



PEACE BRIGADES INTERNATIONAL – GUATEMALA PROJECT

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1. NOTES ON THE CURRENT SITUATION

IMPUNITY

International community continue financial support of National Police Historic Archive

Guatemala, 02.07.2009 (SV) – The Historic Archive of the National Police (AHPN) will continue to be sustained with financial support from Sweden, Switzerland, and Holland as well as from the Catalán and Basque governments according to Gustavo Meoño, director of the institution. The AHPN currently is under control of the General Archive of Central America, after the Executive did not renew the previous agreement with the Human Rights Ombudsman's Office (PDH). The vice-minister for Culture and Sports, Elsa Beatriz Son, asked the AHPN employees to continue normally with their functions.

Director of Survivors Foundation, Norma Cruz, ends 10-day hunger strike following advances in two cases of irregular adoption

Guatemala, 25.07.2009 (PL) – At around 15:00 hours on 24 July, Norma Cruz, visibly affected, publically announced that she was ending the hunger strike begun 15 days earlier. Cruz said she would follow up on reported cases of irregular adoption through a working group comprised of magistrate Vladimir Aguilar, representatives of the Court Supervision, and the Foundation's legal team. At the same time, she stressed that it was "incredible how in these days they resolved what they didn't do in several months. Little by little we will make the institutions respond to the needs of the people." Justice is effective when there is the will on the part of those who have the responsibility to impart it, she said. Twenty-four hours after having presented petitions citing alleged invalidities in the adoptions of three girls, to be reviewed by the second, eighth and tenth civil courts, they had received notification on two of the three petitions of invalidation. Rodolfo Díaz, lawyer for Survivors Foundation, said that in these processes legal representatives, notaries and women presenting themselves as biological mothers were being sued.

LAND

Intervention of CICIG requested in the judicial process of *campesino* leader, Ramiro Choc

Izabal, 30.07.2009 (AC) – The *campesino* and indigenous movement of Livingston, Izabal, asked the International Commission Against Impunity in Guatemala (CICIG) for its intervention in the process against Ramiro Choc, a social leader accused of crimes related to land possession. The *campesino* and indigenous organisations considered a mockery of the communities the fact that the Mixed Regional Court of the Appeal Court of Zacapa suspended the debate in the second instance that had been requested by Choc's defense. The court notified the plaintiff and the Public Prosecutor (MP) of the suspension, but not the legal representative of the accused, according to a communiqué of the Campesino Unity organisation of Livingston.

Colom presents his rural development project for western Guatemala

Guatemala, 10.07.2009 (PL) - President Álvaro Colom presented the National Program for Rural Development for the west of the country, now functioning in the east since last year. The project seeks to strengthen research and proposes the implementation of innovative production techniques, technological accompaniment, and training for the producers. It will also focus on areas like tourism, artisanship and energy, and support for cultivation of corn, vegetables, coffee and cattle products. Alfredo Orellana,

coordinator of the program, said that it aimed to reach 77 western communities and represented an investment of 400 million quetzals. The coordinator of ProRural, Roberto Dalton, said that only with programs financed like this one would eradication of poverty in the communities be achieved.

Campesino organisations block the country's highways to demand solutions to rural problems

Guatemala, 24.07.2009 (PL, PI) – Vehicle traffic was obstructed in 16 places on the country's principal highways due to blockades carried out by the *campesino* population on 24 July, aimed at reminding the Government to comply with three commitments made in 2008 to the Campesino Development Committee (CODECA). This organisation demanded an annual subsidy of three thousand quetzals to be given to small producers, the promotion of agrarian reform, and the resolution of the case of violent eviction at the Nueva Linda estate in Retalhuleu where nine people died and 24 were injured in 2004. A CODECA commission waits in the capital for a meeting with President Álvaro Colom. The leaders have declared that they will end the blockades once they have received a positive response to their demands.

Agrarian Platform and Government sign letter of commitment

Guatemala, 31.07.2009 (AC, PL) – In an act celebrated on Thursday at the National Culture Palace, delegates of the Peace Secretary (SEPAZ), Secretary of Agrarian Affairs, Presidential General Planning and Programming Secretary (SEGEPLAN) and the National Land Fund (FONTIERRAS) made a commitment to fulfil a series of demands made by the group of *campesino* organisations, Agrarian Platform. The group considered that a concrete response had been given to some of the demands presented to the Government and to the Congress on 8 August 2008.

NEGATIVE EFFECTS OF GLOBALISATION

Oxfam: proof that "Mining does not imply development"

Guatemala, 10.07.2009 (PL) – In presenting a cost/benefit analysis of the El Dorado gold mining industry in El Salvador, the San Martin in Honduras, and the Marlin in Guatemala, Oxfam analyst Andrew McKinley said that he could prove that development had not come to the area's communities. He stressed that the communities near the metal mines continued to be poor and in addition suffered problems of water contamination and impact on the landscape, and added that the study proved that the local employment and income for the Governments generated by the mines were both limited. Oxfam is an international organisation that works in the field of sustainable development. "One of the problems is the water, because this industry consumes a million litres a day. In El Salvador, the water level of local sources dropped 20 percent, and in Guatemala there is fear of contamination of the underground and surface sources", said McKinley. To that is added the risks of cyanide use. The analyst recommended that the Governments analyse whether or not the business would be worthwhile.

50% of electorate would reject mining

Guatemala, 23.07.2009 (LH) - According to polls conducted principally through community consultations organised by the populations themselves, the equivalent of 50% of those who exercised the right to vote during the general elections have indicated opposition to mining activities being carried out in the west and east of the country. The Supreme Electoral Tribunal (TSE) registers an electorate of 5.9 million persons. In the last general elections held in 2007, the participation was recorded of a little more than two million. In Guatemala, principally in Huehuetenango and San Marcos, more than 30 community consultations have been carried out in which children, teens, men and women have participated as a demonstration of a process of democratic participation; however, when the results are made known only the votes cast by adults are included. 98% of those who participated in the community consultations opposed the installation and continuation of open pit mining exploration and exploitation projects as well as hydroelectric and cement industry activities.

Environment and Natural Resources Ministry (MARN) releases new resolutions in the case of Montana Exploradora

Guatemala, 31.07.2009 (EP) – the Ministry of Environment and Natural Resources (MARN) released three resolutions related to the importation of sodium cyanide by Montana Exploradora, SA. According to the director of Environmental Management of MARN, Eugenia Castro, the first of them revokes the prohibition on importation of the chemical, now that it is permitted by law. The second indicates that the mine will be able to bring in cyanide once debt to the Guatemalan state is brought up to date. The third resolution requires the mine to apply for a licence for each import of the chemical it carries out. The lawyer for Montana Exploradora, Jorge Mario Sandoval, said that though he had received the three notifications, there was no mention in any of the documents of any debt, and therefore he held the position that the company remained solvent.

Sources: Cerigua Agency (AC), Central America Daily (CA), El Periodico (EP), La Hora (LH), Prensa Libre (PL), Siglo Veintiuno (SV).

2. PBI-GUATEMALA ACTIVITIES – IN GUATEMALA

Team: Silvia Weber (Germany), Jean-Jacques Ambresin (Switzerland), Valerie Elsig (Switzerland), Marina Comandulli (Italy/Brazil), Christopher Moye (UK), Jessica Fujan (USA), Simone Gessler (Switzerland), Juliane Walter (Germany), Samuel Jones (United Kingdom), Jorge Palomeque (Argentina)

2.1. DIALOGUE WITH GUATEMALAN AUTHORITIES AND DIPLOMATIC CORPS

Meetings with national and international authorities are an important tool for PBI's efforts to make known our objectives and nature of work. Through these meetings, in cases 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 in the country.

Diplomatic Corps:

- Julie Chappell, United Kingdom Ambassador, Guatemala City.
- Jean-Pierre Villard, Swiss Ambassador, Guatemala City.

Guatemalan Authorities:

- Guillermo Tabín Álvarez, Director of Departmental Auxiliaries of the Human Rights Ombudsman (PDH), Guatemala City, Guatemala
- Porfirio Pérez Paniagua, General Director of the National Civil Police (PNC), Guatemala City
- Enrique Pérez, Human Rights Ombudsman's Office (PDH), Nebaj, Quiché
- Raúl Rodríguez, Human Rights Ombudsman's Office (PDH), Santa Cruz del Quiché, El Quiché
- Mario Morales, Presidential Human Rights Commission (COPREDEH), Santa Cruz del Quiché, El Quiché
- Salvador Tipaz, Secretary of the Interior, Santa Cruz del Quiché, El Quiché
- Gonzalez Hernandez, Official of the National Police of Santa Cruz del Quiché, El Quiché
- Tomás Aigla Pol, Indigenous Mayor of Uspantán, El Quiché
- Hipólito Tomás Hernandez, councilman of the Village of Uspantán, El 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 internal processes of contextual analysis.

Organisations and individuals from Guatemalan Civil Society:

- Miguel Qiej, Leader of the National Community Council for Integral Development of Guatemala (CONCODIG), Guatemala City, Guatemala
- Marco Tulio Pérez, Chief of Department of Investigations of Unidentified Persons of the Forensic Anthropology Foundation (FAFG), Guatemala City, Guatemala
- Abisafías Gómez and Pedro Ariel García, members of the Agrarian Platform, Guatemala City, Guatemala
- Norma Cruz, director of the Survivors Foundation, Guatemala City, Guatemala
- Father Roberto Paz, Santa Cruz del Quiché, El Quiché
- Luis Lacan, Member of the Guatemalan Settlers Movement (MGP), Guatemala City, Guatemala

International Organisations and Agencies:

- Forum of International Non-Governmental Organisations in Guatemala (FONGI), Guatemala City
- International Accompaniment Coordination in Guatemala (CAIG), Guatemala City
- Christina Papadopoulou, Office of the United Nations High Commission for Human Rights in Guatemala, Guatemala City
- Martina Richard, director of the German Social-Technical Cooperation Service (DED), Guatemala City

2.3 ACCOMPANIMENTS

Union of Campesino Organisations for the Verapaces (UVOC).

In July we paid close attention to the various evictions occurring in the Alta Verapaz region, and we attended a press conference held by the UVOC about this issue. In addition, we observed the development of the dialogue over agrarian conflicts meeting in Cobán at the beginning of each month in which members of Alta Verapaz communities, the UVOC, the Secretary for Agrarian Affairs, the Human Rights Ombudsman (PDH), and the Land Fund (Fontierra) participate. We maintain contact with various members of this organisation through office visits in the capital and in Santa Cruz (Alta Verapaz).

*Background: A campesino organisation based in the departments of Alta and Baja Verapaz, UVOC works principally to defend and promote access to land for the peasant population and advises communities about the land legalisation process. UVOC also offers training and support to member communities in the management of development projects. We have accompanied **Carlos Morales**, leader of the UVOC, since May 2005 because he has been the victim of death threats, intimidation, and persecution by unidentified individuals. At the same time we continue to pay attention to the delicate situation of some of the communities that are part of the organisation. In February 2006 peasant families assisted by UVOC, who were living in the La Mocca estate, were evicted violently and several were wounded by gunshot. The families of La Mocca continue to live on the side of the highway.*

National Coordinator of Guatemalan Widows, CONAVIGUA.

In July we continued accompaniment with regular visits to the office and held meetings with the women of CONAVIGUA and MOJOMAYA.

Background: CONAVIGUA carries out processes of exhumations and inhumations in different departments throughout Guatemala, above all in Quiché, Chimaltenango, and the Verapaces, as part of its work towards the recuperation of the collective memory of Guatemala's recent troubled history. These processes provoke very tense situations in small rural communities where both victims and perpetrators live, occasionally culminating in threats that seek to stop the work of the CONAVIGUA women. We have periodically accompanied the association since August 2003, with visits to their office and accompaniment during exhumation and inhumation activities in clandestine cemeteries in rural areas.

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

During July we continued accompanying OASIS, and continuously monitored the evolution of the judicial process against its director, Jorge López, who is awaiting notification of the date of the next court hearing, given that the six-month time limit for the Public Prosecutor to complete its investigation expired on 23 July.

*Background: OASIS is an organisation that works with HIV/AIDS education and prevention, as well as promoting and protecting the rights of gay, lesbian, bisexual and transgender people. On 17 December 2005, a transgender worker, Paulina, was killed, the seventh murder of a transgender worker that year. **Zulma Robles**, who witnessed the crime, was seriously injured during the incident. OASIS reported the case to the Public Prosecutor's Office (MP) and Zulma, as a witness to the murder, identified alleged agents of the National Civil Police (PNC) as the perpetrators of the crime.*

*Members of the organisation continued to suffer harassment and threats. Executive Director **Jorge López** reported being pursued by a police car during the night of 22 January 2006. On 3 February 2006 the Inter-American Commission of Human Rights (CIDH) granted protection measures for Zulma Robles, Jorge López, and another eleven members of OASIS, requesting that the Government of Guatemala adopt the necessary measures to guarantee their lives and physical integrity.*

We have been accompanying OASIS since the beginning of 2006. In January 2009, we intensified the accompaniment of Jorge López after he was accused of the attempted murder of sex worker Laila (Axel Leonel Donis González) and a legal process opened against him. The Ninth Court of the First Criminal Instance found that there were no elements linking Jorge López to the charge of attempted murder; but decided to keep him within the process for the possible offence of 'Accessory to the Crime'¹, subjecting him to a substitutive measure of house arrest without surveillance for 6 months, and required to register with a judge every 30 days. Jorge López interprets this process as a new manifestation of the constant persecution and intimidation he has suffered in recent years, which aims to impede the progress of the organisation's work and the respect for the human rights of sexual minority communities.

Fearing for his physical safety, we activated the Guatemala Project's Support Network and stepped up dialogue with Guatemalan authorities, international agencies and embassies present in the country. Between August 2008 and March 2009, with PBI's Mexico and Colombia projects and in coordination with PBI groups in Europe and North America, we organised speaking tours in Europe, Canada, and the United States, for human rights defenders accompanied by our Latin-American projects. Jorge López and Zulma Robles had the opportunity to present to various audiences the situation faced by OASIS and by sexually diverse communities in Guatemala. In February 2009, protective measures granted to OASIS in 2006 by the Inter-American Human Rights Commission (CIDH) went into effect providing Jorge López with 24-hour accompaniment by an agent of the National Civil Police (PNC). The next hearing has yet to be called.

¹ According to the Criminal Code, Article 474 (Accessory to the Crime) : "One is responsible for accessory who without agreement, collusion, or prior arrangements with the perpetrators or accomplices to the crime but with knowledge of the crime, intervenes with anticipation doing any of the following: 1. Hide a fugitive or facilitate his flight. 2. Deny the authority, without justification, access to a suspect, fugitive or criminal that is found in his residence or dwelling of the sought-after person."

Association for the Protection of Montaña de las Granadillas, APMG.

Following the tour of the United States and various countries in Europe by several members of the board of directors of the Association, we continue our presence in Zacapa and La Trementina. In the middle of July, we accompanied the association during a visit to Montaña de las Granadillas organised with representatives from the Ministry of Environment and Natural Resources (MARN). The objective was to gain recognition of the natural riches of the area, as well as to see the problems and threats facing water resources due to logging. The vice minister could not complete the full tour planned in the agenda, so promised to return to visit the mountain's municipal area and to instigate a dialogue roundtable aimed at finding solutions to the problems identified on the mountain.

*Background: The association was created six years ago in Zacapa, when a group of residents realised that the ecosystem of the Las Granadillas mountain (Zacapa) was in danger due to logging, monoculture, and large-scale cattle farming. They were concerned above all that the water reserves would disappear, given that all of the region's water comes from the mountain's forests. The organisation sought the support of the Lutheran Church, specifically from Reverend **José Pilar Álvarez Cabrera**, and the Madre Selva Collective. These organisations carried out an analysis of the deterioration of the area, and found that the lower part of the mountain had lost 70% of forest cover due to illegal logging and inadequate regional application of the Forestry Law. Now the principal objective is to protect 20-30% of the remaining forest and to promote reforestation. The association's members want to convert the mountain into a protected area but this proposal has proven difficult and dangerous because of the economic interests involved. Threats against members of the association began when the association tried to denounce the illegal timber trade. We have accompanied the APMG since August 2008. At the beginning of 2009, Reverend José Pilar Álvarez and two members of the APMG faced legal accusations connected to their work of protecting the mountain; The charges were dismissed in the first hearing before a judge.*

Human Rights Defenders Protection Unit (UDEFEQUA)

After three members of UDEFEQUA received intimidating messages on their cell phones in April and May, we have maintained our accompaniment with weekly visits to the office, monitoring the security situation during the investigation of these events, and providing support to the organisation's members. UDEFEQUA continues to promote the judicial process to identify the origin of the threats.

Background: The Human Rights Defenders Protection Unit (UDEFEQUA) was founded in 2004 with the objective of promoting the security of human rights defenders in Guatemala and to contribute to the protection of the political space in which they work. The Unit's programmes support threatened human rights defenders and their organisations, and advise them about prevention and response to threats and attacks, through the provision of information, training, monitoring and psychological support. In addition, UDEFEQUA promotes the protection of these people on the part of government institutions and the international community. For many years PBI has maintained a close collaborative relationship with UDEFEQUA, and in 2007 provided the Unit with international accompaniment during another period of threats. Following the threats received during the month of May 2009, those affected have denounced the incidents to the Public Prosecutor's Office. Several international organisations have expressed their concerns about what they describe as a "serious pattern of persecution".²

Association of Indigenous Women of Santa María Xalapán (AMISMAXAJ)

In July we began accompaniment of the Association of Indigenous Women of Santa María Xalapán, based on threats that one of its members had received from a community member. The association works actively in the Jalapa region in defence of women's rights and of natural resources. On 14 July we observed a march of indigenous people from the Xalapán mountains against mining and petroleum exploration and exploitation in the Jalapa Department and in all of the country's territory. In addition, on 29 July in the capital, we observed a march and presentation of an open letter to the President and the Congress signed by 20,000 members of the Xinca Indigenous Community of Santa María Xalapán. The demands contained in the letter are based on the absence of consultation in the framework of current international norms and include the rejection of the granting and operation of 15 licences for mining exploration and/or exploitation and of actors involved in the petroleum industry in the department of Jalapa.

The Association 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.

2.4 FOLLOW-UP

² Human Rights First (HRF), Washington Office on Latin America (WOLA), Network in Solidarity with the people of Guatemala (NISGUA), Grassroots International, American Jewish World Service, Latin America Working Group (LAWG), Institute for Peace and Justice – University of San Diego, *Carta al Presidente Álvaro Colom*, 8 May 2009.

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

We are following up on the situations of the following social organisations:

The Guatemalan Association of Indigenous Mayors and Authorities (AGAAI).

In June, we presented our organisation to Saturnino Figueroa Pérez, president of AGAAI, to the mayor of San Bartolomé Milpas Altas, Catalina Martínez Velásquez, as well as to the vice-president of AGAAI and the Municipal Council of Sacatepéquez. AGAAI's mission is to facilitate policies and strategies to strengthen indigenous municipal governments and authorities politically, technically, legally and in their administration, aiming to contribute to the construction of a State that reflects the pluricultural, multi-linguistic and multiethnic nature of the country. In this context, AGAAI works through local indigenous mayors and authorities to raise public awareness of issues such as community consultations on mining activities. It also advocates strongly about the municipal legislative agenda so that indigenous authorities can become part of the official system.

Carlos Guárquez, the executive coordinator of the association, has suffered from various forms of threats, accusations, and intimidation because of his work rejecting the Free Trade Agreement (DR-CAFTA) and mining exploitation. On 20th March 2007, AGAAI's office was broken into and raided by unidentified intruders. As a result of this first threat, PBI activated its Support Network (SN) inside Guatemala, and we continued to accompany the organisation in the following years. Currently, although physical accompaniment of Carlos Guárquez has stopped, we continue to follow the situation closely, due to the organization's relevant role in key current processes in Guatemala's, especially those relating to community consultations in various departments of the country. On 22 May we observed a presentation, organised by AGAAI and NUM-AJPU, of the eighth edition of a book by Carlos Guzmán-Boeckler and Jean-Loup Herbert. All of the speakers highlighted the historical importance of this publication, written in 1970, as one of the first studies of the discrimination towards the indigenous community.

Centre for Human Rights Legal Action (CALDH).

In June we accompanied José Roberto Morales during a schedule of visits to observe hydroelectric dams, water contamination, and deterioration of forests in Jocotán, Camotán, and San Juan Ermita. The activity was organised by the Human Rights Observatory of Chiquimula department and the Maya Chorti Defense.

CALDH has had its headquarters in the capital since 1994. It receives reports of Human Rights violations, directing investigations into the cases and pushing for access to justice. One of its main areas of work is in seeking justice in genocide cases, and other crimes committed during the internal armed conflict.

We have accompanied CALDH workers on various occasions between 2004 and 2006. In February 2007, members of the legal team received direct threats. That same month, Jose Roberto Morales Sic, Coordinator of CALDH's Rights for Indigenous Peoples Programme, was the victim of a kidnapping by two armed men who threatened to kill him. At that point we began to accompany him on a regular basis. In February 2009, we began to observe some of the organisation's other activities. This came following an increase in threats and security risks because of its active role in the truth process, the recuperation of historical memory and the release of classified military archives relating to its actions during the internal armed conflict. In April 2009, we attended a press conference in the offices of CALDH, where several social organisations expressed their concern about the assassination of the journalist Rolando Santiz and the situation of insecurity in the country.

Association of Friends of Lake Izabal, ASALI.

ASALI, an association in El Estor, Department of Izabal, works to protect Lake Izabal as a source of life and work for the communities in the area. Its concerns centre on the negative effects of mining in the region and the use of extensive agriculture, such as fruit cultivation and the production of biofuels (sugarcane and African palm). Between 2004 and 2007, the president of the organisation, Eloyda Mejía, received various kinds of threats related to her work as an activist. These included legal proceedings against her for usurpation of lands, an action that was seen by her and by ASALI as an act of persecution and intimidation on the part of the Guatemalan Nickel Company (CGN), to make ASALI abandon its work. The activities of the CGN project in El Estor have been suspended and continue paralysed for the moment. We accompanied ASALI and Eloyda Mejía from 2004 and in 2007 we intensified the accompaniment due to a deterioration in the security situation in the region. Recently the organisation has elected a new Board of Directors and Eloyda Mejía continues actively involved in campaigns on mining related issues at a national and international level. Following an analysis of the organisation's security situation a significant reduction in the threats has been observed, allowing us to pass the accompaniment to the follow up phase.

The Association of Mayan Lawyers and Notaries of Guatemala (AANMG).

The Association of Mayan Lawyers and Notaries supports and advises indigenous leaders and mayors who are in a vulnerable situation due to their work in defence of human rights and indigenous rights, above all relating to the defence of natural resources.

As members and representatives of the association, Amilcar Pop, Carmela Curup and Mario Saper began to suffer threats and intimidation after giving legal advice to the communities of San Juan Sacatepéquez municipality regarding a social consultation about the cement factory project of the company Cementos Progreso in the area. The threats culminated on 2 August, with the attempted attack on the life of Amilcar Pop. Since August 2008, we have accompanied members of the organisation to San Juan Sacatepéquez and in several judicial hearings. We have also kept in regular contact through visits to the office and phone calls. During recent months the threats have diminished and, as of April 2009, we have entered the follow up phase of accompanying the security situation of AANMG. The Association continues to develop its work of advising the communities.

Lesbiradas

The Lesbiradas Collective works to defend and promote the rights of Guatemalan lesbian women, promoting, among other things, women's right of self-determination of their bodies and sexuality. Lesbiradas oppose discrimination, the exclusive patriarchal system and the systematic violence that lesbian women face.

The two accompanied members participate in various social movements, and on three occasions during July 2008 one of them was threatened with death directly by officers of the army and of the National Civil Police (PNC), having a gun pointed at her on 21 July 2008. The events were denounced at the offices of the Public Prosecutor (MP) and the Human Rights Ombudsman (PDH), as well as before the Human Rights Defenders' Protection Unit (UDEFEQUA). We began to accompany the organisation in the same month. Seeing a reduction in the risk to the security of the accompanied members, as of May 2009 we continue the accompaniment in the follow up phase

The National Coordinator for Inhabitants of Marginalised Areas, CONAPAMG

CONAPAMG works on issues of housing access, social infrastructure, and the legalisation of occupied land.

We have accompanied the organisation since July 2004 when its office suffered a break-in. Two members of the organisation were assassinated in 2005 and 2006. In particular we accompany the general coordinator **Roly Escobar**, for whom we activated our Support Network (SN) following death threats he received on 10 September 2006. In May, in light of a reduction of threats and a significant improvement in the security situation, the accompaniment and follow up phase of this organisation were concluded.

The Commission of Peaceful Resistance of San Rafael Pie de la Cuesta (CRP)

The CRP, founded in 2006 in the Municipality of San Rafael Pie de la Cuesta (San Marcos), focuses on the investigation and reporting about a particular hydroelectric project, whose proposed construction in early 2008 was announced by the mayor in September 2007. The project was based on another earlier one that had not been realised, and about which the municipality's population had not been informed.

We began accompanying members of the CRP in December 2007, after some of them were attacked and interrogated by police officers during a meeting held by the organisation and following the incident several members later received threats. As a result of a positive evaluation of their security, the accompaniment has been in the follow up phase since November 2008. We continue this accompaniment as part of our objective to accompany the social processes of defence and promotion of human rights relating to the use and exploitation of natural resources, in particular water and mineral resources.

The Movement of Campesino Workers (MTC)

The MTC is made up of peasant community associations that work in defence of their labour rights. Since reporting various forms of threats and intimidation against him towards the end of 2005, we have accompanied MTC coordinator, **Julio Archila** in his work of advising communities, and throughout a legal process that was mounted against him. Since the case was dismissed in August 2008, and the security incidents suffered by the organisation also diminished significantly, we continued our accompaniment in the follow up phase. In 2009 we maintained contact with the MTC, especially with Julio Archila, who now participates in the technical commission, set up to address the land issue, with representation from the Ministry of Agriculture and Livestock, the Secretary for Agrarian Issues, and the Land Fund (FONTIERRA). This follow up falls under our objective to accompany processes around the struggle for access to land.

The Women's Sector

The Women's Sector is a coordinating body of associations that work for women's economic development and campaigns for the end of violence against women, denouncing impunity and *feminicide*.

In less than 10 days, between the end of May and the beginning of June 2006, the headquarters of the Women's Sector were broken into twice. We began to accompany the organisation in June 2006. Several months later, their security situation improved noticeably, making it possible to move to the follow up phase.

We are currently making weekly visits to the Women's Sector office in the capital and regularly observing its public activities, following an increase in risk to the security of a number of the organisation's members. In May we also observed a press conference held at Women's Sector headquarters the Collective of Social Organisations (COS), on the serious political crisis Guatemala is experiencing.

2.5 OBSERVATION

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

The month of July was characterised by numerous demonstrations on the part of the social movement. At the beginning of the month, we were present as international observers in the demonstration convened by several social organisations to demand the protection and guarantee of free access to the Historic Archive of the National Police (AHPN), and the transfer of the responsibility of the Human Rights Ombudsman (PDH) to the General Archive of Central America. These demands of Guatemalan civil society are based on the need to guarantee recuperation of historic memory and to preserve information that could contribute to judicial clarification of serious human rights violations committed in the past.

On 13 and 14 July, we observed the final stage of a march from the town of San Juan Sacatepéquez, in which some 10,000 people participated, against the cement factory that is being installed in the municipality by the company Cementos Progreso. We also were present during a demonstration at the end of the march that took place in the capital. Social representatives spoke with members of the Government inside the Presidential Palace and agreed to establish a 90-day period for the realisation of a deep analysis of the environmental impact that the installation of the cement plant would involve.



Exhumation in Chejul, El Quiché. Photo: PBI

They also agreed to the withdrawal of a military base from the area and to the continuation of a dialogue roundtable.

Also on 14 July, results from the community consultations in San Mateo Ixtatan were presented to Congress.

On 20 July we observed a march organised by the Agrarian Platform, demanding attention from the Government and Congress to their petitions and proposals for reactivating the indigenous *campesino* economy. In response, the Government signed a letter of commitment on 30 July.

At the end of July, we observed the first day of exhumations in an old military base in Chejul, near Uspantán (El Quiché Department). It is estimated that the remains of hundreds of people murdered during the internal armed conflict are buried there, and the exhumation could take at least six months.

3. PBI-GUATEMALA ACTIVITIES – OUTSIDE GUATEMALA

The regional representatives, the project's coordination office, other committee members and the project office, as well as PBI national groups, carried out public relations campaigns with numerous NGO's, agencies, national governments, parliamentarians, etc. These meetings translate into the development and strengthening of a "Support Network" for the project, an essential tool for the functioning of PBI's international presence in Guatemala.

In July, the project's European representative met in Brussels with Claudia Gintersdorfer of the human rights department of the Office of the personal representative for Human Rights of SG/HR Solana, European Union Council.

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 DE PRENSA
ANTE LOS ÚLTIMOS DESALOJOS REALIZADOS EN ALTA VERAPAZ
LA UNION VERAPACENSE DE ORGANIZACIONES CAMPESINAS -UVOC-
MIEMBROS DE LA COORDINADORA NACIONAL DE ORGANIZACIONES CAMPESINAS -CNOC-**

A LA OPINIÓN PÚBLICA NACIONAL E INTERNACIONAL

MANIFESTAMOS

Recientemente en Alta Verapaz se han venido realizado desalojos a familias indígenas Qeqchies y Pocomchies siendo estas las comunidades de Santa Elena Chiu, la Peñita del municipio de Chahal donde fueron desalojadas el día miércoles 8 de julio, 78 familias y el día miércoles 22 de julio del presente año la comunidad de “el Crepúsculo” ubicada en la aldea Pasmolon del municipio de Tactic departamento de alta Verapaz, familias, que desde hace más de 20 años laboraron para los propietarios, y a pesar de haber un litigio por demanda del pago de prestaciones laborales la señora Olimpia Buenafe Leal, quien aduce ser la propietaria de esas tierras, solicito la orden de desalojo, que fue ejecutado por un contingente de policías y personal del ejercito nacional, un ejercito que se ha venido fortaleciendo para responder a los intereses de unos pocos y que sigue manteniendo bajo sus botas a la mayoría de guatemaltecos .

Estamos concientes de que existe una mesa de dialogo nacional, y se creo la Comisión paritaria para la resolución de conflictos Agrarios, que asta la fecha desconocemos cual es la función de esta comisión, con estas acciones, se esta poniendo en entre icho la voluntad del gobierno central en encontrar solución a los conflictos de tierra, y una vez mas el Estado de Guatemala uelve a violentar el proceso de dialogo para la búsqueda de soluciones pacificas entre finqueros y campesinos.

ANTE ESTA SITUACION:

Condenamos las acciones realizadas en contra de indígenas y campesinos quienes únicamente demandan el pago del derecho laboral por haber trabajado por muchos años en fincas del departamento.

Condenamos la quema de sus pertenencias, que es lo poco que ellos han podido tener durante toda su vida.

Condenamos el accionar del auxiliar de los derechos humanos de Alta Verapaz que esta respondiendo a los intereses de los poderosos de la región.

Afirmamos que la lucha de las comunidades por la adjudicación legal de sus tierras es legítima y necesaria.

La UVOC - Miembros de la Coordinadora Nacional de Organizaciones Campesinas CNOC

Exige al Gobierno de la República: **gírar órdenes precisas a donde corresponda para suspender las ordenes de desalojo las persecuciones y ordenes de captura en contra de miles de familias indígenas y campesinas de la región de las Verapaces, para no seguir afectando mas la crisis alimentaria que empieza a sentirse ya fuertemente en nuestras comunidades, en nuestro país y en el mundo entero.**

Exigimos la pronta liberación de los presos políticos como Ramiro Choc y Mateo Yat este ultimo, líder de comunidad La Mocca.

Exigimos al gobierno un dialogo incluyente y sincero, que logre encontrar soluciones reales a la problemática agraria de nuestro país.

TIERRA, TORTILLA Y LIBERTAD, SOLO LA REFORMA AGRARIA LO DARA -UVOC- PRESENTE

**Guatemala: ¡¡Por la Defensa de Nuestra Tierra y Territorio!!
Coordinación y Convergencia Nacional Maya Waqib´ Kej et al.**

Nosotras y nosotros hijos e hijas de ésta tierra, reafirmamos nuestra lucha organizada en articulación para la defensa de nuestra Madre Tierra y Territorio, amparados en el marco legal nacional e internacional; Constitución Política de la República, Ley Marco de los Acuerdos de Paz; Acuerdo sobre Identidad y Derechos de los Pueblos Indígenas, La Convención 169 de la OIT, Declaración de las Naciones Unidas sobre los Derechos de los Pueblos Indígenas y Declaración Universal de los Derechos Humanos. El día de hoy nos unimos a las luchas nacionales como una manifestación rotunda en rechazo al Modelo de desarrollo económico Capitalista y Patriarcal que a través de la invasión de Megaproyectos, saquea nuestros más preciados bienes naturales.

La Tierra y el territorio para los pueblos y nacionalidades originarias es una herencia ancestral donde se manifiesta la vida de la humanidad, por ello la exploración -explotación minera y petrolera, se constituyen en una forma directa de alta agresión a nuestros derechos humanos y colectivos como Pueblos indígenas, pues va en contra de principios y valores cosmogónicos.

CONDENAMOS, RECHAZAMOS Y NOS OPONEMOS:

- A toda forma de exploración y explotación minera y petrolera en la Montaña de Xalapán, en el departamento de Jalapa y en territorio nacional.
- Al otorgamiento de las 15 licencias de minería en el departamento de Jalapa, porque no fuimos consultados como pueblo indígena en el marco de la Ley Nacional e internacional de respeto a territorios autónomos.
- Al otorgamiento de 16 solicitudes que se encuentran en estudio y trámite para la exploración y explotación minera y petrolera en el departamento de Jalapa.
- La actual Ley de minería y sus reformas porque se constituye en un instrumento legal que legitima el despojo y saqueo.

DEMANDAMOS

1. A las autoridades departamentales, que respeten la autonomía organizativa y ancestral del derecho de consulta a los pueblos indígenas a fin de no tomar decisiones que van en contra de nuestros derechos colectivos y al grave irrespeto de nuestras formas ancestrales de convivencia con la Madre Tierra.
2. A que se respeten los Acuerdos, Leyes, Convenios y Tratados que han sido firmados en el país por parte del Estado a favor y en respeto de la autonomía de los pueblos indígenas. Así como el Acuerdo de Identidad de los Pueblos Indígenas amparado en la Ley Marco de los Acuerdos de Paz.
3. El respeto a nuestras decisiones comunitarias y al seguimiento que hemos definimos para la acción política en la montaña, porque la minería también es una forma de violencia contra la madre tierra y contra las mujeres y hombres que convivimos con ella.
4. La expulsión de las empresas transnacionales mineras y petroleras que atentan contra nuestros derechos humanos.

Responsabilizamos a todos aquellos políticos partidistas que tomen represalias y atenten contra Nuestras Autoridades indígenas, movimiento social, pastoral y de Mujeres en la Montaña lo cual se denunciara en las respectivas instituciones de Justicia, conforme la Ley.

Nos solidarizamos con las luchas de hermanas y hermanos de otros departamentos articulados en el Consejo de Pueblos de Occidente, Comunidades de Zona Reina del Ixcán, comunidades Q'eqch'is de Livingston, y el más reciente caso de lucha contra la Cementera en San Juan Sacatepéquez, pues han sentado precedentes de resistencia y lucha territorial.

Hacemos un llamado a hombres y mujeres Xinkas de Xalapán y a hermanos y hermanas de pueblos indígenas, afrodescendiente y mestizo en el país, para que continuemos la lucha articulada a nivel nacional y Continental.

“Ayajli, hurakli xinkali na Xalapán, horo huta naru”
Mujeres y hombres Xinkas de Xalapán, defendiendo nuestra madre tierra
Gobierno Indígena, Junta Comunal de Santa María Xalapán Jalapa
Asociación de Mujeres Indígenas de Santa María Xalapán –AMISMAXAJ-
Alianza Política Sector de Mujeres
Colectivo Xinka Xalapán
Consejo Parroquial Nuestra Señora de la Expectación -Xalapán-
Cooperativa Nuevo Amanecer El Paraíso
Asociación Agrícola Integral
Líderes y lideresas de organizaciones Sociales en Xalapán
Coordinación y Convergencia Nacional Maya Waqib' Kej

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- PBI GUATEMALA PROJECT -

Team Office in Guatemala
3ª Avenida "A", 3-51, Zona 1, Ciudad de Guatemala
Telephone/fax: (+502) 2220 1032
E-mail: equipo@pbi-guatemala.org
Web page: www.pbi-guatemala.org

Project Coordination Office
Plaza Manuel Granero 9, Puerta 18;
46006 Valencia (España)
Telephone: (+34) 963 816 835
E-mail: coordinacion@pbi-guatemala.org