



Paquete de Información Mensual de Guatemala

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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.

Evictions in Alta Verapaz

In January, a wave of forced evictions¹ or threats of evictions were reported in several indigenous Q'uechi' and Pocomchi' campesino communities in Alta Verapaz. Among those affected, two cases highlight the problem - Santa Inés² in the municipality of Santa Cruz evicted on January 5 and Q'eqxibal in the municipality of San Juan Chamelco, who were threatened with eviction.

The communities affected were not given due notice and as the evictions at Santa Inés were carried out, individuals were left to fend for themselves with no option for adequate alternative shelter being offered³ as required by national⁴ and international⁵ laws in place to guarantee basic rights for affected populations before, during, and after evictions. As outlined in the basic principles and directives of the UN, *forced evictions intensify inequality, social conflict, and segregation, and the creation of ghettos that invariably affect sectors of society that are the poorest, the most socially and economically vulnerable, and the marginalised, especially women, children, minors, and indigenous populations.*⁶

At the same time, according to the Community Press, there is a tendency to criminalise members of the communities with several arrest warrants based on accusations of illegal occupation even though the communities have occupied the land for many generations. Meanwhile, in response to the denunciations against the aggression suffered by the communities for several years, there has been no progress in identifying or bringing to justice those who are responsible.⁷ In addition, some media report the incidents in ways that negatively portray the community members as invaders.⁸ As Amnesty International emphasized in its latest report, *those defending human rights who work on access to land [. . .] in Guatemala, continue to do their work in highly hostile contexts and face high risk because of their work.*⁹

The forced evictions of Santa Inés is one that stands out the most given the 16 years of dialogue between community representatives and different state authorities which aimed at reaching a peaceful resolution that would guarantee access to the community's land. From 2002 to the present, Santa Inés has been subjected to several evictions without finding a solution that would guarantee secure tenure for land that the communities claim to have inhabited historically.¹⁰

The forced evictions and continuous lack of access to land for indigenous communities perpetuates historic land tenure inequality, gravely undermining numerous internationally recognized human rights such as the right to food security, to health, to water, to personal security, to safe shelter, and to freedom from cruel, inhuman or degrading treatment.¹¹ Without access to land and other natural resources necessary for survival, the situation of poverty that especially affects indigenous and campesino communities in Guatemala, is perpetuated.¹²

¹ Forced eviction is defined as that which is carried out in contravention of international human rights standards. See UN, "Principios básicos y directrices sobre los desalojos y el desplazamiento generados por el desarrollo", A/HRC/4/18, p.5.

² Prensa Comunitaria, "[Santa Inés. El Primer Desalojo del 2017 En El Territorio de Alta Verapaz](#)", 7 of January, 2017.

³ Ibidem.

⁴ Ministerio Público Guatemala, Instrucción General Número 03-2012.

⁵ Ver Nota 1.

⁶ Ibidem, p.4.

⁷ UVOC, "Autoridades de la Comunidad Nuevo Sebox de Senahu Alta Verapaz, fueron atacados con arma de fuego", 23 de octubre de 2016.

⁸ Nuestro Diario, "Agentes desalojan a invasores de finca. Apresan a cuatro personas", 6 de enero de 2017.

⁹ Amnesty International, "Defendemos la tierra con nuestra sangre", 2016, p.62.

¹⁰ Prensa Comunitaria, Op. Cit.

¹¹ See footnote 1, p.4.

¹² Amnesty International, "Guatemala/Honduras: Ataques contra activistas ambientales. Datos y Cifras." 1 de septiembre de 2016.

In the agreements on socioeconomic and agrarian issues that are part of the Peace Accords signed more than 20 years ago, Guatemala recognized the need for the *transformation of the land tenure structure and for the use of the land in ways that would provide economic stability for the rural base which is fundamental to their ongoing social well-being and to guarantees of their freedom and dignity*. Though the State recognized the central nature of land within the question of rural development, agrarian conflict has not ended; rather it has intensified. As reported by Amnesty International, the agrarian conflict currently has the same characteristics present for one hundred years and, in particular, has the same roots of injustice that gave rise to the armed internal conflict.¹³

First assassinations of activists

Despite reduction in aggressions suffered by defenders in the third semester of 2016, the Unit for the Protection of Human Rights Defenders in Guatemala (UNDEFEGUA) highlights in its final report for 2016, an increase in violent attacks. The tendency has continued in the first month of 2017 with the loss of two defenders who were assassinated. On January 16, Laura Leonor Vásquez Pineda from Matatesquintla, Jalapa, died after being shot in the head outside of her home. She, as part of anti-mining resistance of the San Rafael las Flores Committee for the Defense of Life, opposed the construction of the San Rafael mine and was criminalised and incarcerated for seven months for her opposition. Ultimately, she was released due to lack of a crime.¹⁴ The following day, Sebastián Alonso Juan, 72 years old, was injured by a bullet during a peaceful demonstration in Ixquisis, San Mateo Ixtatán, Huehuetenango prompted by the construction of a hydroelectric project by the Hydro Promotion and Development Limited (PDH, S.A.) After four hours of agony, he died having received no medical attention.¹⁵

Laura Leonor Vásquez and Sebastián Alonso Juan, defenders of the land, territory and environment in Guatemala, belonged to the most vulnerable group of activists as identified by Front Line Defenders in its 2016 report, *Stop the Killing of Human Rights Defenders*. According to the report, of the 156 activists assassinated because of their defence of rights, 56% worked in Latin America and 43% were defending environmental, land, and indigenous rights.

Growing inequality in the world and in Guatemala

This month, Oxfam International published its report, *An economy for the 99%*, about the growing economic inequality in the world: *eight individuals possess the same wealth as half of humanity's poorest*. According to statistics for Guatemala, *the estimated fortune of the 260 multimillionaires in Guatemala exceeds the amount needed to end malnutrition, and the income of these multimillionaires represents 1,761 times more than the average of 20% of the poorest*.

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 rights.*¹⁶

FIGHT AGAINST IMPUNITY

This month, we continued weekly visits and regular phone calls to the **Human Rights Law Firm**, and we accompanied lawyer, **Edgar Pérez Archila**, in his travels. We also accompanied the lawyers in the Semococh case involving the assassination of three campesinos during evictions carried out in August 2014 by the National Civilian Police (PNC) in this town in the municipality of Chisec, Alta Verapaz. On trial are 19 members of the PNC. On January 4th, 5th, 9th and 11th, preliminary hearings were held. In his findings, the judge upheld charges for abuse of authority and breach of duties against 13 officers; breach of duties, abuse of authority, and discharge of weapons against two officers; and extrajudicial execution against four officers.

¹³ Amnesty International, "Guatemala: ¿Tierra de injusticia?", 29 de marzo de 2006.

¹⁴ For more information: FIDH, [Guatemala: Asesinato de la defensora de la tierra y el medio ambiente Laura Leonor Vásquez Pineda](#), 20 de enero 2017.

¹⁵ For more information: Protection International, Guatemala: [Represión y Asesinato en contra de las comunidades de Ixquisis](#), 18 de enero 2017.

¹⁶ Information on our work and the organisations we accompany is available at our website: <http://www.pbi-guatemala.org/field-projects/pbi-guatemala/who-we-accompany/>

We were in constant telephone contact with members of the **Neighbourhood Association of Chicoyogüto (AVECHAV)**. On January 29, we accompanied them in the Assembly to initiate collection of testimonies that will be incorporated into the CREOMPAZ case by the legal team for the Center for Legal Action on Human Rights (CALDH).



PROBLEMS OF ACCESS TO LAND

On January 5, we accompanied the Union of **Campesino Organisations of Verapaz (UVOC)** during follow up to the first eviction of 2017 in Alta Verapaz, that of the Santa Inés community. Throughout the process, we were in telephone contact with the United Nations High Commission on Human Rights (OACNUDH), the Human Rights Ombudsman (PDH) at the local and national levels, the Secretary of Agrarian Affairs (SAA), the Presidential Human Rights Commission (COPREDH), and the National Civil Police (PNC), expressing concern for the human rights situation and for the evicted individuals among whom were pregnant women, elderly, and children. On January 5, we accompanied Carlos Morales, Coordinator for UVOC, in efforts to free four persons who were detained during the eviction, among them a pregnant woman. On January 10, we continued our accompaniment in the municipality of Cobán, this time during a visit by Carlos Morales to detained individuals. January 12, we were present for opening statements by the individuals accused of illegal occupation. Later we accompanied UVOC at a roundtable with the SAA. The month ended with the accompaniment on January 30 for the opening statements on the charges of illegal occupation which ultimately have been added to the charges against five members of UVOC, who were sentenced to house arrest and other measures.

NEGATIVE IMPACTS OF GLOBALIZATION OF HUMAN RIGHT



We continued our accompaniment of the **Peaceful Resistance of La Puya** with periodic phone calls and visits with those who have been present outside of the mine entrances and in the encampment in front of the Ministry of Energy and Mines since March 2, 2016.

It needs to be recalled that three members of the Puya were sentenced to nine years in prison in April 2014 for crimes of coercion, threats, and unlawful detention against mine workers. The sentence was appealed in 2015 without success. In March of 2016, the defense attorneys filed an extraordinary appeal before the Supreme Court of Justice, and though they anticipated a response 15 days later, the three continue to await the response.

We have maintained regular contact with the members of the **Peaceful Resistance of La Laguna** in San Pedro Ayampuc.

With regard to the accompaniment of the **Council of K'iche' Peoples (CPK)**, this month we paid special attention to the continuation of protective measures for **Aura Lolita Chávez** who shared her concern about those measures being lifted. Ultimately, the measures were not removed but concern continues about their effectiveness given the current context of aggression against human rights defenders. On January 28, we were present during a CPK assembly in Santa Cruz del Quiché, and we held meetings with several of the members to evaluate the security situation.

In the accompaniment of the **Campesino Coordinator New Day' Chortí (CCCND)**, we maintained our focus on the peaceful mobilizations going on in El Rodeo since January 5 in opposition to the arrival of construction machinery for a highway to the river where a Hydroelectric Central is to be built. On January 23, we were in constant telephone contact while members of the organization participated in a demonstration led by seven communities of Olopa, Chiquimula in front of a mine following the arrival of workers with machinery. On January 31, we accompanied 22 members of the CCCND to a summons by the Court of First Instance of Chiquimula. We will continue to focus attention on the outcomes of this process in the coming months.

As follow-up on commitments made during the trip to Europe by CCCND coordinator, **Omar Jerónimo**, we facilitated meetings with representatives of embassies of Germany, Netherlands, and Switzerland.

We continued to monitor closely the situation of **Reverend José Pilar Álvarez** of the **Ecumenical Coordinator in Defence of Life in Zacapa and Chiquimula**.

We remained attentive to the situation of the **Council of Cunen Communities (CCC)**, holding a meeting with several of its members on the 26th of the month.

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.

Following the assassination of **Jeremy Abraham Barríos Lima**, members of the **Center for Legal, Environmental and Social Action of Guatemala (CALAS)**, awaited results of the investigation. We monitored the situation through visits to its offices.

On January 13, amidst acts of intimidation against those who had made denunciations and against international accompaniers, we observed the opening of the final hearing in the **Molina Theissen** case in which six former military from the Guatemalan army are on trial.

On January 26th and 27th, we observed a public forum and press conference called by the **Network of Ancestral Healers of the Communal Feminism from Iximulew-Guatemala** whose objective was to denounce *the risks faced by women defenders of mother-earth territory who are confronted by multiple forms of corporate patriarchal and state violence ranging from harassment to territorial femicide.*



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.

In our dialogue with the diplomatic corps and international organisations, this month we met with:

- Rafaél Chávez, Counselor for the **Embassy of the Spanish State**
- Artur Brunner, Political Advisor with the **German Embassy**
- Roberta Beltranena, Program Officer for the **Swiss Embassy**
- Representatives of the embassies of the European Union and members of the **Filter Group** with participation of the representative of the **Swiss Embassy**
- Vanesa Álvarez y Alberto Ferrero, Human Rights Officers of the **UNHCR**
- Nery Ramos, Director of the **PNC**
- Ervin Mayen Veliz, Subdirector General de Operaciones de la **PNC**.
- Elder Figueroa Rodriguez, Executive Secretary, and Oscar Gaitán of the **National Council of Protected Areas, CONAP**
- Carlos Guillermo, PDH Auxilliary, **PDH, Cobán, Alta Verapaz**
- Mario Minera, Director of Conflict Mediation of the **PDH, Guatemala City**
- Carlos Moran, director of the **SAA**
- Sergio Iván Morales Mazarios, Substation Chief of the **PNC, Santa Cruz de Quiché**
- José Francisco Perez Reyes, **Mayor of Santa Cruz del Quiché**
- Guadalupe Baten, **Mayor of Cunén, Quiché**
- Hipólito Osorio González, Third Officer, and Raimondo Matón, Operations Manager of the **PNC, Santa Cruz del Quiché**

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.

- This month we met with: Rigoberto Juárez, ancestral authority of the **Plurinational Q'anjob'al Government**, the **Unit for the Protection of Human Rights Defenders in Guatemala (UDEFEQUA)**, the **Coordination of International Accompaniment in Guatemala (ACOGUATE)**, and **Protection International (PI)**.

5. ACTIVITIES OF PBI GUATEMALA OUTSIDE OF 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.

In the process of strengthening our support network, we held the following meetings:

- Sylvain Schultze, Guatemala Desk of the **European Foreign Action Service - EFAS**
 - Hans Olaf Henkel, Deputy and member of the **Human Rights Subcommittee of the European Parliament for the ECR Group**
 - Manuel Custodio, Assistant to Beatriz Becerra, Deputy and member of the **Human Rights Subcommittee of the European Parliament for the ALDE Group**
 - Ana Cristina Leitao, Assistant to Ana Gomes, Deputy and member of the **Human Rights Subcommittee of the European Parliament for the S&D Group**

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.

Ante la represión en contra de las comunidades defensoras de los derechos de las comunidades que integran la Micro Región de Ixquis, San Mateo Ixtatán, Huehuetenango

Hoy, 17 de enero de 2017, las comunidades de la Micro Región de Ixquis, de San Mateo Ixtatán, Huehuetenango, que defienden los derechos humanos, su territorio, la vida y los bienes naturales, realizaron una movilización pacífica para, nuevamente, expresar su rechazo y desacuerdo con la construcción de los proyectos hidroeléctricos propiedad de la empresa Promoción y Desarrollos Hídricos, Sociedad Anónima (PDH, S.A)

Meses antes de esta movilización, las comunidades realizaron diferentes gestiones ante las autoridades municipales, departamentales y nacionales para expresar su desacuerdo por el desvío de los ríos Yalwitz, Pojom y Río Negro por parte de la empresa PDH, S.A. Hacia las 14:00 horas, aproximadamente, la movilización transcurría tranquila, cuando hombres armados que se encontraban escondidos tras matorrales, dispararon en contra de los manifestantes, hiriendo al Señor Sebastián Alonso Juan de 72 años de edad, vecino de la comunidad de Yulchen Frontera. Tras cuatro horas de agonía, Sebastián Alonso Juan falleció sin haber recibido atención médica.

Llama seriamente la atención, que estos hechos se hayan cometido frente a la fuerte presencia de las fuerzas públicas de seguridad; En ese momento, se encontraban en la Micro Región tres vehículos con efectivos militares con el rostro cubierto con pasamontañas, así como 6 patrullas de la Policía Nacional Civil con aproximadamente 60 efectivos.

Ante este nuevo hecho represivo, las organizaciones firmantes exigimos:

1. Se investigue, a la brevedad posible, el asesinato del Señor Sebastián Alonso Juan, deduciendo las responsabilidades correspondientes.
2. Que la Procuraduría de Derechos Humanos realice de oficio la verificación de la continua violación a los derechos humanos, solicitud realizada por las comunidades de la Micro Región de Ixquis en abril de 2016. Sin que haya respuesta a esta demanda
3. Que los organismos e instituciones internacionales conformen una comisión de verificación sobre la situación de violaciones a los derechos humanos en la Micro Región de Ixquis.
4. Además, que apliquen los Principios Rectores de la Organización de Naciones Unidas sobre Derechos Humanos y Empresas, vigilando y sancionando a aquellas empresas que operen con fondos internacionales y que incurran en la violación de derechos humanos.
5. Que la comunidad internacional denuncien ante las instituciones financieras internacionales que invierten en los tres proyectos de la empresa PDH, S.A. las violaciones a los derechos humanos ocurridas y descritas en este comunicado.
6. A las autoridades del Ministerio de Ambiente y Recursos Naturales y a las del Ministerio de Energía y Minas, tomar en consideración las diferentes anomalías que han prevalecido en las licencias otorgadas, en especial el uso de bienes de dominio público sin la consulta a las comunidades.
7. Que cese de inmediato el proceso de criminalización en contra de las comunidades que defienden los derechos humanos, la vida, y los bienes naturales.
8. Que se respete la voluntad de las comunidades, quienes están ejerciendo su derecho a defender su territorio, en cuanto a:
 - Cancelar inmediatamente la autorización de las licencias de construcción de los proyectos hidroeléctricos Pojom I-II y San Andrés.

Brigadas Internacionales de Paz _____ Peace Brigades International

- Que el Ministerio de Gobernación y el Ministerio de la Defensa, realicen inmediatamente una investigación a profundidad orientada a identificar la responsabilidad de la Policía Nacional Civil, los agentes de seguridad privada al servicio de la empresa PDH. S.A., y de los elementos castrenses.

- Retirar, en el marco del proceso de investigación, de forma inmediata tanto el destacamento militar como la subestación de la PNC de la Micro Región de Ixquis, por haber demostrado en este nuevo hecho de represión, que su presencia en el lugar no contribuye a mantener la paz y la armonía en esta Micro Región.

Guatemala 17 de Enero de 2017

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GUATEMALA PROJECT

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