

PEACE BRIGADES INTERNATIONAL – GUATEMALA PROJECT

MIP - MONTHLY INFORMATION PACKAGE – GUATEMALA

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1. CURRENT NEWS
2. PBI GUATEMALA ACTIVITIES: WITHIN GUATEMALA
 - 2.1 MEETINGS WITH GUATEMALAN AUTHORITIES, DIPLOMATIC CORPS AND INTERNATIONAL ENTITIES
 - 2.2 MEETINGS WITH CIVIL SOCIETY ORGANISATIONS
 - 2.3 ACCOMPANIMENT
 - 2.4 OBSERVATION
3. PBI GUATEMALA ACTIVITIES: OUTSIDE GUATEMALA
4. NON-GOVERNMENTAL ORGANISATIONS

1. CURRENT NEWS

IMPUNITY

Commission calls on the state of Guatemala to protect judges in genocide case.

Guatemala, 02/07/13 (CEJIL.) - On June 28, the Inter-American Commission, the highest body of human rights protection in the Americas, requested the State of Guatemala to protect the rights to life and bodily integrity of the judges Barrios, Bustamante and Xitumul, ensure the measures requested by the beneficiaries are in place and take the necessary actions to investigate the allegations. This decision by the Commission follows the request filed by the Centre for Justice and International Law (CEJIL) and the Human Rights Ombudsman of Guatemala (PDH) due to numerous acts of harassment and threats reported by judges in the course of the current trial against former General Efraín Ríos Montt and Mauricio Rodríguez Sánchez.

Constitutional Court issues decision with regards to former chief of police

Guatemala, 7/29/13 (PL). - The Constitutional Court issued a decision with regards to the former head of the National Police, Pedro García Arredondo, ordering the cases against him to be analysed under the National Reconciliation Law. The highest resolution of the Court orders an Appeals Chamber to determine whether the charges filed against him are considered crimes against humanity and therefore outside the scope of this law. García Arredondo, arrested in July 2011, is accused of setting fire to the Spanish Embassy, on January 31, 1980. 37 people were killed, including Vicente Menchú, father of the Nobel Peace Prize winner, Rigoberta Menchú Tum. According to the indictment, the state security forces, under the command of García Arredondo, raided and burned the headquarters of the Spanish delegation on January 31, 1980, which had been occupied hours earlier by a group of farmers and indigenous people denouncing the military repression they suffered in their communities. The former chief of police also faces a charge for the killing of three students who had attended the funeral of the victims of the fire in the embassy. The former official was sentenced to 70 years in prison in August 2012, for the disappearance of Edgar Saenz Calito, a student at the University of San Carlos of Guatemala in the 1980s.

LAND

Government promises to streamline FAO Integrated Rural Development Act

07.02.13 (AC).-The Minister of Agriculture, Livestock and Food, Elmer López promised the Director General of the United Nations Organisation for Food and Agriculture (FAO), Graziano da Silva, to expedite the enactment of the Integrated Rural Development Act. The agency will support the implementation of voluntary guidelines on responsible governance and tenure of land, fisheries and forests. The official recently travelled to Rome, Italy, to participate in the 38th Session of FAO, where he met with its CEO. Among other topics, family agriculture and rural development were strategic issues on their agendas. The FAO interview with the Minister of Agriculture of Guatemala, is available on the agency's Youtube channel: <http://www.youtube.com/watch?v=jt1uBdTGVal>

NEGATIVE EFFECTS OF GLOBALISATION

Appeals Court ordered suspension of mining license

Guatemala, 7/25/13 (PL). - The operating license of the El Escobal mine, owned by the San Rafael company, was suspended by the Court of Appeals. This company hopes to exploit minerals in the departments of Santa Rosa and Jalapa. This decision backs up a motion presented against the company's operating license for not having complied with all the procedures laid down by the General Outlines of the Ministry of Energy and Mines. This failure leads to: suspension of the operating license, it orders to follow up on the administrative proceedings with regards to the motion and prohibits mining activities in the El Escobal mine. The sentence was announced by the Center for Legal Action on Social and Environmental issues (Calas), which gave legal support to the motion presented by Kelvin Jimenez.

Guatemalan Congress requests report on Inter-Oceanic Corridor project

7/25/13 (EP). - Given President Otto Perez Molina's announcement to promote the construction of the Inter-Oceanic Corridor as well as the proposed bill put forward by the Patriotic Party (PP) legislators, which seeks to highlight its importance and declare it of national interest, deputies from different parties questioned the lack of transparency of the project. Carlos Barreda, Deputy of the National Unity of Hope party (UNE), declared he agreed with international investment in the country, but did not want to support a bill where the state does not receive "anything". He also criticised the stance taken by the PP.

Canadian court accepts lawsuit against Canadian mining company for the acts committed in Guatemala

Guatemala, 7/29/13 (EP). - The Court of Ontario in Canada, decided to open the case against HudBay Minerals mining, for the violent events in 2007 and 2009 in El Estor, Izabal. On July 22 Judge Carole Brown of the Court of Justice of Ontario, Canada, issued a ruling. This is the first time that a Canadian judge has accepted a case for acts committed against human rights by its subsidiaries in another state. 14 human and women's rights organisations rallied to support the judge's decision. Among the accusations filed is that of 11 women victims of rape by security guards of the Guatemalan Nickel Company (CGN) on January 17, 2007.

Sources: Newspaper (EP), Prensa Libre (PL), Center for Justice and International Law (CEJIL), Agency Center for Informative Reports on Guatemala (AC)

2. PBI-GUATEMALA ACTIVITIES: IN GUATEMALA

Team: Raquel Rojo Diez (Spain), Johannes Stiebitz (Germany), Stephen Bradford (United States), Daniel Butler (United Kingdom), Melanie Rücker (Germany), Valentina Caprotti (Italy), Karen Jeffares (Ireland), Jacqueline Bartsch (Germany) and Rubén Carricondo Sánchez (Estado Español) y Erika Martínez García (Estado Español).

2.1. MEETINGS WITH DIPLOMATIC CORPS AND GUATEMALAN AUTHORITIES

Meetings with national and international authorities are an important tool for PBI's efforts to make our objectives and the nature of our work known. 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 across the country.

Diplomatic corps and other international entities in Guatemala:

- Jennifer Echeverría, officer for the EU cooperation and human rights programme, European Union Embassy Guatemala City, Guatemala.
- Rocío Mezquita and Carlos de la Torre, human rights officers, United Nations High Commissioner on Human Rights, (OACNUDH), Guatemala City, Guatemala.
- Ambassador Thomas Schäfer, German Embassy, Guatemala City, Guatemala.

Guatemalan Authorities:

- Telémaco Pérez García, Director of the National Civil Police (PNC), Guatemala City.
- Oswaldo Enríquez, Director of the Office for Analysis of Attacks against Human Rights Defenders, Home Ministry, Ciudad de Guatemala.
- Axel Humberto López Anzueto, Presidential Secretary for Agrarian Issues (SAA), Guatemala city de Guatemala.
- Edgar Rene Tun Pop, consultant COPREDEH, PDH, Cobán, Alta Verapaz.
- Brenda Tuquier, chief officer of station, National Civil Police (PNC), San Cristóbal, Alta Verapaz.
- Héctor Torres Méndez, deputy chief, National Civil Police (PNC), Cobán, Alta Verapaz.
- Representatives of the National Civil Police Station in San Juan Sacatepéquez, Guatemala.

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 the processes of contextual analysis on specific issues in Guatemala.

- Carmela Curup, Association of Mayan Lawyers and Notaries, Guatemala City.
- Lolita Chávez, member of the K'iche' People's Council (CPK), Guatemala City.
- Arturo Chub, of Security in Democracy (SEDEM), Guatemala City.
- Jorge López Sologaitoa, co-ordinator of the Organisation for an Integral Sexuality to Confront AIDS (OASIS), Guatemala City.
- Miguel Moerth, lawyer of the the Human Rights bar association, Guatemala City.

International Organisations and Agencies:

- Coordination of International Accompaniment in Guatemala (ACOGUATE), Guatemala City.
- Forum of International NGOs (FONGI), Guatemala City.
- Robert Mercantante, Guatemalan Human Rights Commission (GHRC) in Guatemala, Guatemala City.

2.3 ACCOMPANIMENT

National Coordinator of Guatemalan Widows, CONAVIGUA.

In July we have maintained contact with members of CONAVIGUA through meetings, visits to their office in Guatemala City and by phone.

Background: In its pursuit of justice, dignity and the recovery of Guatemala's historical memory, CONAVIGUA carries out exhumations and inhumations of the remains of victims of the internal armed conflict in different departments throughout Guatemala, above all in Quiché, Chimaltenango and the Verapaces. These processes provoke very tense situations in rural communities where victims and perpetrators live side by side, occasionally resulting in threats aimed at stopping the work of the organisation and its members. CONAVIGUA was founded by women who were widowed by the war, although today men also participate in the organisation. We have accompanied the association since August 2003, visiting its office and joining its members on journeys to regions where the association is currently developing its 'Justice and Dignity' programme. In recent years CONAVIGUA has experienced several critical security issues, including death threats received by members in 2010. Analysis of the risks and security incidents faced by the association today suggests its work fighting impunity, and the security of its members, should continue to be monitored.

Process of protection and defense of Las Granadillas Mountain.

This month we have maintained regular contact with the members of the Association for the Protection and Defence of Las Granadillas Mountain (APMLG) by telephone.

We have also maintained telephone contact with the Reverend **José Pilar Álvarez**, as well as accompanying him in his movements and observing activities in which he is participating. On 26 July we observed the "Assembly to protect the mountain La Union", in the parish centre of La Union, Zacapa, organised by the Social Pastoral, churches, community organisations and the five sectors of the municipality of La Union. This was the second plenary meeting organised by the Assembly of the Popular Indigenous Coordinator, Churches, Trade Unions and Campesino East (COPIISCO), in order to co-ordinate a strategy to defend and protect the mountain area between the municipalities of La Union, Gualán, Zacapa, Jocotán Chiquimula and Camotán, threatened by the increase in tree-felling in recent years. The meeting was attended by members of the Coordinadora Campesina Chortí New Day (CCCCND), the Association for the Protection and Defense of the Granadillas (APMLG), Madre Selva, UDEFEGUA, representatives of the municipality of La Union, and the Ministry of Environment and Natural Resources (MARN). José Pilar Álvarez participated in meetings organised by COPIISCO in Jutiapa and Zacapa.

Background: APMG was created in 2003 in Zacapa to protect the ecosystem of Las Granadillas Mountain (the principal source of water and natural diversity in the region) due to diverse threats identified by the local population, including illegal logging, monoculture, deforestation, large-scale cattle farming and the diversion of water sources. Since its foundation, the organisation has been supported by the Lutheran Church in Guatemala (ILUGUA), led in the region by Reverend José Pilar Álvarez Cabrera, and the Madre Selva Collective. It works in alliance with various organisations and collectives in the region. One of APMG's goals is to have the mountain designated a protected area. In March 2012, the National Council for Protected Areas (CONAP) presented a proposal declaring the area protected. However, existing economic interests in the land have made APMG's work dangerous, and its members have faced diverse types of persecution and threats, including legal proceedings, which were later dismissed. These events began after they denounced the illegal logging trade and started, with the population of the La

Trementina community, a process of permanently monitoring the licences granted and logging carried out on the mountain's private estates. We have accompanied APMG since August 2008 and, since then, have observed the spaces for dialogues the Association has participated in with public authorities and private actors, in order to promote the defence of economic, social and cultural rights in Zacapa and the region. One of the most serious security issues of recent years took place in 2010, when José Pilar Álvarez experienced death threats, defamations and prosecution and was taken into police custody in relation to the ongoing conflict with Juan José Olavarrueth, owner of the mountain's Tachoró estate. The Association and several members of the La Trementina community have been portrayed negatively by Zacapa's public authorities. Indeed, since April 2012, legal charges have been brought by the Governor of the department, Carolina Orellana, against three members of APMG for acts of protest against deforestation. The Technology Corridor megaproject, soil and food production issues, and the exploitation of natural resources (communities are neither informed of nor consulted on the latter) are key concerns for APMG and feature prominently in the collaborative work they conduct with other collectives and communities in the region today.

In May 2013, the association was restructured, maintaining representation of the region's communities. Although José Pilar Álvarez has been relieved of the position of president, he continues working in the process of protection and defence of this territory. PBI continues accompanying APMG and the Reverend.

'New Day' Chortí Campesino Central Coordinator, CCCCND.

We have maintained regular contact with the organisation during the month by phone, visits, meetings with its members, observation of activities and accompaniment of its members. On Tuesday, July 9, the juvenile court of Zacapa issued a landmark judgment in which it declared the Guatemalan State responsible for the crime of omission of the right to food, life, health and housing for four families of Camotán Chiquimula. The landmark case was presented to the Guatemalan justice system by 14 civil society organisations, including Chortí New Day. In an interview with Omar Jerónimo, of the CCCCND, it was noted that "(at) the legal level, we were looking to set a precedent in jurisprudence regarding the prosecution of the DESC; at the political level, to use existing social influence policies and ensure that they are no longer welfare programs with no vision of human rights."¹ CCCCND members participated in the "Assembly for the protection of the mountain La Unión" and COPIISCO meetings in Jutiapa and Zacapa. On July 29 and 30 CCCCND members participated in the security workshop organised by PBI Guatemala in Zacapa.

Background: 'New Day' Chortí Campesino Central Coordinator is part of the Agrarian Platform, working in several municipalities in East Guatemala (including Jocotán, Chiquimula, Camotán, Olopa and San Juan Hermita), in the department of Chiquimula. It trains and informs rural communities on issues relating to the rural economy, the environment, rights and land, in coordination with other organisations in the region. In 2006, New Day became aware of the planned construction of three hydroelectric plants in two of the department's municipalities: the projects El Puente and El Orégano in Jocotán and the project Caparjá, in Camotán. They form part of the largest project of the Electrical Interconnection System for Central American Countries (SIEPAC). As part of its work, the organisation has shared this information with communities in the area, enabling the evaluation and analysis of the environmental effects and impact on local economies that these, and other development projects planned for the region, may have. They carried out this work in relation to the project initially known as 'Dry Canal', then the 'Technological Corridor', and most recently as the 'Interoceanic Corridor of Guatemala' (ICG), which is intended to link the Atlantic and Pacific coasts of Guatemala. This in turn forms one part of the most ambitious regional plans produced under the Mesoamerican Project (successor of the Plan Puebla-Panama, PPP). Members of New Day say the lack of information provision to, and consultation of, Chiquimula's communities by public institutions is a constant source of conflict. Community authorities have therefore been present at meetings and discussions with the Guatemalan firm, Las Tres Niñas S.A., which seeks to implement the El Orégano hydroelectric plant project. They have highlighted the need to consult local inhabitants before implementing megaprojects in the area. In 2012, in addition to the court summons issued to community members of Las Flores, Jocotán, the firm has sent several letters to various organisations and international community actors in Guatemala, portraying community actors and the social organisations that work in the area in a negative light.

PBI has accompanied New Day since 2009. Several members of the association have received threats and attacks, including death threats and intimidatory acts, as a result of their work with the communities.

Association of Indigenous Women of Santa María Xalapán, AMISMAXAJ.

In July we kept in constant communication with the members of the Association by phone and with regular meetings. The process of community consultations on mining in the mountains of Santa María Xalapán has been continuously interrupted since the decree of the state of siege in May this year. Social organisations are hoping that the consultation process can resume in August. As part of this process, members of the Association have shared concerns with GDP that a large number of members of indigenous communities are not currently registered in the municipal register. In late July, AMISMAXAJ members participated in the workshop organised by PBI-security in Zacapa, Guatemala.

Background: AMISMAXAJ 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. AMISMAXAJ is made up of 75 women leaders representing 15 Xinka communities from the Santa María Xalapán Mountain (Jalapa). They work at the local, departmental and national levels in opposition to all forms of

¹ El 9 de julio 2013, Plaza Publica, "Derecho a la Alimentación: Cinco niños olvidados ganan juicio al estado": <http://www.plazapublica.com.gt/content/cinco-ninos-olvidados-ganan-juicio-al-estado>

patriarchal, neo-liberal, racist, homophobic and lesbophobic oppression, and have established strategic territorial and national alliances to promote their political actions. The Association works actively in the region of Jalapa, promoting women's rights, the revitalisation of the Xinca ethnicity and the defence of land and territory. In particular, it is actively working to defend natural resources and to monitor and raise awareness about plans for mining and oil extraction in the region. Since our accompaniment of AMISMAXAJ began in July 2009, the organisation has strived to improve political and feminist education in the region. Indeed they now have their own school in which to do so. Various members of the organisation were subjected to grave death threats in 2009 and 2010, due to the work that they carry out. Based on security incidents in the past, risks faced today and the security situation of its members, the Association's work combating the infringement of women's rights, and those of indigenous people and DESCAs, should continue to be monitored.

The 12 Communities of San Juan Sacatepéquez

This month we maintained permanent contact with members of the 12 Kakchiquel communities San Juan Sacatepequez. There are ever more legal charges against the community leaders because of their participation in advocacy, protest or peaceful social resistance against investments planned or underway. PBI circulated an Alert² notice among the members of the support network. In this document you will find all the information about the events: On July 6, 3 people were arrested, members of the Twelve Communities San Juan Sacatepequez Cakchiquel-Mariano Camey Car, Car Lorenzo Hernandez and Margarito Camey Zet. They were arrested the day after a march in which communities of the municipality, supported by communities of other regions and Guatemalan social organizations, again peacefully expressed their opposition to the construction of the cement plant. The protest was convened July 5 against the activities carried out by Cementos Progreso in the municipality as part of the inauguration of the construction of the cement plant. People arrested on July 6 are indicted by events in 2011. In this month, we accompanied the members of the 12 communities in resistance twice, at their assemblies.

Background: In 12 Maya Kaqchikel communities in the municipality of San Juan Sacatepéquez, organised residents participate in processes related to the defence of territory and natural resources in the region. Since 2006, the Guatemalan company Cementos Progreso S.A. has been pushing on with the San Juan project, which includes the construction of a factory and a quarry in the San Gabriel Buena Vista estate where the villages of Cruz Blanca, Santa Fe Ocaña, El Pilar I and II, Los Pajoques, and San Antonio Las Trojes I and II are located. Until December 2012 Cementos Progreso had an 80% share in the project which included the construction of this factory, and the remaining 20% belonged to the to the Swiss multinational company, Holcim. However, the Swiss multinational company sold its share in December 2012, and from then on Cementos Progreso holds 100% of the investment on this project.

On 13 May 2007, without the support of the municipality, the communities of San Juan Sacatepéquez carried out a community consultation on the factory's installation. 8,950 people participated, of which 8,946 voted against and four in favour of the factory. The dialogue process, which involved various Guatemalan authorities and public institutions, concluded without offering any means of resolving the conflict. For more than six years, the 12 communities resisting the San Juan Sacatepéquez project have made numerous complaints about human rights abuses, threats and, in particular, a criminalisation campaign against them, which has maintained its intensity in 2012. Their key demands continue to be the permanent withdrawal of the army from the communities; and compliance with their rights under national and international law.

Council of Communities of Cunén, CCC

In July we have maintained telephone contact with the members of the Council of Communities of Cunén. Members of the council took part in a security workshop organized by PBI-Guatemala in Zacapa.

Background: On 14 January 2009, the communities of the Cunén municipality, department of Quiché, held a meeting to initiate a process that would better defend their territory, natural resources and human rights. At this meeting, the CCC was formed. It consists of 22 directly elected members from eight micro-regions of Cunén. One of the main focuses of the Council's work is the defence of their land and natural resources. In October 2009, they organised a community consultation on mining and hydroelectric exploitation and the construction of hydroelectric plants, among other mega-projects, planned for the Municipality. PBI observed part of the preparation process as well as the consultation itself, in which approximately 19,000 people from 71 communities voted against the aforementioned projects. We began our accompaniment of the Council in February 2010, due to the security risks faced by persons actively promoting the right to land, territory and natural resources in the region, and in following up with the community consultation.

Guatemalan Human Rights Defenders Protection Unit (UDEFEQUA)

During this month, we have held regular visits to the office of UDEFEQUA, telephone contact and frequent meetings. We also accompanied the members when they visited the 12 Kaqchikel communities of San Juan Sacatepéquez and the Assembly for the Protection of the mountain of La Union (see above). We accompanied two members of UDEFEQUA to the hearings in Cobán on the 11,15 and 16 July. The two members were intimidated during the course of the hearings on the case of Paraíso Privado, in the Sierra de las Minas in Alta Verapaz.

2 For more information see Alert PBI Guatemala, July 2013: [http://www.pbi-guatemala.org/field-projects/pbi-guatemala/latest-news/news/?no_cache=1&L=0&tx_ttnews\[tt_news\]=3894&cHash=9d9fe27f67d0bc06f9483fa8db49f938](http://www.pbi-guatemala.org/field-projects/pbi-guatemala/latest-news/news/?no_cache=1&L=0&tx_ttnews[tt_news]=3894&cHash=9d9fe27f67d0bc06f9483fa8db49f938)

Background: The Human Rights Defenders Protection Unit (UDEFEQUA) was founded in 2004 to promote the security of human rights defenders in Guatemala and helps protect the political space in which they work. The Unit's programmes support threatened human rights defenders and their organisations and advise them about preventing and responding to threats and attacks, through information, training, monitoring and psychological support. UDEFEQUA also lobbies for the protection of human rights defenders by government institutions and the international community. For many years PBI has maintained a close collaborative relationship with UDEFEQUA and in 2007 had already offered to provide the Unit with international accompaniment following a period of threats. After the Unit reported threats to the Public Prosecutor's Office (MP) in May 2009, PBI reactivated its accompaniment. Since then, UDEFEQUA has reported some critical security situations, highlighting an illegal raid on one of its member's homes and tampering with the vehicle of one of its members in March 2010. We continue our regular visits to UDEFEQUA's office, carry out periodic meetings with its staff, and accompany them on visits to various Departments in the country. The visits allow the Unit to develop its work and strengthen its analyses by investigating and verifying reports of attacks on human rights defenders.

Verapaz Union of Campesino Organisations, UVOC.

In July we maintained telephone contact with members of UVOC in various locations in Alta Verapaz and made several visits to the headquarters of the UVOC in Santa Cruz. On July 9 we accompanied members of the community of La Primavera (in the municipality of San Cristobal) to lodge a complaint for acts of surveillance and intimidation believed to be used by the company to put pressure on the local community with the Human Rights Prosecutor of the Public Ministry in Guatemala City. On July 11 we visited the farm community in La Primavera during which we had the opportunity to meet members of the community and show our presence in the area. Among the concerns highlighted was the lack of an institutional response to the situation of extreme vulnerability of the families of the community. Despite the supposed presence of the National Civil Police in the area, according to statements by the community, PNC has not responded to the demand of communities claiming lack of resources. We accompanied UVOC members and community members to La Primavera meeting scheduled for July 24 with the Secretary of Agrarian Affairs (SAA) and other authorities about the distribution of the land from previous research conducted by the SAA. At the last moment the meeting was postponed for the fourth time.

Background: UVOC is an indigenous and campesino organisation which focuses on defending and enabling access to land for campesino people in the departments of Alta and Baja Verapaz. Amongst other activities, UVOC offers advice to numerous rural communities on land ownership, accompanies communities on activities involving the protection of their land, and participates in formal discussions on related matters. The organisation ensures these discussions are tailored carefully, to squarely confront the well-documented land disputes and agrarian conflict in the region. PBI has accompanied UVOC since 2005, after its members experienced serious threats and intimidatory acts. Carlos Morales, UVOC coordinator, and members of communities which form part of the Union have been subjected to death threats, and various forms of intimidation and persecution, on several occasions. In addition to the Rural Development Law, UVOC publically demands an end to evictions and violence in the region, led by State and non-governmental actors. The Union monitors agrarian issues, and has warned of a deteriorating situation in many localities since the beginning of 2012. In February 2012, PBI drew the international community's attention to concerns about the atmosphere UVOC has to conduct its work in. Threats are made to its members and several communities the organisation accompanies and supports in the region, in particular the community of La Primavera (in the municipality of San Cristóbal, Alta Verapaz) and San Miguel Cotojox (on the municipal and departmental border of Panzós, Alta Verapaz, and El Estor, Izabal).

Human rights lawyer Édgar Pérez Archila.

In July we accompanied lawyer Édgar Pérez Archila when traveling and during his work. We continue to accompany the lawyer Santiago Choc Cu, of the Human Rights Law Firm, who was intimidated during the trial for genocide. On July 17 several lawyers accompanied the Human Rights Law Firm to the hearing at the Constitutional Court on the appeal for legal protection filed under the open case for genocide in the Ixil area. The defense lawyers did not attend. The Human Rights Law Firm took the opportunity to denounce the abuse of habeas corpus by the defense of General Rios Montt during the process. According to lawyers of the Firm, this practice not only affect the rights of the victims and their families but also constitutes an attrition strategy of defense in human and economic terms and is seen as one more example of a system of justice affected by high levels of impunity.

Background: In August 2010 we began the accompaniment of lawyer and human rights defender Edgar Pérez Archila in his work defending justice and battling impunity. Pérez and his legal team work on proceedings related to massacres committed during the internal armed conflict and other cases of past and current human rights violations. We accompany him because of the trials' importance in the fight against impunity and the fact Pérez has experienced various security incidents in recent years. Pérez and his legal practice are involved in legal proceedings related to: the forced disappearance, torture and extrajudicial execution of the guerrilla commander Efraín Bámaca Velásquez in 1992; the massacre of the Las Dos Erres community in 1982; the massacre of the community of Río Negro, Alta Verapaz, in 1982; and the prosecution for genocide that has been pending before a number of Guatemalan tribunals since 2000.

National Police Historical Archive, AHPN.

During July we have maintained frequent contact with members of AHPN with phone calls, meetings and visits to their facilities. In the first half of July, the AHPN received new requests for documentation by the Human Rights Ombudsman, PDH-(60), the Public Ministry-MP-(7), particular users (10) by the Police Civil-PNC-National (1). In this period AHPN has delivered a total of 318 images of documents previously requested by PDH (58), for individual users (169), the Public Ministry (90), by the PNC (1). On July 26 two new PBI team members visited the site of the archives. At the end of the month, several members participated in the security workshop organised by PBI Guatemala in Zacapa.

Background: The AHPN was discovered by chance in 2005, by staff of the Human Rights Ombudsman's Office (PDH), when they carried out preventative procedures relating to the storage of explosives in Guatemalan public security force buildings. In a building in Zone 6 of the capital (built during the internal armed conflict to house the National Police (PN) hospital, although never used as such), 80 million documents were discovered, abandoned, piled up and poorly conserved. This is the historical-administrative documentation of the PN, from its creation in 1881 to its closure in 1997. The institution's participation in the commission of human rights violations during the internal armed conflict was documented by the Historical Clarification Commission (CEH). In its report "Guatemala: Memory of Silence", CEH affirms that the PN was an operative body for army intelligence, serving as the facade of the G-2, and acted on its orders in the majority of cases. During the CEH investigation, various state bodies, including the Interior Ministry and the PN itself, repeatedly denied the existence of archives or documentary materials that would assist an investigation into human rights violations. Following the first phase of work headed by the PDH to recover the documentation and then create the conditions necessary to allow public access to it, work since 2010 has centred on the institutionalisation of the Archive, the search for political, legal and administrative certainty, the technical stabilisation of the resource and the initiation of procedures to ensure permanent, public access to its contents.

Today the AHPN forms part of the General Archive of Central America, its title and control is the responsibility of the Guatemalan Ministry of Culture, and it functions exclusively on the basis of donations and funds from international cooperation. The Archive is also a member of the International Coalition of Sites of Conscience, as the building which houses it was used as a clandestine detention centre by the PN during the armed conflict. Well-known Guatemalan human rights activists participate in the direction, coordination and documentation recovery work, and also promote public access to the information it holds. 150 people work on the tasks of conservation, organisation and archival description.

You can get more information by visiting this website: <https://ahpn.lib.utexas.edu>

The Communities in Peaceful Resistance; La Puya, San José del Golfo and San Pedro Ayampuc

In July, we maintained frequent contact through regular calls and visits to members of the communities of La Puya in peaceful resistance. The members of the Resistance are awaiting a response from President Otto Pérez to the letter sent out following the meeting with him in June. In this communication, the Resistance calls on the government to ensure that community members who are exercising their right to protest and oppose the establishment of mega-projects in their territories will not be evicted or oppressed. This letter also urges the President to respond to allegations that warn of the potential impacts of such mining: in particular in relation to high levels of arsenic in water and displacement of the local population in the area. Therefore they require the completion of a new environmental study. Also in their communication the Resistance asks to be informed about the status of pending licenses and concessions in the region. As part of our accompaniment to members of the Resistance, in early July, community members informed us of new security incidents. Yolanda Oqueli, leader of the resistance in San José Gulf, reported that on July 9 at night, shots were heard near her home. The same day Mr. Fidel Santos was murdered in San José del Golfo, thus increasing the climate of insecurity among the people. On Friday July 12 we observed the press conference organised by members of the Resistance in the capital to report an increase in threats and intimidation suffered by the members of the communities under their peaceful opposition to mining in the area in recent weeks. Members of the Communities in Resistance Pacifica La Puya also participated in the security workshop organised by PBI Guatemala in late July in Zacapa.

Background: From 2010 residents of San José del Golfo and San Pedro Ayampuc, two municipalities that are located round about 30 kilometres from Guatemala City are leading a pacific resistance to make their disagreement with mining projects in the area evident. The US mining company Kappes, Cassidy & Associates together with their local subsidiaries Exploraciones Mineras de Guatemala S.A. and Servicios Mineros de Centro de America S.A. is promoting these projects. The company has received the authorization to develop the project El Tambor that consists of various licenses, among them that of Progreso VII Derivada. In March 2012 residents decided to block the entrance to the mine and install a protest camp in La Puya where the members of different communities take shifts of 24 hours to prevent the entry of machinery. On 8 th of May at 1am the company attempted to enter 25 trucks with machinery, guarded by 40 patrol cars of the National Civil Police (PNC). As residents were alerted approximately 2.000 people of the surrounding communities united stop the entrance of the machinery pacifically. Kappes, Cassidy & Associates (KCA) has publicly accused the people opposing the project of holding up development. On 23rd of June in San José del Golfo an attack on the life of Yolanda Oqueli, an activist participating in the resistance of La Puya took place. She was shot from a motorcycle and up to present it has not been possible to extract the bullet. After 4 months away from her community, Yolanda returned to San José del Golfo and has rejoined the activities of the resistance movement. During this time flyers with offensive and defamatory messages have been circulated, directed especially at the women that form part of the resistance. The harassment and aggressions intensified around 24 November 2012, marking one year since the concession

of the mining license. According to the mining law, if in the course of a year the exploitation at the site has not begun, the license has to be cancelled. In September 2012 the Guatemalan Human Rights Commission declared the communities of San Pedro Ayampuc and San José del Golfo winners of the Alice Zachmann Human Rights Defenders Award.

2.4 OBSERVATIONS

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

During July, we observed two peaceful marches organised by residents of the 12 Kaqchikel communities in resistance of San Juan Sacatepéquez. The first of these marches took place on July 5 and was attended by over 7000 people of the community who expressed their opposition to the inauguration of the construction of the cement and construction of the Regional Ring Road. The march ended with the presentation of a petition requesting the Municipality to suspend the work of the road and allow the calling of a referendum. On July 19, we observed the second peaceful march by the Twelve Communities against the official inauguration ceremony of the cement plant at Finca San Gabriel. The inauguration was attended by the President Otto Perez, Interior Minister Mauricio Lopez Bonilla and the Mayor of San Juan Sacatepéquez, Fernando Bracamonte, among other authorities. Members of the 12 Kaqchikel Communities expressed concern about the heavy militarisation in their communities and the fear of the possibility of another state of siege in the town.³ (See San Juan Sacatepéquez statement at end of document).



19 July 2013, people from the Twelve Kaqchikel Communities of San Juan Sacatepéquez in a protest against the official inauguration of the cement plant at San Gabriel. Photo PBI Guatemala 2013.

On July 27, we observed the Assembly of the **Council of Maya K'ich'e Peoples (CPK)** held in Santa Cruz del Quiche.

On 29 and 30 July 2013, PBI Guatemala organised a **workshop on security** in Zacapa for members of organisations that PBI accompanies. The workshop was facilitated by Arturo Chub, a member of the Guatemalan organisation Security in Democracy (SEDEM).

3. PBI-GUATEMALA ACTIVITIES – OUTSIDE GUATEMALA

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. These meetings result in the development and strengthening of the project's "Support Network", an essential tool in the international presence provided by PBI in Guatemala.

³ 26 julio 2013, La Hora (LH), San Juan Sacatepéquez "Denuncian recrudescimiento del conflicto"
<http://www.lahora.com.gt/index.php/nacional/guatemala/actualidad/181315-denuncian-recrudescimiento-de-conflicto>

The European Project Representative met on July 9 with Stephanie Roels, head of Human Rights Permanent Representation of the Netherlands in Brussels. On the same day, also in Brussels, under the Human Rights and Democracy Network (HRDN) she attended a meeting with Stavros Lambrinidis, Special Representative for Human Rights of the European Union.

On July 10, the European Project Representative Mexico and the European Coordination Colombia Project attended a meeting with Julita Bas, responsible for Latin America in the department of political instruments of the Directorate General of Human Rights of the European External Action Service (EEAS), Gerard Schulting, desk Guatemala in the EEAS and Gianfranco Boccicchio, Mexico desk in the EEAS. That same day in Brussels she also met Jonatan Henriksson, First Secretary of the Permanent Representation of Sweden to the EU, responsible for Asia and Latin America.

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.

Las Doce Comunidades Kakchiqueles en Resistencia de San Juan Sacatepéquez ante la opinión pública, hacen saber:

El 19 de julio de 2013, en la Finca San Gabriel, ubicada en el territorio de las Doce Comunidades Kakchiqueles en Resistencia de San Juan Sacatepéquez, el Señor Otto Fernando Pérez Molina, Presidente Constitucional de la República de Guatemala, hace presencia para dar por inaugurada la operación de la planta de Cementos Progreso, propiedad de la Familia Novella.

Al mismo tiempo, auto convocados más de 20,000 hombres, mujeres, niñez y juventud provenientes de las comunidades de: Pilar I, Pilar II, Santa Fe Ocaña, Cruz Blanca, Asunción Chivoc, Las Trojes I, Las Trojes II, Cruz Ayapan, Guamuch, Loma Alta, Lo De Ramos y Pajoquez, hicimos acto de presencia en la entrada a la Planta San Gabriel para manifestar nuestro rechazo en el establecimiento de la planta cementera por los severos daños ecológicos, económicos, sociales y culturales que ocasiona en nuestro territorio.

Manifestamos también que la participación del Presidente de la República de Guatemala, del Sr. Fernando Bracamonte, Alcalde Municipal de San Juan Sacatepéquez y otros personeros gubernamentales, es una clara complicidad entre el Estado y la oligarquía guatemalteca para instalar violentamente los megaproyectos que beneficiaran directamente a ellos, al instalar más de 8 retenes policiales en la carretera a San Juan Sacatepéquez, y el haber sobrevolado varios helicópteros sobre nuestro territorio por más de 4 horas, lo que evidencia la supremacía del sector económico y la gran empresa sobre el Estado Guatemalteco. Su presencia en dicho acto inaugural reafirma su posición y su consentimiento a los intereses a la oligarquía económica de Guatemala olvidando su responsabilidad de velar por el bienestar de las grandes mayorías guatemaltecas, entre ellas las Doce Comunidades Kakchiqueles de San Juan Sacatepéquez.

Desde hace más de 8 años, hemos manifestado nuestras razones para no aceptar dicha industria extractiva en nuestro territorio, hemos participado en las mesas de diálogo instaladas de donde los representantes de la Cementera no han sido flexibles y han optado por retirarse, se han emitido las conclusiones del Relator sr. James Anaya y de la Corte de Constitucionalidad quienes convergen en el derecho que tenemos de ser consultados antes de la instalación de la explotación minera. El Estado se ha empeñado en perseguir política y penalmente a nuestros líderes y lideresas acusándonos de terrorismo, en donde a la fecha 86 personas han ido a la cárcel, tenemos 7 privados de libertad, 12 capturas pendientes y hemos depositado grandes cantidades de dinero en concepto de fianzas.

El 19 de julio de 2013 el Sr. Mauricio López Bonilla, Ministro de Gobernación, ordeno instalar un comando especial en nuestro territorio bajo el argumento que nuestras Comunidades han despojado a los empleados de la Cementera de sus pertenencias cuyas declaraciones son injuriosas e irresponsables y carecen de fundamento. Desde ese día, estos policías en forma encubierta se han infiltrado en nuestras comunidades, haciéndose pasar por empleados de las empresas telefónicas recabando nombres y preguntando por comunitarios tanto en las escuelas como en las iglesias, realizando acciones de vigilancia, por ello nos sentimos perseguidos y amenazados por las fuerzas de seguridad, por lo que hoy estaremos presentado una exhibición personal a favor de 30 comunitarios en contra del Ministro de Gobernación y en contra del Ministerio Público para que dejen elaborar hechos y denuncias falsas en nuestra contra, que solo profundiza la conflictividad.

DENUNCIAMOS y DEMANDAMOS

Al sr. Otto Fernando Pérez Molina, Presidente Constitucional de la República de Guatemala:

- Que tiene una estrategia racista y perversa de abordar la Conflictividad generada por la Empresa Cemento Progreso y las Comunidades de San Juan, donde privilegia todos los intereses de la Cementera, y condenándonos a la cárcel por reclamar nuestros derechos menospreciándonos por ser población indígena.

- Que el anuncio de un dialogo con las Comunidades es de mala fe por parte del Presidente de la República, ya que con tantas ordenes de captura que han dictado en nuestra contra ir a una mesa de diálogo solo implica aumentar el número de encarcelados.
- Pedimos al Presidente de la República que acate las conclusiones y recomendaciones del Relator de Pueblos Indígenas, sr. James Anaya y de la Corte de Constitucionalidad quienes han resuelto que cada vez que los Pueblos solicitan consultas, éstas deben realizarlas instituciones del estatales implicadas.

Al sr. Fernando Bracamonte, Alcalde Municipal de San Juan Sacatepéquez:

- Atienda el pliego de peticiones presentado a la corporación municipal el día 5 de julio de 2013 que busca el mecanismo para la realización de las consultas comunitarias respectiva.
- No más campañas de desinformación emprendida en contra de nuestras Doce Comunidades.

Al sr. Mauricio López Bonilla, Ministro de Gobernación:

- Se retracte de las declaraciones emitidas el día 19 de julio 2013, en donde acusa a las Comunidades de San Juan de despojar a los empleados de la Empresa de Cementos Progreso de despojarles de sus pertenencias, pues son declaraciones injuriosas e irresponsables.

Finalmente anunciamos que no somos tres Comunidades las que rechazamos la minería en nuestro territorio, como dice el Presidente de la República, somos doce, conformadas con más de 60,000 habitantes, y a partir de este momentos nos declaramos en asambleas comunitarias permanentes y anunciamos más acciones de movilización y denuncia por todos los atropellos que estamos siendo víctimas por parte del Estado y hacemos un llamado a la ciudadanía del País, a los diferentes pueblos, a la comunidad internacional y al movimiento social a acompañar nuestros procesos pacíficos y a manifestar su INDIGNACION por la actitud racista y parcializada mostrada por el Presidente de la República y del Alcalde Municipal de San Juan Sacatepéquez que solo actúan en favor de la Empresa Cementera, puesto que en ningún momento han atendido nuestras demandas y necesidades

En San Juan Sacatepéquez, no queremos montañas pintadas de gris, sino que queremos llevar nuestras flores a todo el país, pues nuestras familias no comen cemento gris, sino que el hambre se quita con maíz.

¡Nuestra lucha es por la vida de todas y todos¡.

San Juan Sacatepéquez Guatemala, 22 de julio de 2013

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- PBI GUATEMALA PROJECT-

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