembolso de más de 930 millones de quetzales, en ámbitos que incluyen el fortalecimiento democrático y los derechos humanos, así como el desarrollo sostenible.
3. En el campo del fortalecimiento de la democracia, la cooperación directa incluye respaldo tanto a organizaciones y

procesos de sociedad civil, como también del propio Estado en sus entidades de justicia, proceso electoral (TSE), así como de información básica para el desarrollo, cual es la modernización en el Instituto Nacional de Estadística. En tanto que, en lo referente al desarrollo en el ámbito rural y del agro, incluye soporte directo a procesos de estímulo al mercado local por la vía de microcréditos, superación de vulnerabilidades en los campos de salud tanto en la prevención como en la descentralización, entre otros.

4. Además, en un enfoque integral de cooperación, el pueblo de Suecia también ha contribuido con procesos de voluntariado y Guatemala ha contado con voluntarios y voluntarias suecas en diversidad de espacios, así como funcionarias y funcionarios a lo largo de casi tres décadas. Particularmente recordada por su entrega generosa al desarrollo y la paz en Guatemala, es la figura de Lars Franklin. En la cooperación indirecta, el pueblo de Suecia es uno de los principales soportes de organismos internacionales promotores de la democracia y los derechos humanos, cuya labor también beneficia al pueblo guatemalteco.

5. Dicha cooperación no sería posible, sin la convicción ciudadana en la sociedad nórdica del valor de la solidaridad, el principio de retribución y, sobre todo, del compromiso de tributación. Cooperación que por su generosidad y sentido de justicia, suele despertar encono en élites ultraconservadoras, deseosas de que en Guatemala perviva el sistema excluyente, racista y discriminatorio que ha sostenido relaciones de semi-esclavitud en el campo y condiciones de opulencia egoísta en las élites nacionales.

En virtud de ello, la Convergencia por los Derechos Humanos:

1. Rechaza con indignación, la campaña de difamaciones transmitidas por el programa "Informe Especial", en su edición del 4 de marzo del presente año, e insta a las autoridades de dicho programa a rectificar, como corresponde a una acción periodística profesional, las mentiras divulgadas.

2. Expresa su solidaridad con la embajada de Suecia, las autoridades y el pueblo sueco, ante la acción encaminada a cuestionar el sentido de su respaldo y a difamar su labor en Guatemala.

3. Transmite su profundo agradecimiento al pueblo de Suecia y su representación diplomática en Guatemala, por la contribución solidaria a nuestra construcción democrática y al desarrollo.

CONVERGENCIA POR LOS DERECHOS HUMANOS

Centro para la Acción Legal en Derechos Humanos -CALDH-
Centro Internacional para Investigaciones en Derechos Humanos -CIIDH-
Fundación Sobrevivientes
Oficina de Derechos Humanos del Arzobispado de Guatemala -ODHAG-
Seguridad en Democracia -SEDEM-
Unidad de protección a Defensoras y Defensores de Derechos Humanos de Guatemala
- UDEFEGUA-

PBI GUATEMALA NO SE IDENTIFICA NECESARIAMENTE CON LAS OPINIONES Y CONTENIDO DE LOS ARTÍCULOS Y COMUNICADOS REPRODUCIDOS. LAS NOTAS DE COYUNTURA DEL APARTADO 1 NO SON COPIA LITERAL DE LAS FUENTES CONSULTADAS: SE HA SIMPLIFICADO LA REDACCIÓN Y SINTETIZADO EL CONTENIDO DE LOS ARTÍCULOS ORIGINALES.

- PROYECTO PBI GUATEMALA -

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