

PEACE BRIGADES INTERNATIONAL – GUATEMALA PROJECT

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1. CURRENT NEWS

IMPUNITY

The PDH recommends that the president of the Foundation Against Terrorism stops publishing information denigrating the work of human rights defenders and from putting their fundamental liberties at risk

Guatemala, 28.08.2013 (PL). The Human Rights Ombudsman, Jorge de León, emitted a resolution that holds the president of the Foundation Against Terrorism, Ricardo Méndez Ruiz, responsible for violating the right to freedom of action and association of human rights defenders. The resolution also asked that Ruiz stop publishing information denigrating activists and their work. The ombudsman sent a certified copy of the resolution to the Public Ministry so that it complies with its responsibility to investigate and determine whether criminal charges and penalties apply.

Six social organisations and 150 people have previously brought forth official complaints to the PDH concerning Mendez Ruiz's opinions expressed in the press and in social networks. The complaints stated that Ruiz's writings were defamatory and contained serious and unfounded allegations, including accusations of promoting terrorism. They had also made clear their concern in the way these publications, particularly the blogs, were used to instigate and encourage others to apply pressure on them and to obstruct their work in the promotion and defence of human rights. The Guatemalan Human Rights Convergence, the Centre for Legal Social and Environmental Action (CALAS), urged the Ombudsman's Office to act.

Rapporteur for the CIDH visits the country and collects information about the rights of indigenous people in defence of territory, natural resources and popular consultations

Guatemala, 28.08.2013 (AC).- Dinah Shelton, Rapporteur on the Rights of Indigenous People for the Central American Human Rights Commission (CIDH) visited Guatemala between the 21st and 31st August. Her interest focused on the rights of the indigenous population in relation to the defence of territory, natural resources and consultations. The trip represented an advance in the collection and systematisation of information regarding this theme by this rapporteur.

During her first six days in the country Shelton met with indigenous authorities and representatives of social organisations in Alta Verapaz, Totonicapán, Huehuetenango and San Marcos, according to the Guatemalan press.

In Alta Verapaz, the Rapporteur visited communities in the Polochic Valley, where 769 families were displaced in March 2011. Despite the Commission establishing protective measures, which included specific actions for the protection and socioeconomic development of the communities, the families once again suffered an illegal forced eviction in May 2013.

In Totonicapán, the indigenous authorities from the 48 cantons shared with Shelton their testimony on what had happened in Cumbre de Alaska on October 4th 2012. On that date seven campesinos were killed during a public rally that was held to voice concerns about electrical energy and the process of constitutional reform. Agents of the National Civil Police (PNC) and the army were implicated in the killings.

The Rapporteur also visited Huehuetenango and San Marcos where she listened to people share their opinions and experiences with respect to the construction of hydroelectric dams. In particular they expressed concerns with respect to the negative impact of these construction projects on their way of life, especially if the public institutions do not guarantee the wellbeing of the people.

LAND

FAO urges Latin American states to implement policies specifically for agricultural workers

Guatemala, 12.08.2013 (AC).- The Food and Agriculture Organisation of the United Nations (FAO) has urged Latin American states to implement policies that specifically benefit agricultural workers, in particular the 40% who don't receive any income for their contribution to agriculture.

According to a publication by this same international organisation, the percentage of rural women older than 15 who cannot count on their own income could reach up to 70% in some countries in the region.

NEGATIVE EFFECTS OF GLOBALISATION

Two Q'eqchi children killed in an attack by a private security agent in Monte Olivo, Cobán (Alta Verapaz)

Guatemala, 28.08.2013 (LH, PL).- On the morning of 27th August, two Q'eqchi children died in a hospital in the capital. David Estuardo Pacay Maaz (12 years old) and Ageo Isaías Güitz Macz (13 years old) died four days after having been shot by a private security agent in the Monte Olivo community, Cobán (Alta Verapaz).

In a press conference, representatives of the Women's Sector, the National Union of Guatemalan Women (UNMAG) and the Committee of the Campesino Unit (CUC) expressed their condemnation of the killings. María Dolores de Marroquín, a representative of the Women's Sector commented, "this was carried out by someone who is supposedly in charge of security for the company Hidro Santa Rita, that wants to install a hydroelectric power station in the community." These social organisations demanded an extensive investigation from the Public Ministry and action from the Human Rights Ombudsman's Office. They also called on the international community to appeal for the compliance of the individual and collective rights of the people.

Through a press release, the CIDH also condemned the killings that took place on the same day that the Rapporteur on the Rights of Indigenous People, Dinah Shelton, visited Cobán, Alta Verapaz.

Waqib'Kej denounce the constant persecution of Q'anjobales leaders who oppose the installation of the hydroelectric power station in Santa Cruz Barrillas, Huehuetenango

Guatemala, 29.08.13 (AC).- The Coordination and Mayan National Convergence Waqib' Kej denounced the constant persecution of leaders of the Q'anjobal people from Santa Cruz Barrillas, Huehuetenango, who are opposed to the installation of a hydroelectric power station by the Spanish company Hidralia S.A. They explained that on August 27th several leaders had once again been detained. Saúl Aurelio Méndez Muñoz and Antonio Rogelio Velásquez López, were detained when they attended the High Risk Tribunal A.

Waqib' Kej noted that the Q'anjobal people in Santa Cruz Barillas, despite suffering repression and human rights violations, have defended their territory through community consultations in order to prevent the installation of a hydroelectric dam. They also clarified that there had been a lack of respect towards these consultation processes shown by the government. Finally they called for the immediate release of the detained leaders, an end to the repression of the population in Barillas and the cancelling of the licence granted to the company Hidro Santa Cruz S.A, which has the subsidiary Hidralia in Guatemala, due to the violence that has been committed against communities.

Sources: Prensa Libre (PL), La Hora (LH), Agencia del Centro de Reportes Informativos sobre Guatemala, CERIGUA (AC)

2. PBI GUATEMALA ACTIVITIES: IN GUATEMALA

Team: Raquel Rojo Diez (Spain), Johannes Stiebitz (Germany), Stephen Bradford (USA), Daniel Butler (UK), Melanie Rücker (Germany), Valentina Caprotti (Italy), Karen Jeffares (Ireland), Jacqueline Bartsch (Germany), Rubén Carricondo Sánchez (Spain) and Erika Martínez García (Spain).

1.1 MEETINGS WITH THE DIPLOMATIC CORPS, INTERNATIONAL ENTITIES AND GUATEMALAN AUTHORITIES

Meetings with national and international authorities are an important tool for PBI's efforts to highlight our objectives and the nature of our work. Through these meetings, where it is necessary, and with 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.

Diplomatic Corp and other international entities in Guatemala

- The Inter American Human Rights Commission (CIDH), various representatives, public meeting (during their visit to Guatemala).
- Dinah Shelton, Rapporteur on the Rights of Indigenous People and Emilio Álvarez Icaza, Executive Secretary, CIDH (during their visit to Guatemala).
- Cristina Papadopoulou, Human rights official, Office of the United Nations Human Rights Commission (HCRC), Guatemala City, Guatemala.
- Artur Brunner, Embassy Advisor, German Embassy, Guatemala City, Guatemala.

- David McNaught, Responsible for Business Affairs, United Kingdom Embassy, Guatemala City, Guatemala.

Guatemalan authorities

- Mario Minera and Francisco Guaré, Mediation Unit, Human Rights Ombudsman's Office (PDH), Guatemala City, Guatemala.
- Marvin Sicán and Priscila García Soto, Assistants, PDH, San Juan Sacatapéquez, Guatemala City.
- Iván Espinoza, Vice Minister of Foreign Affairs, Dora Ivonne Aragón, third professional assistant and Carlos Hugo Ávila, director of human rights, Foreign Affairs Ministry, Guatemala City, Guatemala.
- Enrique Pérez, assistant, PDH, Nebaj, Quiché.
- Police Agent, National Civil Police substation (PNC), Uspantán, Quiché.
- Police Agent, Comisaria 71, PNC, Santa Cruz del Quiché, Quiché.
- Police Agent, PNC substation, San Juan Sacatapéquez, Guatemala.
- Víctor Figueroa Pérez, Mayor, Municipality of Uspantán, Uspantán, Quiché.

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.

Organisation and people from Guatemalan Civil Society

- Roly Escobar, Director, Coordinator of National Population of Guatemala (CONAPAMG), Guatemala City, Guatemala.
- Rubén Domínguez, Lawyer, Human Rights Lawyer's Office, Guatemala City, Guatemala.
- Ramón Cadena, International Jurists Commission (CIJ), Guatemala City, Guatemala.
- Committee for the Defence of Life and Peace of San Rafael Las Flores, various members, Guatemala City, Guatemala.
- Members of the Council of People in Resistance of Uspantán, Uspantán, Quiché.
- Lolita Chávez, Member of the Council of K'iche' People (CPK), Santa Cruz del Quiché, Quiché.
- Council of Comunla and Ancestral Authorities of the 32 communities of Momostenango, Various Members, Momostenango, Totonicapán.

Social Organisations and International Agencies

- Mauricio Ángel Morales, in charge of policy, investigations and training, Protection International, Guatemala City.
- Michel Andrade, Coordinator, Impunity Watch, Guatemala City.
- Coordination of International Accompaniment in Guatemala (ACOGUATE), Guatemala City, Guatemala.
- Forum of International Non Governmental Organisations (FONGI), Assembly, Guatemala City, Guatemala.

2.3 ACOMPANIMENTS

Process to defend the **Granadillas Mountains**

During the month of August we have maintained contact with the **Association for the Protection and Defence of the Granadillas Mountain (APMLG)** through telephone called and a meeting during a PBI visit to Zacapa. In the same way we have maintained regular contact with the reverend **José Pilar Álvarez Cabrera**. We have observed various activities that he has participated in, and met with him during the Festival of Corn and Peaceful Resistance in Defence of Chorti Territory in Las Flores, the municipality of Camotán (see below 2.3. Accompaniments, CCCND). We also accompanied him to the third meeting of the **Ecumenical Pastoral Coordinator in Defence of Life in the Merendón** mountain range that includes the Granadillas and La Unión. The coordinator is made up of communities, landowners, churches and non-governmental organisations (NGOs) that live and work in defence of life in the Merendón mountain range. In a press release, the coordinator highlighted its peaceful character and its work in favour of sustainable development in the region. The assembly enjoyed widespread participation, with around 300 people meeting, including the local community, representatives of the protestant and catholic churches, and members of other campesino organisations and NGOs. The mayor of La Unión and other local authorities attended, although some present expressed concern at their presence, just as they did for the presence of the army, which arrived at the location of the assembly.

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, including illegal logging, monoculture, deforestation, large-scale cattle farming and the diversion of water sources. Since its foundation, the organisation has been supported by the Lutheran Church in Guatemala (ILUGUA), led in the region by Reverend José Pilar Álvarez Cabrera, and the Madre Selva Collective. It works in alliance with various organisations and collectives in the region. One of APMG's goals is to have the mountain designated a protected area. In March 2012, the National Council for Protected Areas (CONAP) presented a proposal declaring the area protected. However, existing economic interests in the land have made APMG's work dangerous, and its members have faced diverse types of persecution and threats, including legal proceedings, which were later dismissed. These events began after they denounced the illegal logging trade and started, with the population of the Trementina community, a process of permanently monitoring the 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 the Association has participated in with public authorities and private actors, in order to promote the defence of economic, social and cultural rights in Zacapa and the region. One of the most serious security issues of recent years took place in 2010, when José Pilar Álvarez experienced death threats, defamations and prosecution and was taken into police custody in relation to the ongoing conflict with Juan José Olavarrueth, owner of the mountain's Tachoró estate. The Association and several members of the Trementina community have been portrayed negatively by Zacapa's public authorities. Indeed, since April 2012, legal charges have been brought by the Governor of the department, Carolina Orellana, against three members of APMG for acts of protest against deforestation. The Technology Corridor megaproject, soil and food production issues, and the exploitation of natural resources (communities are neither informed of nor consulted on the latter) are key concerns for APMG and feature prominently in the collaborative work they conduct with other collectives and communities in the region today.

In May 2013, the association was restructured, maintaining representation of the region's communities. Although José Pilar Álvarez has been relieved of the position of president, he continues working in the process of protection and defence of this territory. PBI continues accompanying APMLG and the Reverend.

'New Day' Chortí Campesino Central Coordinator, CCCND

This month we have maintained contact with various members of the organisation. We have accompanied them on different occasions and have observed activities that they have participated in in Guatemala City, Chiquimula and in the communities of Las Flores, Matasano and Cajón del Río. We also observed a protest in Camotan (Chiquimula) on the International Day of Indigenous People, which various members of the Coordinator participated in (see 2.4 Observations).

At the beginning of August we accompanied one of their members, **Omar Jeronimo**, to the district attorney's office in the capital. There he denounced further **death threats** that he had received from people accusing him of having been involved in the murder of another human rights defender, Carlos Hernandez (8th March 2013). His security in the region is vulnerable, and up until now the protective measures ordered by the Public Ministry have not been implemented.

On August 20th we observed a community assembly in Las Flores, Camotan, called "**the Festival of Corn and Peaceful Resistance in Defence of the Chorti Territory**". The objective of this activity was to gather strength and spirit in the peaceful resistance for the defence of the territory of the indigenous Chorti community.

We also visited Matasano to update ourselves regarding the situation of the community, and we accompanied the lawyer Carlos Aragon to a community meeting in Cajón del Río. In Chiquimula we accompanied the community of Pellillo Negro to the Centro of Mediation, in the Judicial Complex of Chiquimula. They had been called to a conflict resolution table to discuss the theme of the measuring and delineating of the land and property. Personnel from the Information of Land Registration (RIC) were also called to the same table. Just as in Cajón del Río, in Pellillo Negro members of 'New Day' continue their work in the promotion of communal parcelling of the land.

Background: 'New Day' Chortí Campesino Central Coordinator is part of the Agrarian Platform, working in several municipalities in East Guatemala (including Jocotán, Chiquimula, Camotán, 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 organisations in the region. In 2006, New Day became aware of the planned construction of three hydroelectric plants in two of the department's municipalities: the projects El Puente and El Orégano 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 these, and other development projects planned for the region, may have. They carried out this work in relation to the project initially known as 'Dry Canal', then the 'Technological Corridor', and most recently as the 'Interoceanic Corridor of Guatemala' (ICG), which is intended to link the Atlantic and Pacific coasts of Guatemala. This in turn forms one part of the most ambitious regional plans produced under the Mesoamerican Project (successor of the Plan Puebla-Panama, PPP). Members of New Day say the lack of information provision to, and consultation of, Chiquimula's communities by public institutions is a constant source of conflict. Community authorities have therefore been present at meetings and discussions with the Guatemalan firm, Las Tres Niñas S.A., which seeks to implement the El Orégano hydroelectric plant project. They have highlighted the need to consult local inhabitants before implementing megaprojects in the area. In 2012, in addition to the court summons issued

to community members of Las Flores, Jocotán, the firm has sent several letters to various organisations and international community actors in Guatemala, portraying community actors and the social organisations that work in the area in a negative light. PBI has accompanied New Day since 2009. Several members of the association have received threats and attacks, including death threats and intimidatory acts, as a result of their work with the communities.

The Twelve Communities of San Juan Sacatepéquez

During the month of August we maintained regular contact with various members and delegates of the twelve Kaqchikeles communities of San Juan Sacatepéquez. We were present in the region accompanying them on four occasions. Three of these occasions were their weekly assemblies at Santa Fe Ocaña, and on the 16th August we were present at a religious community activity organised to celebrate the **7th anniversary of the resistance of the twelve communities of San Juan Sacatepéquez**. Members of social, indigenous and campesino organisations attended the event, among them the Council of the K'iche' People (CPK) and the Communities in peaceful resistance of a Puya. The mass was held by Monsignor Alvaro Ramazzini, bishop of Huehuetenango, who was parish priest of San Juan Sacatepéquez for eight years.

Background: In 12 Maya Kaqchikel communities in the municipality of San Juan Sacatepéquez, organised residents participate in processes related to the defence of territory and natural resources in the region. Since 2006, the Guatemalan company Cementos Progreso S.A. has been pushing on with the San Juan project, which includes the construction of a factory and a quarry in the San Gabriel Buena Vista estate where the villages of Cruz Blanca, Santa Fe Ocaña, El Pilar I and II, Los Pajoques, and San Antonio Las Trojes I and II are located. Until December 2012 Cementos Progreso had an 80% share in the project which included the construction of this factory, and the remaining 20% belonged to the Swiss multinational company, Holcim. However, the Swiss multinational company sold its share in December 2012, and from then on Cementos Progreso holds 100% of the investment on this project.

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. The dialogue process, which involved various Guatemalan authorities and public institutions, concluded without offering any means of resolving the conflict. For more than six years, the 12 communities resisting the San Juan Sacatepéquez project have made numerous complaints about human rights abuses, threats and, in particular, a criminalisation campaign against them, which has maintained its intensity in 2012. Their key demands continue to be the permanent withdrawal of the army from the communities; and compliance with their rights under national and international law. Numerous members of these communities have been the target of threats and persecution, and as a result of their petition PBI has been accompanying them since 2009.

The Communities in Peaceful Resistance; La Puya, San José del Golfo and San Pedro Ayampuc

In August we maintained frequent contact, through visits and phone calls, with members of the communities in peaceful resistance of La Puya. They continue to wait for a result from various communications sent to the government last month. Since the beginning of the month, members have denounced the increased police presence close to a Puya, interpreted as a sign of the high risk of displacement from their sit-in. On August 8th they expressed their concern around this situation at a press conference. At the end of the month, the same issues are present in La Puya.

In the first half of the month we observed two judicial hearings in the capital, in which members of the communities in resistance of La Puya were accused of incidents that occurred during protests held by mine workers of the El Tambor mine in November 2012. They are accused of usurpation, aggression and retention. The accusing side did not show and once again the audience was suspended. This case highlights the constant delays in the process, and while the people accused have attended the audiences, until now they have not even been able to make a first declaration. In a conciliatory meeting on 14th August in Palencia, three of the accusers and their legal representative made clear their intention to maintain their accusations.

Background: From 2010 residents of San José del Golfo and San Pedro Ayampuc, two municipalities that are located round about 30 kilometres from Guatemala City are leading a pacific resistance to make their disagreement with mining projects in the area evident. The US mining company Kappes, Cassiday & Associates together with their local subsidiaries Exploraciones Mineras de Guatemala S.A. and Servicios Mineros de Centro de America S.A. is promoting these projects. The company has received the authorization to develop the project El Tambor that consists of various licenses, among them that of Progreso VII Derivada. In March 2012 residents decided to block the entrance to the mine and install a protest camp in La Puya where the members of different communities take shifts of 24 hours to prevent the entry of machinery. On 8th of May at 1am the company attempted to enter 25 trucks with machinery, guarded by 40 patrol cars of the National Civil Police (PNC). As residents were alerted approximately 2,000 people of the surrounding communities united to stop the entrance of the machinery peacefully. Kappes, Cassiday & Associates (KCA) has publicly accused the people opposing the project of holding up development. On 23rd of June in San José del Golfo an attack on the life of Yolanda Oqueli, an activist participating in the resistance of La Puya took place. She was shot from a motorcycle and up to present it has not been possible to extract the bullet. After 4 months away from her community, Yolanda returned to San José del Golfo and has rejoined the activities of the resistance movement. During this time flyers with offensive and defamatory messages have been circulated, directed especially at the women that form part of the resistance. The harassment and aggressions intensified around 24 November 2012, marking one year since the concession of the mining license. According to the mining law, if in the course of a year the exploitation at the site has not begun, the license has to be cancelled. In September 2012 the Guatemalan Human Rights

Commission declared the communities of San Pedro Ayampuc and San José del Golfo winners of the Alice Zachmann Human Rights Defenders Award.

Association of Indigenous Women of Santa María Xalapán, AMISMAXAJ.

This month we have maintained constant contact with members of the association through telephone calls and accompaniment. Following a petition from AMISMAXAJ, we observed an act of protest in the capital in front of the Book Fair (FILGUA) on August 4th, due to the fact that the fair was receiving funding from the GoldCorp mine. The women that participated in the protest, and the discussion held in front of the fair, signalled that it was a contradiction that a fair dedicated to women was at the same time financed by a company that violated their rights, in reference to the Marlin Mine in San Marcos and its Canadian owner, GoldCorp. The event's spokespeople were the women of AMISMAXAJ, of the 48 Cantons of Totonicapán, of the Communities in Peaceful Resistance of La Puya and a journalist, a columnist from the Prensa Libre.

Members of AMISMAXAJ participated in the **meeting of woman human rights defenders organised by PBI in Tactic**, Alta Verapaz from the 28th to 30th August.

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. Since our accompaniment of AMISMAXAJ began in July 2009, the organisation has strived to improve political and feminist education in the region. Indeed they now have their own school in which to do so. Various members of the organisation were subjected to grave death threats in 2009 and 2010, due to the work that they carry out. Based on security incidents in the past, risks faced today and the security situation of its members, the Association's work combating the infringement of women's rights, and those of indigenous people and DESCA, should continue to be monitored.

Council of Communities of Cunén, CCC

This month we have maintained telephone contact with members of the Council of Communities of Cunén who, together with members of the Council of the People in Resistance of Uspantán, updated us regarding the tense situation in the Buena Vista community, Uspantán. They expressed concern regarding the security of the community, the Council and its members (see 2.4. Observations)

Background: On 14 January 2009, the communities of the Cunén municipality, department of Quiché, held a meeting to initiate a process that would better defend their territory, natural resources and human rights. At this meeting, the CCC was formed. 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 and hydroelectric exploitation and 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, and in following up with the community consultation.

Verapaz Union of Campesino Organisations, UVOC.

During the month of August we maintained constant contact with leaders of the UVOC and members of various communities of Alta Verapaz. We maintained a regular presence in the headquarters of the organisation in Santa Cruz, Alta Verapaz and also at various activities held during the month.

On August 7th we accompanied members of the organisation and community delegates of **La Primavera, San Cristobal**, to a meeting with the Secretary of Agrarian Affairs in Cobán, Alta Verapaz. The Secretary of Agrarian Affairs (SAA) presented a study around the situation of land in this community. Around 130 people from La Primavera attended and had the opportunity to comment and share their opinion regarding the information presented by the SAA. Community delegates expressed frustration for the lack of a response or a clear proposal by the SAA and wait for these to solidify in the next meeting.

On August 21st we observed a march called for by the Committee for Campesino Development (CODECA) and the Coordinator of National Campesino Organisations (CNOC) in 20 of 22 national departments, in Alta Verapaz. Members of the UVOC and members of the **communities of La Primavera, 20 de Octubre and San Miguelito** participated (see 2.4. Observations).

We accompanied the lawyer **Jorge Luis Morales** to a judicial audience on August 22nd relating to the displacement of the community 20 de Octubre. Four days later we accompanied him to the Public Ministry in Cobán, where he had a meeting to clarify accusations made by the company Sociedad Maderas Filits Diaz, S.A. against members of La Primavera. The company accuses them of usurpation and called on the population of La Primavera to leave the territory that they occupy on the estate.

UVOC members continue to express concern for the process of criminalization against its members in various communities due to their participation in the struggle to defend the territory.

Background: UVOC is an indigenous and campesino organisation that focuses on defending and enabling access to land for campesino people in the departments of Alta and Baja Verapaz. Amongst other activities, UVOC offers advice to numerous rural communities on land ownership, accompanies communities on activities involving the protection of their land, and participates in formal discussions on related matters. The organisation ensures these discussions are tailored carefully, to squarely confront the well-documented land disputes and agrarian conflict in the region. PBI has accompanied UVOC since 2005, after its members experienced serious threats and intimidatory acts. Carlos Morales, UVOC coordinator, and members of communities which form part of the Union have been subjected to death threats, and various forms of intimidation and persecution, on several occasions. In addition to the Rural Development Law, UVOC publically demands an end to evictions and violence in the region, led by State and non-governmental actors. The Union monitors agrarian issues, and has warned of a deteriorating situation in many localities since the beginning of 2012. In February 2012, PBI drew the international community's attention to concerns about the atmosphere UVOC has to conduct its work in. Threats are made to its members and several communities the organisation accompanies and supports in the region, in particular the community of La Primavera (in the municipality of San Cristobel, Alta Verapaz) and San Miguel Cotopaxi (on the municipal and departmental border of Panzers, Alta Verapaz, and El Ester, Izabal) and 20 de Octubre (municipality of Cahaba).

Guatemalan Human Rights Defenders Protection Unit (UDEFEFUGA)

During August we carried out regular visits to the office of UDEFEFUGA and have maintained contact by phone and frequent meetings with its members. On August 20th and 21st, together with members of various Guatemalan social organisations and representatives of international NGOs, we attended a workshop held by UDEFEFUGA around the criminalisation of human rights defenders in Guatemala.

On August 23rd and 24th, following a request by UDEFEFUGA, we have followed the situation in the village of **Monte Olivo, Cobán, Alta Verapaz**, where two children were attacked with fire arms, both of them dying a few days later in a hospital in the capital (see current news section). The aggressor, who was identified by the local population as having worked as private security for the Santa Rita hydroelectric plant, was later killed in the community.

UDEFEFUGA helped the children's families in the hospital in Cobán. They also actively mobilised, together with other organisations, to call for the fulfilment of the obligations of the competent authorities and public institutions to recover the body of the security guard from the community.

Background: The Human Rights Defenders Protection Unit (UDEFEFUGA) 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. UDEFEFUGA 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 UDEFEFUGA and in 2007 had already offered to provide the Unit with international accompaniment following a period of threats. After the Unit reported threats to the Public Prosecutor's Office (MP) in May 2009, PBI reactivated its accompaniment. Since then, UDEFEFUGA has reported some critical security situations, highlighting an illegal raid on one of its member's homes and tampering with the vehicle of one of its members in March 2010.

In November 2012, the Unit's coordinator, Claudia Samayoa, denounced to the Public Ministry and the Inter American Commission of Human Rights (CIDH) threats and coercion that targeted her in a press release signed by the 'Foundation Against Terrorism' in which a variety of unfounded accusations were made against her and other human rights defenders. Her complaint named Ricardo Mendez Ruiz, director of the aforementioned foundation. During the week of November 12th Claudia Samayoa and a member of the Archbishop of Guatemala's Human Rights Office (ODHAG) received a warning of a possible attempt on her life. We continue our regular visits to UDEFEFUGA's office, carry out periodic meetings with its staff, and accompany them on visits to various Departments in the country. The visits allow the Unit to develop its work and strengthen its analyses by investigating and verifying reports of attacks on human rights defenders.

The human rights lawyer Edgar Pérez Archila

During the month of August we have continued to accompany the lawyer **Edgar Pérez Archila** in his travels and during his professional work. We also accompanied him to Huehuetenango, where he participated in a public forum about Genocide, organised by the Centre for Studies and Documentaries of the Western Guatemala Border (CEDFOG), which was attended by around 150 people.

In the same we maintained accompaniment of **Santiago Choc Cú**, another lawyer from the **Human Rights Lawyer's Office**, who was subject to acts of intimidations during the oral debate phase of the genocide trial. On August 1st we also accompanied **various lawyers** from the Cabinet to the first oral audience of the accused Domingo Abraham de la Cruz López, in the Cotzal Case, and to other judicial audiences in Antigua, Guatemala.

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. Pérez and his legal team work on proceedings related to massacres committed during the internal armed conflict and other cases of past and current human rights violations. We accompany him because of the trials' importance in the fight against impunity and the fact Pérez has experienced various security incidents in recent years. Pérez and his legal practice are involved in legal proceedings related to: the forced disappearance, torture and extrajudicial execution of the guerrilla commander Efraín Bámaca Velásquez in 1992; the massacre of the Las Dos Erres community in 1982; the massacre of the

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

National Coordinator of Guatemalan Widows, CONAVIGUA

This month we have accompanied members of CONAVIGUA on three occasions during their work in different parts of the country, and we have maintained constant communication with them through regular visits to their headquarters and telephone calls.

On August 7th and 8th we accompanied CONAVIGUA to an **inhumation in Pujujil II, Solola**, in which specialists from the Guatemalan Forensic Anthropology Foundation (FAFG) participated, as well as representatives from the National Programme for Compensation (PNR). It was an immensely important event for the community, as the remains of 18 people and a foetus were inhumed (a pregnant woman had been amongst the victims). These people were killed between 1980 and 1982, and their remains were exhumed in the same community between 2007 and 2008.

We also accompanied CONAVIGUA on the 8th and 9th August to the **inhumation of Mr. Hilario Cumatzil Coroy, in the community of San Antonio, in San Martin Jilotepeque, Chimaltenango**. The army assassinated him in 1982 in the community Paraje Paco, in the village Chijocon (also in the municipality of San Martin Jilotepeque). He is one of 47 victims registered by the FAFG in this particular town.

On August 21st we accompanied CONAVIGUA to Lanquin in Alta Verapaz, where they carried out capacity building workshops with women involved in defence of the land. In this process they are in contact with the **twelve communities affected by the construction of the hydroelectric power station Palo Viejo on the Lanquin river**. Though the hydroelectric project is currently on hold, and is now awaiting the result of an appeal made to stop the project completely – currently in process. There is concern that hydroelectric plant will have a negative impact on the river, the principle source of water for the communities. In October 2010 the community consultation was held where 15,000 people made clear their opposition to the hydroelectric plant.

Background: In its pursuit of justice, dignity and the recovery of Guatemala's historical memory, CONAVIGUA carries out exhumations and inhumations of the remains of victims of the internal armed conflict in different departments throughout Guatemala, above all in Quiché, Chimaltenango and the Verapaces. These processes provoke very tense situations in rural communities where victims and perpetrators live side by side, occasionally resulting in threats aimed at stopping the work of the organisation and its members. CONAVIGUA was founded by women who were widowed by the war, although today men also participate in the organisation. We have accompanied the association since August 2003, visiting its office and joining its members on journeys to regions where the association is currently developing its 'Justice and Dignity' programme. In recent years CONAVIGUA has experienced several critical security issues, including death threats received by members in 2010. Analysis of the risks and security incidents faced by the association today suggests its work fighting impunity, and the security of its members, should continue to be monitored.

National Police Historical Archive, AHPN.

During August we have maintained frequent contact with members of the AHPN through telephone calls, meeting and visits to their building. Between January 1st and August 27th, the AHPN has received petitions for documents from the PDH (67), the PM (586), individuals (356) and the PNC (17).

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.

You can get more information by visiting this website: <https://ahpn.lib.utexas.edu>

2.4. OBSERVATIONS

PBI in Guatemala provides international observation of public events where 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.

On **August 9th** we observed a **social march in Camotan**, Chiquimula, dedicated to the International **Day of Indigenous People**. It was organised by the '**New Day**' **Chortí Campesino Central Coordinator** and the **Agrarian Platform** which was combined with another demonstration happening simultaneously in Jocotán. Both led to the central park in Camotán where there was an activity to express their concerns and demands. In line with this, they publicly expressed their opposition to mining projects, the hydroelectric project "El Oregano" and the project of the Guatemalan Interoceanic Corridor (CIG). They also warned that rural communities in the region didn't have engineers or other qualified personnel for the CIG, a factor that was taken into consideration to critically question the support that megaprojects provide in terms of generating employment for families and communities. They also discussed the issue of the lack of water in the region, and the urgency with which the mountain forests need to be protected.



We observed another **march in Cobán**, Alta Verapaz, called by the **Committee for Campesino Development (CODECA)** and the **National Coordinator of Campesino Organisations (CNOO)** in 20 out of the 22 departments in the country. Around 1,000 people participated, including members of the UVOC and the communities of La Primavera, San Miguelito and 20 de Octubre. The march focused on 13 demands, such as the nationalisation of the electrical power system, respect for community consultations, the right to a minimum wage, the right to land and the right to agrarian reform, amongst others. The

movement began at the entry to Cobán and finished in the Central Park. There, a delegation of protesters met with the Governor of Alta Verapaz who sealed the envelop of demands, and promised to pass them on to the central government.

From **August 23rd to 27th**, we followed closely the disturbing situation of the **firearm attack against two children in the village of Monte Olivo, Cobán, Alta Verapaz**. According to the local population, the alleged aggressor had arrived at the community on the 23rd looking for a community leader who participated in the resistance to the Hydroelectric project Santa Rita (see 1. Current news and 2.3. Accompaniment of UDEFEGUA).

On 27th August, following the deaths of the two children, social organisations participated in a **convoy of solidarity** towards the community. Representative from the Committee of the Campesino Unit (CUC), CEIBA, the Association of Mayan Lawyers and Notaries of Guatemala, Waquib' Kej, UDEFEGUA, as well as personnel from the PDH. The convoy left the capital and arrived at Cobán on the first day. The next day it headed for Monte Olivo. Through community radio, the villages situated on the route had heard about the convoy and waited alongside the road offering donations of money, corn and beans to help the families of the children. Arriving at Monte Olivo, the community was waiting. The two small coffins were situated in the school. The families left for the privacy of their homes while the community met. Two groups of the National Civil Police remained present throughout the day.

PBI observed the day, symbolising the disgust of the international community towards these violent acts, and the interest that exists in the adoption of protective measures. These measure would avoid impunity and the possibility of a similar situation being repeated in Monte Olivo or another part of the country. We joined into show solidarity with the community and the families affected by this horrific crime and we pass to them our sincere condolences.

On **August 29th and 30th** we followed a tense situation in Uspantán, Quiché, following the request for observation by the **Council of People of Uspantán in Resistance**. They expressed their concern for the detention of two people during a protest by members of the community of Buena Vista (in the outskirts of Uspantán) that blocked the entry of machinery being brought in for the construction of a substation of the National Electric Institute (INDE). They also expressed their concern for the actions of the National Civil Police during this event. We called various authorities and public institutions and we travelled to Uspantán on the 29th where we held meetings with the Council of People of Uspantán in Resistance and with regional authorities.

From the **28th to 30th August**, PBI Guatemala organised a **meeting of woman human rights defenders in Tactic**, Alta Verapaz. There, numerous women participated as well as various social organisations. Various topics were discussed and specific concerns of women human rights defenders.

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.

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.

COMUNICADO DEL PUEBLO K'ICHE' ANTE EL VIOLENTO PLAGIO, SECUETRO Y ASESINATO DEL COMPAÑERO SILVERIO VICENTE, ORIGINARIO DE LA COMUNIDAD DE SIBACA, CHUJUYUB, SANTA CRUZ DEL QUICHE.

Nuestro llanto, nuestro dolor, nuestra tristeza es profunda.

Al ser informados de la desaparición de nuestro hermano Silverio Vicente, aun con nuestro dolor colectivo, acordamos en consenso y en consulta, no escatimar esfuerzo alguno, y buscar día y noche, estuvimos 10 días, con la esperanza de encontrar a nuestro hermano vivo, hicimos rondas, asambleas, grupos de búsqueda, pedimos el apoyo a otras comunidades de la región para dar con su paradero, desde su desaparición el día 26 de julio hasta el día de hoy 5 de Agosto 2013, que encontramos el cadáver. Más de 25 comunidades nos unimos en la búsqueda respaldadas por nuestras autoridades comunitarias.

Cuando encontramos a nuestro hermano tirado, torturado, nos recordamos de la guerra que recién vivimos en K'iche', cuando encontrábamos a nuestros muertos, ejecutados por el ejercito de esa manera, se nos asesinaba cruelmente, hoy que estamos por la defensa del territorio, por la defensa de la vida, nos vuelven a matar utilizando otros operativos pero con el mismo fin.

En estos momentos estamos atentos para que el sistema de justicia proceda a ejecutar lo que le corresponde, seguiremos exigiendo justicia, para que el caso no quede impune, porque sabemos que si solo se los dejamos en sus manos, generalmente operan a favor de los victimarios, como el compañero asesinado no es de alto nivel, ni funcionario, ni empresario, ni de la oligarquía, ni militar no les preocuparía.

Hemos demostrado, nuestro grado de voluntad o cooperación con la justicia del sistema occidental, hoy damos a conocer que, al pedir que el gobierno se uniera a la búsqueda solo recibimos, burlas, criminalización, humillaciones, expresiones de discriminación y racismo, tal es el caso del día miércoles 31 de Julio, nos constituimos ante la Comisaria de la Policía Nacional Civil para dar seguimiento y coordinar acciones para localizar al compañero desaparecido en ese entonces teniendo aun la esperanza de encontrarlo vivo, el subcomisario Byron Isabel Revolorio de León, dijo que no podía intervenir en la búsqueda pues tenía que recibir órdenes de sus superiores y que se comprometía a realizar una reunión el día siguiente con otras instancias del gobierno como Gobernación, PDH, COPREDEH, CONRED, Bomberos voluntarios, PNG y dar espacio a las autoridades comunitarias en esa reunión, además que nos llamaría el día siguiente a las 8 de la mañana, estuvimos todas las autoridades comunitarias reunidas, en espera de su llamada y no fue hasta las 4 de la tarde cuando llamó aduciendo que -se le había olvidado, pues tenía otras ocupaciones como la Feria de Sacapulas-, y que si las comunidades querían apoyo que hicieran una solicitud por escrito, ellos estudiarían el caso y verían si podrían atenderlo, escuchar estas expresiones humillantes provocó un sentir de indignación y de rechazo a esas instancias.

Nuestra existencia demuestra que por cientos de años la justicia estatal no ha funcionado para nosotros como pueblos, sino contra nosotros, no nos ve, no nos escucha, no nos atiende, la supremacía del blanco y del millonario es grande.

Hoy solo nos queda seguir unidos, fortalecernos, agradecer profundamente a nuestras abuelas y abuelos que nos dejaron la herencia milenaria de organización comunitaria, sabiduría ancestral, venciendo el miedo y el terror con nuestra espiritualidad.

Nos queda la enseñanza de Silverio Vicente, que a pesar que no tenía un cargo específico dentro del Consejo de Pueblos, siempre estuvo presente con humildad en nuestras asambleas, ceremonias, consultas y otras actividades a nivel de comunidad y de pueblo, en defensa del Territorio, esta enseñanza la seguiremos inculcando en nuestro hijos e hijas.

Por lo que

1. Exigimos al sistema de justicia del Estado de Guatemala, tomar con seriedad la investigación y acuse a los responsables por el delito de asesinato y que se les condene con la pena máxima.
2. Que las instancias del Estado de Guatemala competentes realicen una investigación sobre lo denunciado principalmente acciones condenables de Racismo y Discriminación.
3. Que los organismos internacionales de acompañamiento denuncien este hecho sangriento, a nivel del mundo, pues en la misma comunidad son dos compañeros asesinados desde el año pasado a la fecha, recordamos el vil asesinato del compañero José Tabico, caso que ha quedado impune.
4. A los pueblos hermanos el mensaje que enviamos es que ante toda la represión, criminalización, persecución, asesinatos e invasión, nuestra fuerza es la organización comunitaria en defensa del territorio, el fortalecimiento de nuestra comunicación entre pueblos, el fortalecimiento de nuestra espiritualidad y principalmente LA UNIDAD.

K'ICHE', LAJUN KEJ
05 DE AGOSTO DEL 2013

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- PBI GUATEMALA PROJECT-

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