



Monthly Information Pack Guatemala

Number 141 - June 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.

Contamination of La Pasión river in Sayaxché, Petén.

This month the environmental crisis in La Pasión river has dominated the news. Located in the municipality of Sayaxche, Peten, the 354 km¹ long river originates in Alta Verapaz, crossing the entire north of the country. It is surrounded by palm oil plantations. According to the Minister of Environment and Natural Resources (MARN), the company Reforestadora Palma de Petén SA (REPSA), accused of polluting the river, has had two processing plants and a palm oil plantation near the river for the last 15 years. Only one of the plants has been granted the MARN Environmental Impact Assessment (EIA) which licenses it to operate². The spokesman for the National Coordinator for Disaster Reduction Guatemala (CONRED), David de Leon, said that "the inhabitants of Sayaxché reported dead fish in the river, and it was estimated that at least 17 surrounding communities have been affected by the contamination of this channel. The pollution has directly harmed 1,217 people, and another 2,810 remain at risk."³

According to the report from the National Institute of Forensic Sciences (INACIF), delivered to the Public Prosecutors Office (MP) on June 26, containing three toxicological analysis reports of the water and fish in the La Pasión river, particles of the pesticide malathion were found.⁴

On June 23 "community and indigenous authorities, civil society representatives and delegates of Sayaxche regional organizations (...) travelled to Guatemala City to publicly denounce irregularities around the ecology of La Pasión River, caused by toxic chemicals from African palm plantations. At a press conference communities and their representatives emphatically protested about the military intervention-led by the district deputy Manuel Barquin, which took the form of anomalous intimidations and house raids. They also said that the closure of the REPSA company for a specified period of time (15 days) is insufficient, due to the imminent risk of recurrent contamination. The problem of palm plantations is not new, they began to occur early this century. Because of its geographical and climatic conditions almost all the territory of northern Guatemala is suitable for cultivation (...). These conditions, coupled with a favourable trade situation internationally and the presence of national economic actors with interest in these plantations, have put Sayaxche in the spotlight for several years, and although the impact of poor practices in the use of land are visible, expansive projections of palm oil companies do not seem to be coming to an end. Now, environmental damage to La Pasión river has highlighted the serious impact of this agro-industrial "activity."⁵

¹ <http://www.insivumeh.gob.gt/hidrologia/rios%20de%20guate.htm#PRINCIPALES%20RIOS%20DE%20GUATEMALA>

² "Empresa REPSA operaba ilegalmente" Diario Digital. <http://diariodigital.gt/2015/06/16/empresa-repsa-operaba-ilegalmente/>

³ "Al menos 17 poblaciones afectadas en río La Pasión" Siglo 21. h <http://www.s21.com.gt/nacionales/2015/06/16/menos-17-poblaciones-afectadas-rio-pasion>

⁴ "Informe revela contaminación por malatión" Siglo XXI. <http://www.s21.com.gt/nacionales/2015/06/27/informe-revela-contaminacion-malation>

⁵ "ECOCIDO: Contaminación del río la Pasión, se prolonga por 180 Kilometros la destrucción" Prensa Comunitaria. <https://comunitariapress.wordpress.com/2015/06/23/ecocido-contaminacion-del-rio-la-pasion-se-prolonga-por-180-kilometros-la-destruccion/>

Reform of the Electoral Law and Political Parties (LEPP)

Following corruption scandals in recent months, which have involved several government members and government institutions, Guatemalan society has demanded reforms and changes in the country, most notably that of the LEPP. On June 13 the National Platform for the Reform of the State was set up and "the statement was signed by entities such as the G4⁶, the International Commission Against Impunity in Guatemala (CICIG) and the business sector. The group will play an important role in contributing to the bill that the Supreme Electoral Tribunal (TSE) will present to promote reforms to the LEPP."⁷

On May 2 the TSE called for a general election on September 6⁸. However, "representatives of the National Platform for the Reform of State asked the TSE for the general election to be postponed because of the possibility that the law concerning elections may be reformed. The representative group of civil society and academia, headed by the rector of the University of San Carlos, Carlos Alvarado, is asking for elections in November with the second round in December in order that the changes they hope to make to the LEPP become effective immediately."⁹

On June 26, "the TSE presented the amendments to the LEPP. The fundamental point of the initiative is that void votes would have juridical validity because to have the majority could overturn an election result."

The TSE's viewpoint is that should an election be annulled by the number of invalid votes, the candidates running for these elections may not participate in a new one. The preamble states that "the null vote shows social discontent about the organized institutions that claim to represent the interests of the majority. In that sense if the null votes- not including the invalid votes- reach a majority of the votes for certain candidates, the inevitable and immediate effect is the cancellation of the entire election, because the rejection is more than evident. Under the proposal, it is necessary to eradicate the election propaganda which has grown ostensibly, to the point that it is almost continuous and is linked to the "cronyism" by which political organizations distribute basic necessities, food, tin roofing sheets, cement and hold raffles for electrodomestic appliances and even vehicles."¹⁰

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 rights¹¹

This month we have continued accompanying members of **the village La Trementina who are in The Process of Defending the Merendon Mountain (Zacapa)**. We have also maintained regular telephone contacts with the Lutheran Reverend **José Pilar Álvarez Cabrera** and others in the community.

We continue to accompany the **Central Campesina Ch'ortí New Day (CCCND)** in its activities. We have been following appeal hearings (3 and 8 June) of two members of this organization belonging to the community of Las Flores. The background to this process is the judgment of May 15, 2014 that sentenced them to six years in prison for homicide. This ruling has been pointed out by various social organizations, as a typical example of the phenomenon of criminalization of social protest. Both hearings were suspended. Finally, on June 16 we were present at the conclusion of the appeal hearing in which the two members of CCCND had the opportunity to make their statements.

⁶ G4 is the guarantor group of the National Agreement for the Advancement of Security and Justice and is composed of: the Human Rights Ombudsman (PDH), the University of San Carlos (USAC), the Bishops' Conference and the Evangelical Alliance.

⁷ "Conforman Plataforma Nacional para la Reforma del Estado" El periódico. <http://www.elperiodico.com.gt/es/20150614/pais/13722/Conforman-Plataforma-Nacional-para-la-Reforma-del-Estado.htm>

⁸ "TSE convoca a elecciones generales" Plaza Pública. <http://www.plazapublica.com.gt/content/tse-convoca-elecciones-generales>

⁹ "Piden aplazar elecciones ante posibilidad de reforma a Ley Electoral" Soy 502.

¹⁰ "TSE propone dar validez al voto nulo" Prensa Libre. <http://www.prensalibre.com/guatemala/politica/usted-conoce-las-reformas-a-la-ley-electoral-presentadas-por-el-tse>

¹¹ General information about accompaniment and the organizations we accompany is available on our website: <http://www.pbi-guatemala.org/field-projects/pbi-guatemala/who-we-accompany/>

We also followed the case of the murder of Alfredo Ramos of the Guareruche community and member of CCCND, who died on June 7 following a knife attack on 28 May 2015. We accompanied members of the organization and witnesses of the attack, to the Public Prosecutors Office of Chiquimula.

We observed a peaceful march by representatives of communities from Jocotán and Camotán. The villagers walked from the Jupilingo Bridge to the municipality of Camotán to express their opposition to hydroelectric projects planned in the region. A delegation of the protesters met the Mayor to deliver a document with the group's requests.

In June, we continued our accompaniment to the **Peaceful Resistance of La Puya**. In addition to our regular visits to the encampment, on June 10 we were present at the hearing of a member of the resistance, which was cancelled because of the absence of the judge assigned to the case. The next day we accompanied a member of the resistance to see the National Civil Police to give a statement about an event which happened in September 2014, but this was also cancelled. Finally, on June 30 we accompanied members of the Resistance to a hearing monitoring the legal claim against the municipal councillor of San Pedro Ayampuc because it allegedly allowed the construction of the infrastructure of the mining project El Tambor without a municipal license of construction. However, the hearing was suspended because some parties had not been notified. Throughout the month, we also maintained regular telephone contact with members of the Resistance.



Members of the La Puya resistance after being notified of the suspension of the hearing about the legal claim against the municipal councillor of San Pedro Ayampuc, Guatemala City, June 30, 2015. Foto: PBI

We continued our accompaniment with the **Cunén Communities Council (CCC)** with weekly calls to keep up with its activities.

We also continued accompanying the **Association of Indigenous Women of Santa María Xalapán, Jalapa (AMISMAXAJ)** and maintained weekly telephone contact with its members .

We maintained international presence twice a week at the headquarters of the **National Coordination of Widows of Guatemala (CONAVIGUA)**, and had regular telephone contact with its members.

We continue to accompany the **Human Rights Law Office (BDH) and its lawyers**. We accompanied the lawyer Edgar Pérez Archila in his weekly travels and visited the office of the company on a weekly basis. We were present, on two occasions, at hearings of cases brought by its members.



Assembly of representatives from various regions to discuss the pollution of the river La Pasión, Sayaxché, Péten. June 27, 2015. Foto: PBI.

We continue accompanying the **Verapaz Union of Campesino Organizations (UVOC)** visiting its headquarters in Santa Cruz Alta Verapaz and going to **Jorge Luis Morales'** (UVOC lawyer) office every week. On June 5 we accompanied him on his trip to Coban, Alta Verapaz, where he made some arrangements for several cases that the organization is following. On 19 June, we accompanied members of UVOC to the court at Coban, Alta Verapaz, for the audience of ten members of the organization, residents of the La Primavera. However the audience was suspended again without notice, due to the absence of the judge. Repeated suspension of the hearings has been denounced by members of UVOC as a dismissive strategy against social organizations. On June 27 we accompanied UVOC members to Sayaxche, Petén, to a meeting whose aim was to discuss pollution in river La Pasión in the department of Peten. In addition, throughout the month we maintained regular contact with other members of the organization.

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.

On June 7 we observed a meeting between community representatives and representatives of the substation of the National Civil Police (PNC) in Nacahuil. At the meeting they talked about the increase in violence the town’s population has been experiencing for several months, as well as the lack of resources available to the PNC substation.

Journey to Petén

In June we made our first annual visit to Petén as we have done for several years to monitor the situation in the department.

In addition to meeting with various authorities, we also met with a variety of civil society organizations and members of displaced communities in Sierra Lacandon and Laguna del Tigre. We highlight the visit to the settlement of the **Centro 1** community, located in the municipality of La Libertad, in which we note that, six years after their eviction, these people still do not have a safe place which meets minimum living conditions and services necessary to live in dignity, forcing them to live as displaced people in several municipalities of the department. We also visited **Triunfo de Nueva Esperanza** and, even though they have a place to live for several years now, they continue to have limitations that prevent them from being legally constituted as a community, with the disadvantages that this lack of status entails.



International observation in El Triunfo de Nueva Esperanza Flores, Peten, June 20, 2015. Photo: PBI

The social organizations we talked to expressed various concerns, which include: the militarization of the department; the serious consequences posed by the increased cultivation of African palm and the serious implications this has for the communities, especially the risk of contamination; the violence experienced by women, both structural as related to the current social and political context; the situation prevailing in Protected Areas and eviction processes that often are accompanied by land disputes, arbitrary arrests and resettlement difficulties. The situation of the communities El Reloj and La Florida Chocop is particularly complicated; eviction has been threatened and cancelled several times. Especially during and after evictions, the situation of human rights are of particular concern.



International Observation in the municipality of La Libertad, Petén, of the displaced community Centre 1. June 16, 2015. Photo: PBI

On June 15 we visited the encampment of the **Peaceful Resistance of La Laguna**, where we met representatives of the Resistance to talk about some of their concerns.

On June 27 we observed the **Parade of Sexual Diversity and Gender Identity** in Guatemala, where members of the **Organization to Support an Integrated Sexuality against Aids (OASIS)** were taking part.

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 efforts to maintain communication with the diplomatic corps and international organizations, this month we met Catalina Lleras, **Human Rights Officer of the Office of the High Commissioner of Nations United for Human Rights (OHCHR) in Guatemala**, and Jennifer Echeverría, **Human Rights Officer of the Embassy of the European Union**.

With the same intention we met Guatemalan authorities, this month: Mario Minera, **National Director of Advocacy**, and Giovanni Guzman, **Deputy of Mediation of the Human Rights Ombudsman Office (PDH)**; we also met Manuel Benedicto Lucas Lopez, **Executive Secretary of the National Council for Protected Areas (CONAP)**, and three representatives of this organization.

During the trip to Petén we met the following local authorities: Gustavo Diaz Alfonso Diaz, **Mayor of La Libertad**; a representative of **the Auxiliary of the PDH in the municipality of La Libertad**; Marvin Segura, **coordinator of the Secretary of Agrarian Affairs (SAA) in the municipality of La Libertad**, and two conciliators; the officer in charge of the **Auxiliary of the PDH in the municipality of San Benito**; Godinez Velázquez and Rosa Estrada, **Commissioner and Sub-commissioner** in charge of the **police station 62 of the PNC in San Benito**; Carlos Saavedra, of the **Land Registry** and a mediator/conciliator of the **Secretary of Agrarian Affairs of the municipality of San Benito**; Armando Aragón, **Mayor of the municipality of Flores**; Salvador Lopez and Byron Bes, **General Director and Coordinator of the indigenous communities of the Council of the National Protected Areas, Peten**.

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.

In Petén we met with the following organizations: **Dejando Huella, Ixmucané, Ixquik, Jesús La Otra Cooperativa, Tierra Sagrada, la Asociación Campesina de Desarrollo Integral del Petén (ACDIP), La Instancia, la Pastoral Social, Defensores de la Naturaleza**.

We continue to meet regularly and visiting the headquarters of the **Unit for Protection of Defenders of Human Rights in Guatemala (UDEFEUGA)** to share concerns and updates on the work of the defenders in the country.

We have continued to maintain regular contact and visited the headquarters of **Madre Selva Collective**. We meet to share information and analysis on different problems. We have also visited the offices of **Sector de Mujeres**.

Also we had continuous contact with international organizations in Guatemala such as the **Coordination of International Accompaniment in Guatemala (ACOGUATE), Guatemalan Human Rights Commission (GHRC) Protection International (PI), the Forum of International Non-Governmental Organizations (FONGI) and 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 European representative of the project attended the following meetings:

- June 2: meeting in Brussels with Jakob Mühlstein, of Austria, **Human Rights Officer to the Permanent Representation of the European Union.**
- June 16: Meeting with a delegation of **representatives of the Protestant Church of Baden Württemberg, Germany**; several **Central American human rights defenders** and the Reimer Böge MEP, member of the **Foreign Relations Committee, of the Commission of Commerce and of Eurolat, and the European Parliament.**
- June 17: As part of the european tour of Omar Jerónimo of the CCCND, he had a meeting with Sylvain Schultze, **desk Guatemala**, Andreu Bassols, Central America and Julita Bas desk **department of Human Rights, all of the European External Action Service.**

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.

UN SALUDO DESDE EL TERRITORIO MAYA

Denunciamos la arbitraria detención del Hermano Bernardo Ermitaño López Reyes, nuestro candidato a la alcaldía de Santa Cruz Barillas, Huehuetenango

El día 2 de junio de 2015 fue detenido por agentes de la División Especializada de Investigación Criminal DEIC, en la Torre de Tribunales de la Corte Suprema de Justicia, el compañero Bernardo Ermitaño López Reyes quien, de manera solidaria, junto a otros pobladores de diversas comunidades de Huehuetenango, manifestaba su solidaridad con tres líderes comunitarios que están detenidos arbitrariamente desde enero de 2015, acusados de delitos falsos, por la lucha de los pueblos en defensa de los territorios.

Como se ha denunciado persistentemente, el pueblo de Santa Cruz Barillas mantiene una lucha permanente en contra de las arbitrariedades de la empresa española Ecoener e Hidralia Energía - Hidro Santa Cruz, la que en componenda con las autoridades del Gobierno de Guatemala y sus fuerzas represivas, continúa cometiendo abusos de todo tipo contra la población que exige ser tomada en cuenta en las decisiones que tienen que ver con el uso de sus bienes y entorno territorial.

Según se informó, el compañero López Reyes sería trasladado al Juzgado de Primera Instancia Penal, Narcoactividad y Delitos contra el Ambiente de Santa Eulalia, Huehuetenango, lo que hasta ahora no ha ocurrido.

CONVERGENCIA - CPO-CRD rechaza la criminalización de las demandas de los pueblos y enérgicamente exige el cese de los atropellos contra la población de Santa Cruz Barillas, la cual de manera auténtica ha venido presentando un frente unificado de lucha por su genuino derecho de defender sus territorios.

Al mismo tiempo demanda la pronta liberación del compañero Bernardo Ermitaño López Reyes y de los líderes capturados desde enero de 2015, Adalberto Villatoro, Francisco Juan y Arturo Pablo.

CONVERGENCIA demanda del Estado de Guatemala, que se reconozca el derecho de la población a vivir en

un ambiente sano y ecológicamente equilibrado, que garantice la sostenibilidad del medio ambiente y el derecho a una vida digna de los seres humanos.

La población de Santa Cruz Barillas lucha por el derecho de los pueblos a la sostenibilidad de sus territorios, la preservación y conservación de los ecosistemas, la biodiversidad y la integridad del patrimonio genético del país y la recuperación de los espacios naturales degradados.

¡Por el derecho de los Pueblos a vivir en paz! ¡Libertad a los presos políticos YA!

Guatemala 5 de junio de 2015

CONSEJO DEL PUEBLO MAYA_CPO

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