



## Monthly Information Pack Guatemala

Number 150 - March 2016

### 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.*

#### Defence of Rights, constant threats

Several organisations in Guatemala expressed concern and repudiation of the recent assassination of Walter Manfred Méndez Barrios, president and legal representative for La Lucha Cooperative, municipality of Las Cruces, department of El Petén.<sup>1</sup> This 36-year-old environmentalist and community leader died on March 16 in hospital after being shot in an attack.<sup>2</sup> According to the report from the National Civil Police Commission 62, the victim was traveling to his parcel of land when two subjects came out of the bushes and shot him.<sup>3</sup>

Walter Méndez was a well-known environmental rights defender in the region. During his life, he fought constantly to defend natural resources in the communities of the Maya Biosphere Reserve. Since 2005, he was an active member of the Petén Front Against Dams (FPCR) a group created to defend rights of territory and water in the communities threatened by dam construction in the zone.<sup>4</sup> In 2012, he was elected deputy mayor of the community, an opportunity he did not waste in promoting social and productive projects in the region.<sup>5</sup> In addition, Walter became legal representative of La Lucha Cooperative for which, thanks to his charisma and leadership<sup>6</sup>, he was president several times as well. The defender also was part of the Board of Directors for the Association of Forest Communities of Petén (ACOFOP), of which the Cooperative was an active member.

The environmentalist had received threats since last year which was why a denunciation was filed with the Public Ministry (MP) on his behalf.<sup>7</sup> According to some sources<sup>8</sup>, Walter's death points primarily to land conflicts since he, as president of La Lucha Cooperative, opposed the sale of land parcels by some of the members who apparently were upset with the environmentalist. Usually, the buyers interested in purchasing in these areas are groups linked to drug-trafficking and, it appears, that was when the threats started.<sup>9</sup> However, Walter also carried out awareness-building activities in the communities about the impact of palm oil production, the expansion of which has resulted in the destruction of tropical forests in Petén, and about the environmental consequences of hydroelectric projects, having recently visited the "Boca del Río" dam.<sup>10</sup> In communities in the municipalities of the Petén, there are a variety of economic forces that fight for control

<sup>1</sup> Diego, Silva, Líder ambiental asesinado en Petén, 16 de marzo de 2016, <http://www.guatevision.com/lider-ambiental-asesinado-en-peten>

<sup>2</sup> Rigoberto Escobar, Prensa Libre, Ultiman a líder comunitario de Las Cruces, 16 de marzo de 2016, <http://www.prensalibre.com/guatemala/peten/ultiman-a-lider-comunitario-de-las-cruces>

<sup>3</sup> Ibídem.

<sup>4</sup> Frontline Defenders, Asesinato del defensor de derechos humanos Walter Méndez Barrios, 22 de marzo, <https://www.frontlinedefenders.org/es/case/case-history-walter-mendez-barrios>

<sup>5</sup> Nelton Rivera, Prensa Comunitaria, [Las Cruces Petén: la naturaleza está en peligro y quienes la protegen también](#), 28 de marzo de 2016. <https://comunitariapress.wordpress.com/tag/walter-mendez/>

<sup>6</sup> Ibídem.

<sup>7</sup> Diego, Silva, Líder ambiental asesinado en Petén, Op. Cit.

<sup>8</sup> Ibídem.

<sup>9</sup> Ibídem.

<sup>10</sup> Frontline Defenders, Op. Cit.

of the land and water<sup>11</sup>, narcotraffic, African palm, timber, oil, hydroelectric and dam companies.<sup>12</sup> In fact, one of the principal leaders of the FPCR declared that the assassination of Méndez is part of a regional strategy of repression of individuals who oppose dams. It is worth mentioning, that behind these projects are not only local interests but also transnational groups exerting pressure.<sup>13</sup> A clear example is the involvement in different hydroelectric projects along the Usumacinta river where in addition to the support and participation of the United States and Mexico, there also are French, Spanish, and German transnationals. Moreover, the System of Electric Interconnection of Central American Countries (SEIPAC) is planned<sup>14</sup> with the principal beneficiary being the USA and the construction of which poses grave risk not only to several communities but also to the Lacandona Forest given the 700 square kilometres of land that would be flooded.<sup>15</sup> Community opposition to these exploitation projects began in 2012 with the first community consultation in good faith on the implementation of hydroelectric projects on the Usumacinta river where the results were 120 persons for and 10.814 against, with 98.9% participation.<sup>16</sup>

This is why for the Coordinator of NGOs and Cooperatives (CONGCOOP) the assassination of Walter is one more murder against those who struggle to defend water, forests, and territory<sup>17</sup> and not just the living nightmare of the dam construction along the Usumacinta river, but proof of a strategy of violence and repression by the transnational companies in southern Mexico, Guatemala, and Honduras in order to consolidate the construction of large companies. This is why they assassinated Berta Cáceres and Noe García from COPINH and why they are assassinating community leaders in Guatemala.<sup>18</sup>

The authorities have not yet released results of the investigation of the assassination and, according to CONGCOOP, in the worst case it will be just another number in the statistics of violence in the country<sup>19</sup> given the lack of trust by the communities that justice will be served.<sup>20</sup> At the same time, the international organization, FRONTLINE Defenders, expressed its deep concern that the assassination remain in impunity<sup>21</sup>, which the increasing risks faced by environmental rights defenders in the Petén would confirm.<sup>22</sup>

The assassination of Walter Méndez is not the first case of environmental rights defenders being assassinated in the Petén. Last 18 September, Rigoberto Lima Choc, who denounced environmental damage that would happen on the Pasión river as a result of activities of the Palm Reforestation Company of Petén<sup>23</sup> also was assassinated, and his murder remains without clarification.

<sup>11</sup> Plaza Pública, Petén de política, mafias y empresas. Grupos de poder en Petén, julio de 2011, <https://www.plazapublica.com.gt/content/insightcrimeorg-peten-de-politica-mafias-y-empresas>

<sup>12</sup> Ibídem.

<sup>13</sup> Ibídem.

<sup>14</sup> Portal oficial del Proyecto Mesoamérica. Sistema de Interconexión Eléctrica de los países de América Central, (SIEPAC). [http://www.proyectomesoamerica.org/joomla/index.php?option=com\\_content&view=article&id=171](http://www.proyectomesoamerica.org/joomla/index.php?option=com_content&view=article&id=171)

<sup>15</sup> Cronología del Proyecto de Represa "Boca del Cerro", [http://www.proyectomesoamerica.org/joomla/index.php?option=com\\_content&view=article&id=171](http://www.proyectomesoamerica.org/joomla/index.php?option=com_content&view=article&id=171)

<sup>16</sup> Frente Petenero Contra las Represas, Consulta Comunitaria de Las Cruces. Comunicado y resultados Frente Petenero Contra Las Represas, 28 d abril de 2012, <https://consultalascruces.wordpress.com/2012/05/01/comunicado-y-resultados-frente-petenero-contra-las-represas-fprc/>

<sup>17</sup> CONGCOOP-, [condena el asesinato de Walter Méndez Barrios, presidente y representante legal de la Cooperativa la Lucha del municipio las Cruces, Peten](http://www.congcoop.org.gt/noticias/610-congcoop-condena-el-asesinato-de-walter-mendez-barrios-presidente-y-representante-legal-de-la-cooperativa-la-lucha-del-municipio-las-cruces-peten.html) 19 de marzo de 2016, <http://www.congcoop.org.gt/noticias/610-congcoop-condena-el-asesinato-de-walter-mendez-barrios-presidente-y-representante-legal-de-la-cooperativa-la-lucha-del-municipio-las-cruces-peten.html>

<sup>18</sup> Ibídem.

<sup>19</sup> Ibídem.

<sup>20</sup> Ibídem.

<sup>21</sup> Ibídem.

<sup>22</sup> Frontline Defenders, Op. Cit.

<sup>23</sup> Ibídem.

## 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.<sup>24</sup>*

This month, we were present at the headquarters of the **Verapaz Union of Campesino Organizations (UVOC)** and kept in telephone contact with its members. We continued weekly visits to the office of **Jorge Luis Morales** (UVOC lawyer). In addition, we provided telephone follow up with some members of the organization and continued following the situation of our contacts in the area with meetings at the National Civil Police divisions in Santa Cruz Verapaz and in Cobán, department of Alta Verapaz.

In accompaniment of the **Council of Peoples K'iche' (CPK)** this month, we observed its assembly and provided accompaniment for **Lolita Chávez**, a member of the Council, when she went to the Public Ministry in Santa Cruz del Quiché, department of Quiché for a hearing in a case of criminalization against her. We also had weekly calls with members of CPK.

With regard to the Human Rights Law Firm, we accompanied its lawyers in the reopening of the case of Genocide on 16 March. We also accompanied them in a measure of evidence gathering in the CREOMPAZ case in the military base of the same name in Cobán that involved physical recognition of the site of the actions by Judge Claudette Domínguez and parties to the process. However, the measure was suspended because some lawyers for the defence were not present. We continue to accompany lawyer, **Édgar Pérez Archila** in his travels and we made weekly visits to his office. We increased the frequency of visits due to the insecurity being experienced by the members of the Office related to the recent opening of specific high-profile cases like the CREOMPAZ case and the Genocide case.

In our work with the **Ch'orti Campesino Central "New Day" (CCCND)** this month, we observed the Assembly of the Intercommunal Council of Ch'ortí Indigenous Communities in the village of Las Flores, department of Chiquimula. During the event, the historic title was turned over for ownership of the land and for recognition of Las Flores as an Indigenous Community.

We also continued to be present in the offices of the organisation and we followed up with its members in the other communities in the department through weekly phone calls.



*Observation of the presentation of recognition of Las Flores as an Indigenous Community. March 2016. Photo: PBI*

This month, we maintained our accompaniment with the **Council of Cunén Communities (CCC)** with weekly calls to its members and providing follow up to the Council's activities.

We continued accompaniment this month for the **Association of Indigenous Women of Santa María Xalapán (AMISMAXAJ)** attending a conference on community feminisms and sexuality in the community of La Paz in the department of Jalapa. We provided telephone follow up specifically for its members during their travels and we held weekly phone calls.

<sup>24</sup> Further information on accompaniments and the organisations and people we accompany on our website: <http://www.pbi-guatemala.org/field-projects/pbi-guatemala/who-we-accompany/>

We continued accompaniment of the Peaceful Resistance of La Puya with presence at the encampment. Given the order issued by the Supreme Court of Justice (CSJ) on 22 February which called for the immediate suspension of the mining licence of the Progress VII Subsidiary Mining Project in the El Tambor mine, the Peaceful Resistance at La Puya established an encampment in front of the Ministry of Energy and Mines (MEM) asking it to implement the resolution of the CSJ and asking for a meeting with the senior minister. In this same period, we were accompanying some members of the Resistance in the encampment in front of the MEM.



Encampment in front of the MEM. March 2016. Photo: PBI



La Puya encampment in front of the mine. 9 March 2016. March 2016. Photo: PBI

In the La Puya encampment we witnessed the increased presence of police and anti-riot squads on **9 March** when two fuel trucks could not enter the mine. The situation did not become more tense thanks to mediation by the Human Rights Ombudsman (PDH) and local justice office.

We also observed several court hearings of some of the members who have cases against them for their participation in and connections to the resistance, and we continued to be in weekly telephone contact.

As part of our work with the Defence of Macizo del Merendón Process, this month we accompanied **Reverend José Pilar Álvarez Cabrera** and other members of the **Ecumenical and Social Coordinator for Defence of Life in Zacapa and Chiquimula**, to the Community of Guayabías in Jocotán, Chiquimula. We also were present in the village of La Trementina where we met with some of the members of the Defence of Macizo del Merendón Process. We were in regular contact with community members.

We continue our accompaniment of the **Peaceful Resistance of La Laguna** with presence in the encampment at San Pedro Ayampuc, and we could see the increased military presence in the zone. We held weekly phone calls with members of the Resistance.

During March, we began accompaniment of the witnesses from the **Maya Q'eqch'i Chicoyogüito Community** in the CREOMPAZ case. This accompaniment is connected to the opening of hearings and testimony of seven witnesses in evidence gathering phase in the case of forced disappearance and crimes against humanity during the armed conflict in Military Zone 21 in Cobán, Alta Verapaz, now known as the Regional Training Centre for Peace Maintenance Operations (CREOMPAZ). In this work, we accompanied the witnesses in the case during their travels between Cobán and Guatemala City during the hearings in which they were presenting testimony.

### 3. 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.*

As part of interaction with the diplomatic corps and international organizations, we met with Sally Meyers, **Head of Human Rights for the United States Embassy** and Erika Lee Nelson, **Political Affairs Officer for the United States Embassy**. We also were present in a meeting organized by the **Guatemalan Human Rights Commission (GHRC)**.

With regard to dialogue with Guatemalan authorities, we met with Ricardo Raúl Rodríguez Fernández, **Departmental Deputy of the PDH of Santa Cruz del Quiché**. At the local level in the department of Alta Verapaz, we met with Mr. Alvarado of the **National Civil Police Division in Santa Cruz** Verapaz and also with Mr. Espino and Mr. Aldana Monzón, **Heads of Logistics for the National Civil Police of Cobán**.

#### 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 continue to meet with and to visit regularly the offices of the **Unit of Protection of Human Defenders in Guatemala (UDEFEUGUA)** to share concerns and to update one another on the work of human rights defenders in the country.

We have maintained regular contact and visits to the headquarters of **Madre Selva Collective**. We meet to share information and analysis of specific concerns. We also visited the office of the **Women's Sector**.

At the same time, we maintain constant contact with international non-governmental 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 the **International Platform Against Impunity**.

### 4. 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 March, **Pedro Tzica**, member of the **Communities of Cunen Council (CCC)**, was on tour in Europe to present information and explain the Human Rights situation in Guatemala, specifically in Quiché. During his visit, he had meetings in Spain, Switzerland, England, and Belgium with different members of the Diplomatic Corps and with individuals from NGO's in solidarity with Guatemala. He participated in talks and gatherings with students and youth. The gatherings also included space for meetings with United Nations special rapporteurs and representatives of the Human Rights High Commission in which Pedro Tzica presented the Human Rights Situation in Guatemala in relation to the presence of megaprojects such as hydroelectric projects in the region of Quiché.

In addition, the European representative met on 1 March with Soraya Post, deputy and member of the Delegation for Central America of the European Parliament. On 16 March, she met with Aurora Díaz Rato, head of the Latin America and of Human Rights for the Permanent Representation of Spain before the European Union. As well, she met on the same day with Sylvain Schultze, regional head for Foreign Service of the European Union and with the deputy and alternate member of the Delegation for Central America of the European Parliament.

## 5. NON- GOVERNMENTAL ORGANISATIONS

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

### **LAS MUJERES, FEMINISTAS, MAYAS, GARIFUNAS, XINCAS Y MESTIZAS SEGUIREMOS EN LUCHA POR LA LIBERTAD, LA AUTONOMIA, LA IGUALDAD Y LA REBELDIA PARA NUESTRA EMANCIPACION**

Las mujeres seguimos estando en condiciones de precariedad producto de este sistema de desigualdad y excluyente, que impacta en nuestros cuerpos y territorios. Esto se expresa en los índices de violencia contra las mujeres, la mortalidad materna, la desnutrición, la no aplicación de la justicia, el limitado acceso a los recursos económicos, financieros, el acceso casi nulo a la tierra, la poca representación en espacios de toma de decisiones, el racismo y la discriminación hacia mujeres de los pueblos, la desigualdad en el mercado laboral teniendo condiciones de trabajo no saludables y el no cumplimiento del pago del salario mínimo en la Industria de la Exportación y la Maquila. Así como un salario diferenciado de facto que recibimos en otros ámbitos de la economía tanto en la ciudad como en el campo, muestra de la violación de nuestros derechos laborales.

En los territorios, somos las que estamos haciendo acciones de resistencia y construyendo alternativas para una buena vida en libertad, autonomía y rebeldía frente a las transnacionales, el racismo, la discriminación, el empobrecimiento y la activación de fundamentalismos que quieren que sigamos subordinadas, oprimidas y violentadas. Las mujeres continuamos aportando a la economía con el trabajo no remunerado y no reconocido que se hace del cuidado de la red de la vida, especialmente en la agricultura, la alimentación y del cuidado que brindamos y asumimos frente a la inoperancia del sistema de salud y educación.

Estas acciones de resistencia y acción política que hacemos, se sustenta en una propuesta política para que en el corto plazo tengamos condiciones para una vida digna y un día emanciparnos; por lo que seguiremos exigiendo el respeto a nuestros derechos, el acceso a medios para la vida, servicios públicos gratuitos, de calidad y calidez, la exigencia de una institucionalidad para promover políticas públicas que respondan a nuestras demandas en lo relacionado a lo laboral, la lucha contra el racismo y la violencia ejercida contra nosotras, la discriminación acceso a la tierra, a la paridad y la alternabilidad que transforme este sistema patriarcal, racista y capitalista.

Seguimos enfrentando una crisis política producto del deterioro del Sistema Político, en donde es importante rescatar acciones y propuestas hacia transformaciones en lo estructural y en nuevas reglas de la democracia para avanzar en la resolución de los problemas estructurales, entre los cuales se encuentra la exclusión, discriminación, el racismo y la eliminación del patriarcado en la vida de las mujeres y mujeres indígenas.

#### **Ante esto las mujeres, mujeres de los pueblos originarios y las feministas demandamos:**

**1.** Que el principio de la Igualdad, contenido en el artículo 4o. De la Constitución Política de la República de Guatemala, se concretiza en las Reformas a la Ley Electoral y de Partidos Políticos, por medio de la integración de los principios de paridad y alternabilidad para facilitar las oportunidades de acceso a los cargos de decisión a mujeres y de pueblos indígenas. Por lo que DEMANDAMOS a las y los diputados del Congreso de la República, APROBAR inmediatamente las reformas a la Ley Electoral y de Partidos Políticos, iniciativa 4974, que ya cuenta con el DICTAMEN FAVORABLE de la Corte de Constitucionalidad.

**2.** En el marco de los Derechos Humanos Laborales, demandamos igualdad, justicia, paz y desarrollo. Como parte del camino para lograr esto, exigimos la aprobación de Leyes a favor de estos derechos; por lo que pedimos que el Congreso apruebe la Iniciativa 49-81, que regula el trabajo Doméstico como compromiso para ratificar el Convenio 189 de la OIT sobre trabajo Decente, el cual beneficiará a 198,000 trabajadoras domésticas.

**3.** Exigimos al Ejecutivo vetar la Ley 5007 Ley Emergente para la Conservación del Empleo; ya que es lesiva y dañina para el Estado pues limita la recaudación fiscal y deja sin recursos a programas que respondan a las necesidades básicas de las mujeres. Los privilegios fiscales debilitan al estado y sus instituciones por lo que deben desaparecer.

**4.** Demandamos Estados Laicos y educación integral en sexualidad para las mujeres y jóvenes. Los grupos religiosos de ninguna índole deben de interferir en política pública, ni a través de sus feligreses en cargos públicos ni desde los representantes mismos de las instituciones religiosas.

5. Que el sistema judicial avance con la aplicación de justicia, pronta y cumplida en los casos de violencia contra las mujeres, violaciones a los derechos humanos en casos vinculados con delitos de lesa humanidad como la violencia sexual y servidumbre domestica y sexual.

6. Ante el incremento de la violencia, se hace imprescindible la restitución de la Coordinadora Nacional para la Prevención de la Violencia Intrafamiliar y contra la Mujer-CONAPREVI, para percibir cambios y vigilar por la correcta aplicación de las leyes de protección hacia las mujeres.

7. Se solicita la entrega inmediata de fondos para el funcionamiento de los Centros de Apoyo Integral para Mujeres Sobrevivientes de Violencia-CAIMUS, instancias que acompañan y dan asesoría integral a las mujeres , así como los mecanismos y herramientas necesarias que protegen la integridad y seguridad de las vidas de las sobrevivientes de violencia.

8. Exigimos que las instituciones respondan a las demandas de las Mujeres Rurales en lo relacionado con la aprobación de la Ley de Desarrollo Rural Integral, acciones para promover la propiedad de la tierra, la respuesta a la problemática vinculada con la crisis alimentaria y la conflictividad agraria que existe en las comunidades donde se ven afectadas las mujeres y pueblos, tal el caso de las comunidades del Polochic.

9. Solicitamos al Congreso de la República apruebe la Iniciativa de Ley, para modificar el Código Municipal con el objetivo de fortalecer e institucionalizar las Oficinas Municipales de la Mujer, regulando la participación de las Directoras de dichas oficinas en el proceso de planificación técnica y presupuestaria. Así esta iniciativa evitara el clientelismo político que debilita el papel estratégico de las OMMs.

**POR EL EJERCICIO PLENO DE LOS DERECHOS HUMANOS UNIVERSALES  
PARA LAS MUJERES**

***Coordinadora 8 de Marzo Guatemala, Marzo 8 de 2016***

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