



Monthly Information Pack Guatemala

Number 140 - May 2015

1. THE CURRENT SITUATION

Monthly selection of news on the situation in Guatemala as highlighted by the press, related to the main thematic areas of PBI Guatemala's work: the fight against impunity, land issues and the negative effects of globalization on human rights.

The Guatemalan Spring

On 16 April, a week before the extension of the mandate of the International Commission Against Impunity (CICIG)¹, the Commission, together with the Public Prosecutors Office (MP) reported the capture of several members of a network of customs fraud. The network, known from then on as "The Line", which was composed of various officials of the Superintendency of Tax Administration (SAT), including Juan Carlos Monzon, Private Secretary to the Vice President Roxana Baldetti.²

A few days later, Alejandro Sinibaldi renounced his candidacy for the Patriotic Party for the presidential elections in September 2015.³ People began to use social networks, especially Facebook, under the hashtag "#Renuncia Ya" to organize a demonstration in the Plaza of the Constitution, in Guatemala City, on Saturday 25 April.

Thousands of people participated in "a peaceful demonstration in The Central Park to demand the resignation of Otto Pérez Molina and Roxana Baldetti, and the return of the stolen millions to the national treasury."⁴ According to Gustavo Maldonado, in his article "How this outburst came about; a brief history of Guatemala"⁵ the country has seen other popular protests of similar magnitude, like the march of miners in Ixtahuacán and during the burial of Manuel Colom Argueta. However, what was different about these protests was: the composition of the group, composed mostly urban middle class; the call to protest, made by electronic means; and the absence of party flags. Together these aspects achieved "a pluralistic turnout, without ideological or political distinctions. The cry that united us was a resounding NO to corruption."⁶



March in front of the Constitutional Court. Saturday 8 May, Guatemala City. Photo: PBI- Guatemala

¹ Álvarez, C y Contreras, G "Satisfacción por decisión de pedir prórroga de Cicig" en Prensa Libre <http://www.prensalibre.com/guatemala/satisfaccion-por-decision-de-pedir-prorroga-de-cicig> 23 de abril de 2015

² CICIG; "Desmantelan red de defraudación aduanera." Comunicado de Prensa nº11 <http://www.cicig.org/index.php?mact=News.cntnt01.detail.0&cntnt01articleid=587&cntnt01showall=&cntnt01returnid=1377> 16 de abril de 2015

³ Contreras, G. y Patzán J.M; "Sinibaldi renuncia del Partido Patriota" en Prensa Libre <http://www.prensalibre.com/guatemala/politica/sinibaldi-renuncia-del-partido-patriota> 19 de abril de 2015

⁴ Siglo 21 "Convocan a manifestación contra Pérez y Baldetti" <http://www.s21.com.gt/nacionales/2015/04/17/convocan-manifestacion-para-exigir-renuncia-binomio-presidencial>

⁵ Maldonado, G. *En este momento: apuntes desde las calles. Cómo se produjo el estallido: Breve caracterización de los hechos* <https://comunitariapress.wordpress.com/2015/05/25/este-momento-apuntes-desde-las-calles/>

⁶ *Ibidem.*

On 8 May “after two weeks of pressure from both civil protests and pressure from within the government, vice president Roxana Baldetti finally presented her resignation to the President.”⁷ Citizens continue to protest, with particularly large demonstrations taking place on the 16 and 30 of May.

As Carlos Barrientos says in his article “The castling of a government under siege”,⁸ the march that took place on 16 May was characterized by other demands that went beyond the original RenunciaYa, including “strong criticism of the deputies, the rejection of the presidential candidate leading the polls (Manuel Baldizón LIDER), demanding reforms to the electoral and political party law; allegations of corruption in the judiciary; the need to continue investigating corruption; the requirement to seize assets of corrupt officials and, in particular, a claim that summarizes the above: the comprehensive reform of the state itself.”⁹

In addition, the march on May 16 was extraordinary because “it saw the participation of popular sectors: groups from the mountain of Santa Maria Xalapán, members of the Mataquescuintla Organized Civil Society, members of communities of San Juan Sacatepequez and Santiago Sacatepequez, and organizations like the Peasant Unity Committee (CUC), the Trade Union of Workers of Guatemala, the Political Alliance of Women Sector and others.”¹⁰ There were not only protests in the capital, but also in different cities including Cobán, Santa Cruz Quiche, Chiquimula and Quetzaltenango among others. Furthermore at the protest in Guatemala City students from various private universities and the University of San Carlos were united in a single rally.¹¹



March in the Central Park. Saturday 16 May . Guatemala City. Photo: PBI-Guatemala

Four days after the march on 16 May “in coordination with the Special Prosecutor Against Impunity (FECI) of the Public Prosecutors Office, and the CICIG arrests were made of members of the Board of the Guatemalan Social Security Institute (IGSS), including the president of this institution, Juan de Dios de la Cruz Rodriguez Lopez, accused of approving and endorsing an irregular contract with the PISA pharmacy.”¹²

Days later, President Otto Perez Molina confirmed that he accepted the resignations requested by Mauricio Lopez Bonilla, Minister of Interior, Michelle Martinez, Minister of Environment and Natural Resources (MARN), Edwin Rodas, Minister of Energy and Mines (MEM) and Ulises Anzuelo, the Secretariat of State Intelligence (SIE).¹³ On Saturday 30 May Guatemalan citizens went back to the streets in “another historic day of rejection and repudiation of corruption and the political class, in a year when general elections will take place”.¹⁴

⁷ Herrera, O. “La gota que rebalsó el vaso” en El Periódico, Lunes 25 de mayo de 2015, Pg. 1

⁸ Barrientos, C. “El enroque de un gobierno bajo acoso” en Centros de Medios Independientes <http://cmiguate.org/el-enroque-de-un-gobierno-bajo-acoso/>

⁹ Ibídem

¹⁰ Ibídem

¹¹ Para más información consultar Palencia, S. “La manifestación del 16 de mayo. Previo, durante y análisis” en Centro de Medios Independientes <http://cmiguate.org/la-manifestacion-del-16-de-mayo-previo-durante-y-analisis/>

¹² CICIG “ Capturan a presidente y directivos del IGSS por contrato irregular”. Comunicado de Prensa nº19 <http://www.cicig.org/index.php?mact=News,cntnt01,detail,0&cntnt01articleid=595&cntnt01returnid=67>

¹³ Peña, W. “Pérez Molina confirma salida de tres ministros y un secretario” El Periódico <http://www.elperiodico.com.gt/es/20150521/pais/12742/P%C3%A9rez-Molina-confirma-salida-de-tres-ministros-y-un-secretario.htm>

¹⁴ La Hora; “Guatemaltecos muestran repudio a corrupción y políticos en marcha #30M” <http://lahora.gt/guatemaltecos-muestran-repudio-a-corrupcion-y-politicos-en-marcha-30m/>

2. ACCOMPANIMENT

PBI accompanies social organizations and individuals who have received threats for their work in the defence and promotion of human rights. In this context we are accompanying social processes in the fight against impunity, land inequality and the negative impacts of globalisation on human rights¹⁵

In May we have continued accompanying the **Central Campesina Ch'ortí New Day (CCCND)** in its work informing communities, and its efforts to support community processes of recuperation of their Maya Ch'orti' identity (among other activities). We accompanied them on 11 May in Las Flores during a ceremony to present the new indigenous leaders of the community with the ceremonial rod which identifies them as community leaders. In this context, we were also present on 17 May in the community of Matazano for the celebration of its recognition as an indigenous community. On 20 May we observed the hearing of Augustin and Timoteo, which was canceled because they were not transferred from prison to the hearing.

During this month, we continued to accompany the **CCC (Council of Communities of Cunén)** in the north of the department of Quiché. On May 20 we accompanied the "Defending Life, Peace and Governance in the department of Quiché" Public Forum, which brought together about 800 people from various communities in Quiché (Cunén, Sacapulas, Nebaj, Chajul Cotzal, Ixcán, Chicamán, Uspantán, Zona Reina) and Barillas, Petén and the south coast. In this forum several agreements and requests were ratified. The forum built on the work at the community level and other previous meetings. Several deputies and candidates from the department of Quiché were invited to the event to look at the requests of the communities on several issues such as the communities position on megaprojects. However, no deputies attended the forum. In addition to attending this event, we maintained telephone contact with several members of the CCC.



"Defending Life, Peace and Governance in the department of Quiché" Public Forum. 20 May 2015. Photo: PBI

We continue accompanying the **Verapaz Union of Campesino Organizations (UVOC)**, maintaining a regular presence at its headquarters in Santa Cruz, Alta Verapaz. We visited the office of Jorge Luis Morales (the lawyer of UVOC) on a weekly basis. In addition we accompanied Jorge Luis on 13 May to the audience of Carlos Caal, a case of criminalization of the Nuevo Seamay community. We also remain in regular telephone contact with several members of the organization.

During the month of May we have also continued to accompany members of the village **La Trementina** in the process of defending the Merendon Mountain (Zacapa). We have also maintained telephone contact with the Lutheran Reverend José Pilar Álvarez Cabrera and others in the community. With regard to the sabotage of water pipes that these communities suffered last month, we learned, through the Reverend, that on 4 May the Water Committee of La Trementina and neighboring people from different communities repaired the damage and managed to restore services and the right to water for more than 1,000 families affected.

We have maintained an international presence twice a week at the headquarters of the **National Coordinator of Widows of Guatemala (CONAVIGUA)**, and have had weekly telephone contact with its

¹⁵ Further general information on accompaniment and the organisations and people we accompany available on our website: <http://www.pbi-guatemala.org/field-projects/pbi-guatemala/who-we-accompany/>

members. We also maintained close telephone contact during their activities. Also we continue to accompany the **Association of Indigenous Women of Santa María Xalapán, Jalapa (AMISMAXAJ)**, maintaining weekly telephone contact with its members and also calling them regularly during their various activities carried out in the region.

During this month we continued to accompany **the peaceful resistance of La Puya**. In addition to regular visits to the encampment, on May 23 we were present at the celebration of the anniversary of the violent eviction of the Resistance in 2014, the event was celebrated with a peaceful blockade of the driveway to the mine. The resistance decided to keep this blockade in place for a few more days. On the 25th of May, we were again present at the Resistance as they feared eviction. In the morning of the 26th we were alerted to a large presence of elements of the National Police (PNC) as well as Riot Police at La Puya. PBI observers attended the scene to ensure the presence of international observers. This police action (observed by several international human rights organizations and the PDH) resulted in the removal of the chain that blocked the passage of vehicles to the mine. Furthermore several allegations against members of the Resistance have been made. Resistance members have denied these allegations, insisting on the peaceful nature of their actions. They still await an answer to their request for a national high-level dialogue process to address the mine's presence in their territories and the potential local consequences of the project.

Top "Peaceful Resistance Eviction Anniversary Celebration Puya". May 23, 2015. Photo: PBI

Bottom "Police operations in the Peaceful Resistance of la Puya". May 26, 2015. Photo: PBI



We continue accompanying the **Human Rights Law Office (BDH)** and its attorneys and lawyers. We accompanied the lawyer **Edgar Pérez Archila** on his travels and paid weekly visits to the office. We also accompanied him on his travels to some hearings and carried out international observation in some trials.

From this May, after having maintained communication with several members of the **Council of the K'iche Peoples (CPK)**, PBI is ending the accompaniment. This is due to the nomination of one of its members as an electoral candidate. This nomination is supported by the leaders of CPK. The ending of this accompaniment reflects one of the basic principles of the mandate of PBI, non-partisanship, which together with that of non-interference and non-violence are the foundation on which our work is based.

3. INTERNATIONAL OBSERVATION

PBI Guatemala provides international observation of those public events in which Guatemalan social organizations request it, to show international attention and interest and to communicate outside the country what we observe.

During this month we have been following the situation of the **Peaceful Resistance of La Laguna**, a blockade which has been in place in the municipality of San Pedro de Ayampuc for almost two months, and is opposed to the construction of electrical infrastructure (by the company TRECESA) supplying energy to several mining projects in the area (including El Tambor). On the 15th of this month we went to the protest encampment at the request of resistance members as they feared a violent eviction of the blockade which



stops the entry of company trucks carrying building material. On May 21 we returned in response to another request for observation due to the attempted entry of several TRECESA trucks and the presence of several elements of the PNC and Riot Police who escorted the trucks. This event, which created unrest in the municipality, ended with four of the resistance members being injured, official complaints are currently pending. The following day we returned after receiving another request for observation based on the fear that the attempted departure of several company trucks would generate new conflicts. During this process a dialogue was established in the capital, with the mediation of the Human Rights Ombudsman (PDH), to try to reach an agreement over the TRECESA company trucks. On Friday 29 we learned that The Municipality of San Pedro Ayampuc issued a bylaw which, at the behest of their citizenship, repealed the municipal backing granted to the company TRECESA. Therefore the

company cannot continue with the work currently done in this municipality, due to irregularities in the granting of such official backing. The guarantees will be reviewed and analyzed in depth.

"Attempted eviction Seedling Laguna San Pedro Ayampuc". May 22, 2015. Photo: PBI

We have continued paying attention to the situation of the **Committee in Defence of Life and Peace (Community members of San Rafael Las Flores)** through regular telephone contact and following of the judicial process that one of its members face.

On the 29th of this month we received the sad news of the death of Elizeth Us, feminist activist involved with several Guatemalan social movement organizations such as MujeMaya and AMISMAXAJ. PBI is deeply saddened by this incident, we send our condolences to her family and other close associates, and we show our appreciation for her work in the defense and promotion of human rights in Guatemala.



"Elizeth Us". May 2014. Photo:PBI

4. POLITICAL ACCOMPANIMENT

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

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

During this month we met with the following Guatemalan authorities: nationally with the **Human Rights Ombudsman (PDH)**, a meeting which was attended by Mario Minera, **National Director of Advocacy**. Locally, we held a meeting with the **Land Registry (RIC)** in the department of Chiquimula. Present were; Edward Chosco Diaz, **Director of the RIC Chiquimula** and Jaqueline Sintuj, **Manager of the User Services Office**.

Meetings with civil society

The field team meets regularly with civil society in order to monitor the situation of human rights defenders human rights, inform each other about the work being done and to gather information to help analyse the internal situation. We maintain opportunities for co-ordination in the field of international accompaniment.

We continued meeting regularly with the **Unit for Protection of Defenders of Human Rights in Guatemala (UDEFEQUA)** to share concerns and updates about the work of human rights defenders in the country.

We regularly visited the headquarters of **Madre Selva Collective**, where we met to share information and analysis of various issues in the country. We have also visited the offices of **Women's Sector**.

We also had continuous contact with international organizations in Guatemala: the **Coordination of International Accompaniment in Guatemala (ACOGUATE)** with **Protection International (PI)**, the **Forum of International Non-Governmental Organizations (FONGI)** and the **International Platform against Impunity**.

5. ACTIVITIES OF PBI GUATEMALA OUTSIDE GUATEMALA

Outside the country we constantly develop and strengthen the network of support for the Guatemalan PBI project, as this is one of the essential tools necessary to protect defenders of human rights. 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. In this context we develop actions and public relations campaigns, and / or advocacy aimed at protecting defenders of human rights.

The Project's European Representative held the following meetings:

- On 10 May, in Brussels, she had a meeting, along with representatives of other human rights NGOs with Garrett O'Brien, **Responsible for Defenders in the Division of Implementation of the Strategy and Policy on Human Rights in the European External Action Service EEAS**.
- On 20 May she held a meeting in Brussels with Daniel Smith, **Director for Latin America and Human Rights in the UK Permanent Representation to the European Union**.
- On 22 May she met with Marlene Beco, **Minister in the Office of the Deputy Prime Minister of Foreign Affairs of Belgium**.

6. NON- GOVERNMENTAL ORGANISATIONS

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

A LLENAR DE CONTENIDO LA LUCHA CONTRA LA CORRUPCIÓN

Ante la crisis política nacional derivada de los escándalos de corrupción que envuelven a los organismos y aparatos de Estado, en particular al Ejecutivo, la Convergencia por los Derechos Humanos, a los pueblos y la sociedad guatemalteca, declara:

Actualmente guatemaltecas y guatemaltecos nos movemos ante el llamado ciudadano, así como el de defensoras y defensores de Derechos Humanos, que representan toda una vida de lucha ante los efectos de la corrupción y la impunidad y aquellos y aquellas que emergen hoy a la defensa de derechos humanos. Sin distinción y sin exclusión articulamos nuestras voces.

Sin embargo, es necesario que tengamos presente que la lucha contra la corrupción no es una consigna más. Por el contrario, es la diferencia entre el abismo y el renacer para nuestra Guatemala, golpeada por la violencia, la impunidad, el saqueo y el cinismo. El cinismo de la elite política y económica que se robó nuestros sueños y nuestras propuestas de paz e impuso un modelo extractivo y neoliberal. A tal grado que vendió nuestra soberanía alimentaria, nuestro derecho a los servicios sociales, nuestro débil sistema de salud y educativo, así como nuestra seguridad y nuestro futuro.

Para poder remontar este sistema de corrupción creado junto al Estado guatemalteco en 1821, y consolidado este sistema con la revolución liberal de 1871 y posteriormente con la contra revolución en 1954; y en la historia reciente con los intentos fallidos para reformarlo inicialmente a partir del proceso de democratización en 1985, así como durante el gobierno de Ramiro de León Carpio, instaurado después del autogolpe de Serrano Elías, en 1994 y finalmente con el intento por reformar la constitución en 1999. De esta forma la historia nos ha enseñado que no sólo por la práctica, sino también por la ley es posible cambiar las reglas del sistema. Ninguna reforma legal surtirá el efecto que demandamos si no cambiamos la Constitución.

La Convergencia por los Derechos Humanos considera necesario no permitir el engaño ni la maniobra. Si no depuramos este ejecutivo, los partidos políticos y el sistema electoral, nada nuevo vendrá de una Asamblea Constituyente.

Por todo ello demandamos y hacemos un llamado a reclamar:

1. La renuncia de Otto Pérez Molina y Alejandro Maldonado Aguirre, quienes en este contexto representan un reacomodo de intereses particulares ajenos a la legítima indignación de la población guatemalteca.
2. La suspensión del proceso electoral a fin de que se produzca de inmediato la reforma a la Ley Electoral y de Partidos Políticos para prohibir el financiamiento privado, permitir la participación de grupos independientes y garantizar la plena representación de los pueblos indígenas.
3. La convocatoria a una Asamblea Nacional Constituyente con el mandato específico para renovar nuestra norma de acuerdo con los acuerdos realizados durante el proceso de paz sobre la nación y la plurinacionalidad, el nuevo sistema judicial, la reforma del papel del ejército, el derecho de consulta sobre el agua y el subsuelo de las poblaciones que serían afectadas por su utilización, así como la eliminación de los candados constitucionales para perseguir corruptos y evasores fiscales.

Compañeras y compañeros guatemaltecos y guatemaltecas, defensoras y defensores de derechos humanos, sigamos en la lucha. El cambio no se debe negociar a espaldas de la sociedad, por el contrario, se debe desarrollar desde la ciudadanía, con total transparencia y legitimidad.

Guatemala, 23 de Mayo de 2015

CONVERGENCIA POR LOS DERECHOS HUMANOS

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