



PEACE BRIGADES INTERNATIONAL – GUATEMALA PROJECT

MIP - MONTHLY INFORMATION PACKAGE – GUATEMALA

Number 105, June 2012

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1. CURRENT NEWS

IMPUNITY

Official figures show 227 women were murdered in the first four months of 2012

Guatemala, 14.06.2012 (AC).- The Guatemalan authorities reported that 227 women were murdered in the first four months of 2012 in Guatemala. This, in fact, represents a decrease of nearly 17% from same period in 2011 (37 fewer cases). According to information gathered by the Mutual Support Group (GAM), this trend was reversed in April when 62 murders of women occurred in the country, an increase of 29% on the number of cases occurring in March. According to GAM's analysis, the high number of crimes against women demonstrates that the Government's public attempts ignore a focus on gender.

The judiciary (OJ) has sentenced 29 persons a month for acts of femicide in the Specialised Courts and Tribunals Against Femicide in the first four months of 2012. In the same period, it received 580 complaints of crimes against women. Since the end of 2011, the Supreme Court of Justice (CSJ) opened Special Courts in Guatemala City, Villa Nueva, Chiquimula, Quetzaltenango, Cobán, Alta Verapaz and Huehuetenango. The women's movement in Sololá recently demanded the opening of a similar court to attend to the cases there.

'Women's Link World Wide' carry out gender studies with female victims of the internal armed conflict

Guatemala, 18.06.2012 (PL).- Lawyer Paloma Soria, of Women's Link World Wide, visited the county in order to conduct gender studies with 15 victims of the internal armed conflict. The activity took place in pursuance of the judicial investigation underway in Spain against important members of the Guatemalan military including the retired General and ex-head of state, Efraín Ríos Montt, for the crime of genocide. "In this case there are gender studies analyzing the violence against women and children. The judge hearing the case in Spain, Magistrate Santiago Pedraz, released a statement – resolution – in July 2011 in which he states that crimes against women and children constitute genocide and had to be investigated", said Soria. She added that the gender studies could be used in prosecutions already underway against Montt in Guatemala.

Guatemalan President and Peace Secretary seek declaration of non-competence from the Inter-American Court of Human Rights in Rio Negro massacre case

Guatemala, 20, 21 y 22.06.2012 (SV).- The Guatemalan state has asked the Inter-American Court of Human Rights (IACHR) to declare itself as not competent to judge the massacres committed by the army of the county against Maya Achi population of Río Negro, between 1980 and 1982. The submission was made by the representative of the Government and Peace Secretary, Antonio Arenales Forno, at a two day hearing (19 and 20 June) at the Court in its seat in San José (Costa Rica).

The case brought by persons affected and relatives of the victims stated that Río Negro was a community destroyed during a series of massacres carried out by the army and members of the Civil Self-Defence Patrols (PAC), and that survivors were subsequently persecuted. The Inter-American Human Rights Commission (CIDH) confirms that more than 500 persons were killed, many disappeared, women raped, children enslaved by the members of the PAC, and that survivors were victims of forced displacement. It added that the massacres were carried out as part of a 'scorched earth' policy carried out by the Guatemalan state against the Mayan people who were classified at the time as an 'internal enemy' in an atmosphere of discrimination and racism. The Commission concluded that the state had not effectively investigated the matter, had failed to punish those responsible, to fully identify the remains of the executed persons or to find the final resting place of the persons disappeared.

Arenales, on behalf of the Guatemalan state, stated that the IACHR should declare itself incompetent to hear the case as the incidents in question occurred between 1980 and 1982, at a time when Guatemala had not recognised the court's competence and

jurisdiction in the country. He added that the Court is not competent to judge crimes of genocide and forced disappearance, crimes that should be judged in a criminal court and not a human rights court. "Moreover, it is debatable whether the Court has the mandate to grant reparations that exceed the economic capacity of states", he added. President Otto Pérez Molina also announced that he would ask the Secretary General of the Organisation of American States (OEA), José Miguel Insulza, to demand that the IACHR not exceed its mandate, as it was acting in this case as a criminal court in a complaint of genocide against the country.

LAND

Indigenous, Campesino and Popular March demands of Congress and Government continue

Guatemala, 04.06.2012 (EP).- The organisations that make up the Indigenous, Campesino and Popular March declared themselves in opposition to participation in the public hearings convened by Congress in connection with the National System of Integral Rural Development Law: "The new discussion of the law only serves to delay its passage", said Aparicio Pérez, member of the Committee of Campesino Unity (CUC). For the social groups, the proposed law already has been debated and agreed to and, according to the Agrarian Chamber, is in compliance with the Constitution. In the opinion of the CUC delegate, "It is an excuse for not approving it." Carlos Fion, congressman and member of the Congressional Commission of Agriculture, Livestock Farming and Fishing, said, "They have lost the opportunity to contribute to the process." From the perspective of Juana Batzibal, delegate of the Waqib' Kej Platform, other commitments – to the non-militarisation of indigenous territories and control of hydro-electric projects, amongst others – have also failed. "The right of the people to be consulted on these matters has not been respected", stated Batzibal, who gave as an example the creation of military brigades in San Juan Sacatepéquez and Petén, one week after the opening of a round of dialogue with the Government.

More than 1400 agrarian conflicts are pending in the country, according to San Marcos Social and Pastoral Care Branch

Guatemala, 26.06.2012 (LH).- More than 1400 agrarian conflicts remain unresolved in the country, according to the Social Ministry of the diocese of San Marcos. The key causes identified were the denial of land for subsistence farming to campesino and indigenous communities, deficiencies in public administration, and threats of agro-industry and mega-projects. Three-quarters of the recorded conflicts are in areas where ambitious infrastructure projects are underway: the Northern Corridor Route, made up of the departments of El Quiché, Alta Verapaz, Petén, Izabal and Huehuetenango. Monsignor Álvaro Ramazzini, bishop of San Marcos, said that the issue of land must be tackled if the problems of poverty and inequality in the country are to be resolved, and that no government had effectively faced this problem. He added that, if these cases were resolved through "effective dialogue", it would redress the historical marginalisation of the campesino and indigenous people in the country. From his point of view, the solution is agrarian reform that takes as its starting point the allocation of land, a bold government that listens to the demands of the people and a realistic and publicly-minded approach by the commercial agricultural sector, to achieve the justice and solidarity that would prevent these conflicts.

NEGATIVE EFFECTS OF GLOBALISATION

Attempted murder of Yolanda Oqueli, social activist who opposed mining in San José del Golfo

Guatemala, 15.06.2012 (AC).- Yolanda Oqueli, member of the Metropolitan Area Northern Front (FRENAM), was shot in a potentially fatal attack on the afternoon of 13 June when she was driving home in the municipality of San José del Golfo, 28 kilometres from the capital. According to a report from the ecologist group Madre Selva Collective, Yolanda was returning from a blockade of the mining project Progreso VII Derivada carried out by dozens of members of the local community when she was shot near the municipal cemetery, being hospitalized as a result. Days before, she and other social leaders had presented various complaints with the Public Prosecutor (MP) that they had been the targets of intimidation, threats and criminalization of their activities in exercise of their right of peaceful resistance to mining projects.

Before this attack, Madre Selva had demanded the intervention of the justice system to investigate, identify and punish those responsible. It also called on the Government to end the exploitation of the country's land and resources without prior public consultation in compliance with the procedures laid down in the Municipal Code. FRENAM demanded that the life and security of the people of San Pedro Ayampuc and San José del Golfo be guaranteed and reiterated that they were exercising their rights in the face of the grave consequences that mining activities could have for them.

Assassination of José Tavico Tzunun, member of the Council of K'iché Peoples

Guatemala, 18.06.2012 (SV).- José Tavico Tzunun, activist of the Council of K'iché Peoples, was killed on the morning of 12 June by two men who violently entered his home in the community Sibacá III in Santa Cruz del Quiché.

Tavico organized community meetings for the exchange of views about impact of mining activities and was a member of commission of the community 'good faith' consultation in Santa Cruz del Quiché last year. The members of the Council demanded that the authorities investigate who had carried out the attack since, in its view, "the way that this occurred, it was clearly not common violence, but a clear case of assassination."

Communities of Quiché and Huehuetenango demand that Government cancel mining and hydro-electric licences

Guatemala, 28.06.2012 (AC).- Representatives of 200 communities in the municipalities of Aguacatán (Huehuetenango) and Nebaj, Chajul, Sacapulas and Cunén (El Quiché), demanded that the Government cancel the 9 licences to explore and exploit minerals in the region and that granted to the Serchil hydroelectric project currently under construction. The demands were made during the

commemoration of the first anniversary of the Community 'Good Faith' Consultation in Sacapulas, Quiché, in which 28,000 persons participated (out of a total of 45,000 inhabitants in Sacapulas) on 20 May 2011, and in which 98% voted against the exploitation of natural resources and the construction of hydro-electric projects in the region. Gabriel de Paz, representative of the communities of Nebaj, said that the communities considered that the installation of a project of such magnitude would negatively affect their way of life, the local economy and the conservation of natural resources.

Sources: Agencia Cerigua (AC), Prensa Libre (PL), Siglo Veintiuno (SV), El Periódico (EP), La Hora (LH).

2. PBI-GUATEMALA ACTIVITIES: IN GUATEMALA

Team: María Cayena Abello (Colombia), Francisco Bernal (Colombia), Ilaria Tosello (Italy), Phil Murwill (United Kingdom), Christa Hijkoop (Netherlands), Lucía Gorosito (Argentina/Spain), Claudia Molina (Argentina) y Aline Herrera (Switzerland/Mexico).

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.

International Authorities and other international entities in Guatemala:

- Thomas Kolly, ambassador of Switzerland, Guatemala City.
- Jennifer Echeverría, Human Rights programme official, EU Embassy, Guatemala City.

Guatemalan Authorities:

- Jacobo Gramajo, Official for Guatemala, Sacatepéquez and Chimaltenango, Presidential Human Rights Commission (COPREDEH), Guatemala City
- Mr. Suey, Substation Agent, National Civil Police (PNC), San Cristobal, Alta Verapaz.
- Mr. Fuentes Miranda, Substation Agent, PNC, Santa Cruz, Alta Verapaz.
- Francisco Guare and Edy García, Subdirector and Advisor, respectively, of the Mediation and Resolution of Conflicts Unit, Human Rights Ombudsman (PDH), Guatemala City.
- Byron Geovani González, Mayor of Camotan, Chiquimula.
- Fernando Bracamonte and Buenaventura Sian, Mayor and Second Secretary, respectively, 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.

Guatemalan Civil Society:

- Mónica Coy and Edgar Botzoc, Social and Pastoral Care Branch, Cobán, Alta Verapaz.
- Javier Gurriarán, Independent Consultant, Guatemala City.
- Mario Celada, Analyst, International Human Rights Research Centre (CIIDH), Guatemala City.
- Marco Canteo, Executive Director, Guatemalan Institute of Comparative Studies in Criminal Sciences (ICCPG), Guatemala City.
- Jorge Luis Castro and Teresa Samayoa, Social and Pastoral Care Branch, Santa Cruz del Quiché, El Quiché.
- Lolita Chávez, member of the Council K'iché Peoples (CPK), Santa Cruz del Quiché, El Quiché.
- Juan Tipaz, member of the Defensoría K'iché, Santa Cruz del Quiché, El Quiché.

International Organisations and Agencies:

- Forum of International NGOs (FONGI), Guatemala City.

2.3 ACCOMPANIMENT

National Coordinator of Guatemalan Widows, CONAVIGUA

In June we maintained regular contact with members of CONAVIGUA through visits to their office in the capital, frequent telephone calls and meetings.

Background: CONAVIGUA carries out exhumations and inhumations in different departments throughout Guatemala, above all in Quiché, Chimaltenango, and the Verapaces, as part of its work towards the recuperation of the collective memory of Guatemala's recent troubled history. These processes provoke very tense situations in rural communities where victims and perpetrators live side by side, occasionally culminating in threats aimed at stopping the work of the women of CONAVIGUA. Due to increasing requests from the communities in which CONAVIGUA works, the organisation has expanded its work offering legal and organisational advice to communities in the process of organising themselves. In 2010, CONAVIGUA accompanied this process in San Juan Sacatepéquez and in Uspantán, where CONAVIGUA supported the preparation of a "good faith" community consultation on extractive industry projects. We periodically have accompanied the association since August 2003 with visits to its office and during its members' journeys around the country. Many members of the organisation were subjected to grave death threats in 2010 due to the work that they were carrying out.

Association for the Protection of the Las Granadillas Mountain, APMG.

At the end of May and the beginning of June, PBI groups in Spain, Catalunya and the UK, received a visit from Reverend José Pilar Álvarez. He was invited to participate in various activities in Madrid, Barcelona and London. He gave public presentations about the work of the association and the obstacles that it encountered in its work and shared with social organisations, public authorities and the general public his experiences and concerns regarding the criminalization of human rights defenders. Upon his return to Guatemala, we accompanied him to a meeting with churches and organisations working together for the protection of the Las Granadillas mountain in 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: illegal logging, monoculture, deforestation, large-scale cattle farming and the diversion of water sources. The organisation is supported by the Lutheran Church in Guatemala (ILUGUA), led in the region by Reverend José Pilar Álvarez Cabrera, and the Madre Selva Collective. One of APMG's goals is to have the mountain designated a protected area. However, existing economic interests in the land have made APMG's work dangerous, and its members have faced diverse types of persecution and threats since they denounced the illegal logging trade and started, with the population of the La Trementina community, a permanent social monitoring process of 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 in which the Association has participated with public authorities and private actors. At the beginning of 2009 and the end of 2010, the permanent conflicts between the owners of private estates on the mountain and the population of La Trementina and the APMG led to criminal accusations against members of the Association and the community, based on complaints lodged by, among others, Mr Juan José Olaverrueth, owner of the Tachoró Estate. In both cases, the accusations were linked to APMG's work promoting the protection of the mountain. Also, in both cases, the cases were thrown out in the first court hearing before the judge. In total nine people have been affected by unfounded criminal accusations (three in 2009 and eight in 2010). José Pilar Álvarez Cabrera has been the target of death threats and defamation in the local media during these conflicts.

Association of Indigenous Women of Santa María Xalapán, AMISMAXAJ.

This month we visited the association two times in Jalapa, together with ensuring permanent telephone contact with various women in the association. We accompanied various members of AMISMAXAJ to the municipal offices, where they met with representatives of Xinka Xalapán Community Action (ACOXX). We also accompanied them to a meeting with ACOXX and the Xinka government in the village of La Paz, in the Mountain of Xalapan. The women expressed their rejection of the culture of 'machismo' that they face in Jalapa because of having organized in defense of the rights of women. AMISMAXAJ published a communiqué in solidarity with the activist Yolanda Oqueli condemning the attempt on her life in San José del Golfo (see above in 'Current News').

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 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 Xinka 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. We have accompanied AMISMAXAJ since July 2009. Various members of the organisation were subjected to grave death threats in 2009 and 2010, due to the work that they carry out.

'New Day' Chortí Campesino Central Coordinator.

This month we accompanied members of Nuevo Día to the Office of the Prosecutor in Chiquimula. Following a number of applications and visits to the office, the threat reported by one of the members of Nuevo Día was resolved in a meeting of reconciliation: the person that was accused of making the threats recognised the reported acts and made apologies; an agreement was reached resulting in the signing of a memorandum of reconciliation.

In June we also visited Jocotán and the village Guareruche, located in this municipality.

Tenancy of land and its measurement by the Land Assessment Registry (RIC), continue to be priority social issues in the region. Members of Nuevo Día have continued to publicly call for community ownership of land and its collective management. They have continued to express their concerns regarding the threats that are received and the risks that are identified in this area.

Background: "New Day" Chortí Campesino Central Coordinator is part of the Agrarian Platform, working in the municipalities of Camotán, Jocotán, 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 local organisations. In 2006 New Day became aware of construction projects for 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 this, and other development projects planned for the region, may have. They carried out this work in relation to the project known as the "Technological Corridor", that is intended to link the Atlantic coast with the Pacific Coast in Guatemala, which in turn forms part of the biggest plan produced under the Mesoamerican Project (successor of the Plan Puebla-Panama, PPP). Members of New Day say the lack of information and consultation of Chiquimula's communities by public institutions is a constant source of conflict. PBI has accompanied New Day since 2009. Several members of the association have been threatened and attacked due to their work with the communities. In 2010, members of the organisation denounced death threats and intimidation by unknown armed persons. Also, a number of national and local media outlets carried statements from local authorities accusing members of New Day and the Camoteca Campesino Association as being linked to social protests demanding improved information regarding the construction of the Technological Corridor, due to affect the region.

Q'a molo Q'i San Juan– People of San Juan Unite.

We accompanied the members of Q'amolo Q'i San Juan to several weekly meetings in Santa Fe Ocaña.

On Saturday 30 June, we were present during the march of 12 kaqchikel communities in San Juan Sacatepéquez to reject the deployment of a military brigade to the municipality, deployed that day by the Government during the annual commemoration of the Army. In the meeting's report, they stated: "We are united in rejecting the militarisation of our territory. We want to live in tranquility and peace, working in our own model of development." We have maintained an international presence in communities from Santa Fe Ocaña and Loma Alta to San Juan Sacatepéquez. Numerous organisations and collectives from Guatemala City and communities from different parts of the country joined the march, accompanying the Kaqchikel communities, and celebrating the Day of Heroes and Martyrs of the Armed Conflict. An estimated 7000 people participated. According to several community members, the military presence increased during the two days prior to this activity in some parts of the municipality, causing worries amongst the kaqchikel population about the behaviour of the soldiers, particularly with respect to children to whom the soldiers offered presents with a military theme. The kaqchikel communities distributed photographs of these events to express their displeasure and concern.

Background: Q'a molo Q'i San Juan-People of San Juan Unite is an organisation that brings together neighbours from diverse communities in the municipality of San Juan Sacatepéquez, that participate in the struggle to defend territory and natural resources in the region. Since 2006, the Guatemalan company Cementos Progreso S.A. has been working on "project San Juan", which includes the construction of a factory and a quarry in the San Gabriel Buena Vista estate and the villages of San Jose Ocaña and San Antonio Las Trojes I and II. Cementos Progreso has an 80% share in the project, while the remaining 20% belongs to the Swiss multinational company Holcim. 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. Although the mayor and the municipal council agreed to take into account the results of the consultation prior to the authorisation of any licence for construction, the construction work continued. During more than three years, the residents of San Juan Sacatepéquez have made numerous complaints about human rights abuses and a criminalisation campaign against them. The dialogue process in which various Guatemalan public authorities and institutions have participated has ended without reaching a resolution or transformation of the conflict.¹ PBI has accompanied Q'a molo Q'i San Juan since December 2009, following a request from the organisation due to threats and persecution against several of its members and the communities it represents.

Council of Cunén Communities.

In June we visited the Council in Cunén, El Quiché, and we met with their members and public authorities in the region. The principal concerns of the council are the failure of public institutions to recognise the results of community 'good faith' consultations carried out in the region that have presented a resounding rejection of the construction of mining and hydro-electric mega projects. The Council continues working to follow-up the results of the community consultations in Cunén and other municipalities in the region.

Background: The Council was established at the first communities' assembly in San Siguán. 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 exploitation and on 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.

Guatemalan Human Rights Defenders Protection Unit (UDEFEFUGA).

This month we maintained regular contact with the organisation and visited its office. We accompanied staff of UDEFEFUGA to Santa Cruz Barillas in follow up to a visit in May in connection with the State of Emergency declared between 1 and 18 May. We were also present during the preparation for an international event planned by the Popular Health Tribunal in Guatemala, in which UDEFEFUGA participated. It is planned that on 14 and 15 July delegations of communities affected by mining in Canada, Honduras, Mexico and Guatemala will meet in San Miguel Ixtahuacán, where the Canadian mining company Goldcorp operates. Based upon testimonies of the communities, an international jury will consider the following questions: 1. *How has Goldcorp affected the health and well-being of these communities?* 2. *Does Goldcorp have the social licence to operate in these communities?* The Jury will also consider the role of other actors in the issue, specifically: 1. *What has been the response of the company and the Government to the problem?* 2. *What role have local, departmental, federal and national authorities and the Canadian government played in relation to the company? What responsibilities do these institutions have?*

Background: The Human Rights Defenders Protection Unit (UDEFEFUGA) 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. UDEFEFUGA 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 UDEFEFUGA and in 2007 provided the Unit with international accompaniment during a period of threats. We recommenced our accompaniment following further threats received during May 2009, which the Unit denounced to the Public Prosecutor's Office. Several international organisations have expressed their concerns about what they describe as a "serious pattern of persecution". We intensified the accompaniment again in March 2010 following break-ins to the home and vehicle respectively of Erenia Vanegas and Claudia Samayoa, increasing our visits to UDEFEFUGA's office, carrying out periodic meetings with its staff and accompanying them during their movements to the interior of the country during their investigation and verification of reports of attacks against human rights defenders.

Verapaz Union of Campesino Organisations, UVOC.

As in previous months, we accompanied the organisation to the round table dialogue in Cobán (Alta Verapaz) that deals with problems related to agrarian conflict in the region. We also maintained presence in the region and visits to the offices of the organisation in Alta Verapaz. UVOC continues focusing its work on the troubling pattern of forced evictions of people from land, the increase and deterioration of land conflicts and – following the killing and acts of aggression against community leaders in the country – the security of the campesino communities that they support and accompany. Members of UVOC met with public authorities including President Otto Pérez Molina, at which they called attention to a number of cases including the urgent matter of the San Miguelito community located on the border between the Alta Verapaz and Izabal departments, which calls for immediate resolution.

Background: UVOC is a campesino organisation based in the departments of Alta and Baja Verapaz and that works principally to defend and promote access to land for the campesino population, as well as advising communities about the legalisation of their lands. UVOC also offers training and support to member communities in the management of development projects. We have accompanied Carlos Morales, leader of the UVOC, since May 2005 because he has been the victim of death threats, intimidation, and persecution by unidentified individuals. We also continue to observe the delicate situation of communities that are part of the organisation that are struggling for access to land.

Human rights lawyer Edgar Pérez Archila.

In June, we continued visiting the human rights law office of Mr. Perez and met with him and other members of the office. We also observed hearings in the prosecution of several senior figures from the former military High Command (López Fuentes, Ríos Montt and Rodríguez Sánchez) accused of genocide. At one of the hearings at which we were present, both the prosecution and defence counsel sought a new expert to provide the evidence required by the court to evaluate the health of López Fuentes, after the expert assigned by the Public Prosecutor's Office (MP) could not be found. Upon the Judge's acceptance of the change, Edgar Pérez asked that the evaluation includes: a psychiatric, emotional and cognitive assesment, that it would be carried out with family members, that blood tests also be carried out to confirm if the patient has signs of prescription drugs and that the hospital provide the patient's medical history.

On 26 June, defence counsel for Efraín Ríos Montt in the prosecution for the Dos Erres massacre, alleged that the judge, Carol Flores, chief of the First Tribunal A of High Risk who in May 2011 was part of criminal prosecution and ordered his house arrest had denied application in favour of Montt for amnesty passed in 1996 by the Congress of the Republic. In light of this, the Fourth Court of Appeal granted a provisional injunction to Ríos Montt, suspending his prosecution for the massacre of 201 campesinos perpetrated by members of the army on 7 December 1982 in the Dos Erres estate in the municipality of La Libertad (Petén). The following day, the Guatemalan Association of Relatives of the Detained and Dissappeared (FAMDEGUA), intervenor in the prosecution and represented by Edgar Pérez, appealed the decision to the Constitutional Court.

On 19 and 20 June, Édgar Pérez appeared as legal representative of the Maya Achi Association for Integral Development for Victims of Violence in the Verapaces (ADIVIMA) in a hearing before the Inter-American Human Rights Court (IACHR) in San José (Costa Rica) regarding the Guatemalan state's responsibility for the massacre in the community Río Negro, (see above in the Current News section).

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. He works on legal proceedings relating to massacres committed during the internal armed conflict and other cases of past and current human rights violations. We have specifically accompanied him during his work on criminal prosecutions relating to the following: the forced disappearance, torture and extrajudicial execution of the guerrilla commander Efraín Bámaca Velásquez in 1992; the massacre of the community Las Dos Erres in 1982; the massacre of the community of Río Negro in 1982; and the prosecution for genocide that has been pending before a number of Guatemalan tribunals since 2000.

National Police Historical Archive, AHPN.

In June we continued periodic visits to Archive locations and maintained contact with a number of its managers and employees. The Archive received a visit from the US ambassador, Arnold Chacón, who announced the donation of scanners by USAID. Currently the archive has digitalized over 14 million images that have been added in real-time to the database of the Information Access Unit. Subsequently, images will be added to the web site of the University of Texas, which carries a million and a half additional images. More than 12 million images of the documents from this historic heritage are now found on the web site <https://ahpn.lib.utexas.edu/>, created by the University of Texas in Austin. In the first four months since its creation, the web site of the University has been visited on 7,251 occasions from 75 different countries and 140,000 pages have been read.

To date, the information access service of the Archive has received 6,500 requests for information, and has provided to users 115,000 copies of documents (equivalent to 422,000 pages of information). Also, of the total number of visitors to its facilities, the Archive has an average of 73% new visitors, while 27% are return users. For current information, news and current activities visit the website: <http://archivohistoricopn.org>.

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. As of 31 March 2011 more than 12 million documents have been digitalised, including more than 19,000 books. To that date they had received 4,503 requests for information, to which they have responded with the provision of 45,020 documents (1,001 to victims' relatives and 1,298 to the Public Prosecutor's Office (98% of these to its Human Rights Office).

2.4 FOLLOW-UP

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

We currently are providing follow-up accompaniment to the following social organisation:

Camoteca Campesina Association

In June we made regular contact with the members of the association through telephone calls and meetings.

Background: The Camoteca Campesina Association was founded in 1988, made up of the then health promoters and midwives of Camotán (Chiquimula). Now the association is an active member of the Coordinator of Popular Indigenous Unions and Eastern Campesinos (COPISCO) Its primary objective is defending life and natural resources and its ultimate aim is well being of the people and the land they live on. It is now made up of 718 associates who monitor whether laws are complied with and follow up violations of human rights in the eastern part of the country. They have a long-term relationship of cooperation and alliance with the 'New Day' Chortí Campesina Central Coordinator, especially with regards to community information about the land, agriculture and protecting the environment. When the association heard of the plans to build hydroelectric plants El Puente, El Orégano and Caparí (see background to the accompaniment of 'New Day' Chortí) and the Technological Corridor project which affected several towns in the department, they started work informing the communities about the effects of these megaprojects on the environment and the economic situation. PBI has accompanied the association since 2009. Two of its members were detained in November 2010, accused of crimes against internal security and illegal meetings and demonstrations, for participating in a public gathering carried out more than 6 months previously (30 March 2010), in which more than 70 persons demonstrated their opposition to the plans and projects for interconnecting electricity provision in the region. On 2 March we observed the second judicial hearing in Chiquimula in which the two accused persons were examined. The judge refused to impose a penal sanction and instead imposed a fine of 1,000 Quetzales respectively and prohibited the promotion or participation in illicit demonstration activities.

2.5 OBSERVATION

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

On 5 June we observed the first court hearing in the killing of Mr. Andrés Francisco Miguel on 1 March in Santa Cruz Barillas (Huehuetenango). The accused are two private security guards from the Hidro Santa Cruz company, a subsidiary of the Spanish company HIDRALIA, that is promoting a hydro-electric project in the area. The judge ordered that they face trial and remanded them into custody, setting the next hearing in the case for 9 October.

On 14 June we observed a press conference on the attempt on the life of defender Yolanda Ouelí in San José del Golfo. Several community members reported what had happened and the background to the aggression. Madre Selva Collective, the Religious Conference of Guatemala (CONFREGUA), the Guillermo Toriello Foundation and the Women's Sector were all present at the press conference to condemn the incident and express their support for the peaceful protest of the population of San José del Golfo and San Pedro Ayampuc.

On 23 June we observed the XII Sexual Diversity and Gender Identity Procession in Guatemala City in which the Organisation for Support for an Integrated Sexuality Against AIDS (OASIS) participated. The march was carried out without incident. Approximately 6,000 people took part in the procession according to the organisers. The march route passed from the Civic Centre to the central square where the march culminated with a cultural programme.

On 30 June, the 12 Kaqchiquel communities of San Juan Sacatepéquez organized a peaceful walk to express rejection of the deployment of the *General Héctor Alejandro Gramajo Morales Military Police Second Brigade* to the community. The central government maintained that the deployment was a response to requests from the local population faced with growing insecurity. However, the two communities stated that they did not want a military base in their territory nor had they asked for it. The march started in the Santa Fe Ocaña and Loma Alta and ended with a gathering in the central square of San Juan Sacatepéquez. The participation of the communities was massive with support of numerous organisations and community delegations from various regions of the country. The walk was carried out in a peaceful manner, in an atmosphere of protest and demand but also festivity. Numerous placards and posters named the communities' priorities: the state's compliance with the rights to education and health rather than presence of the army. Delegates from various communities and organisations (from San Marcos to San José del Golfo) spoke while a delegation of community representatives from San Juan Sacatepéquez met with the mayor and presented a list of requests. After three hours, the mayor announced to the crowd occupying the central square that he would ask the President to withdraw the military brigade, and the inauguration of the brigade planned for the same day was cancelled. In total, 30 policemen of the PNC were situated around the square. The military was not present. (see also above in 'Current News').

Finally, we were present on 30 June in Santa Cruz del Quiché, where we observed a meeting that planned between the assembly of the Council of K'iché Peoples and representatives from Distribuidora de Electricidad de Occidente S.A. (DEOCSA) and the National Institute of Electrification (INDE) and the Rural Electrification Programme (PER). However, representatives from DEOCSA did not attend. 200 delegates from 70 indigenous communities took part, the great majority from the municipalities of San Pedro Jocopilas y Santa Cruz del Quiché. Following each party's presentation, the representatives of INDE and PER promoted the projects planned in the region, pointing to the importance of electricity and the urgency for the local population to allow transport of electricity to the communities in the central part of the department of Quiché. In the subsequent question and answer period, those attending clarified their doubts. Afterwards, a consultation involving the delegates and community representatives took place: 191 persons voted against the projects presented by the public without a single vote in favour. Faced with this, the representatives of INDE and PER

announced that they would have to tell the communities in Quiché central that they would not receive electricity because of the rejection of San Pedro Jocopilas and Santa Cruz del Quiché.

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.

On 7 June the the European representative of the PBI Guatemala project, together with representatives of organisations that make up the Human Rights and Democracy Network (HRDN), met at the European External Action Service (EEAS) in Brussels with members of the Human Rights Work Group (COHOM) of the EU Council and Michael Swann, Deputy Head of Division of Policy Guidelines.

Together with representatives of European social networks, PBI's European representative met on 22 June at the EEAS with Gerard Schulting, Official for Guatemala, Cristina Querol, Official for Nicaragua and Honduras, Christoph Wiesner, Official for Colombia, Francisco Acosta Soto, Official for Andean Countries and Julita Bas, Official for Latin America in the Human Rights Unit (in the Policy Instruments department).

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.

LA UNION VERAPACENSE DE ORGANIZACIONES CAMPESINAS -UVOC-

La coordinadora Nacional de Organizaciones Campesinas -CNOC-

Únicamente la reforma agraria puede llevar la paz a Guatemala

¡Exigimos un cese a la persecución y la difamación de las comunidades indígenas y campesinas!

Santa Cruz, Alta Verapaz, 27 de Junio de 2012

A la comunidad nacional e internacional manifiesta:

En los últimos meses como organización indígena y campesina hemos informado públicamente como algunos medios de comunicación regional y nacional que pareciera respaldan y responden a intereses privados, han promovido una campaña para difamar en contra de comunidades acompañadas por la UVOC. Estas publicaciones transmitidas por estos medios a través de columnas de opinión, campos pagados, anuncios y reportajes que no tienen ningún sustento legal o medio de prueba fehaciente y que sólo sirven para desacreditar a lideresas y líderes comunitarios y organizaciones que les acompañan en su derecho legítimo a solicitar que el Estado y Gobierno Guatemalteco respeten los derechos fundamentales de la población indígena y campesina.

Como ocurrió con las difamaciones que tenían el propósito de deslegitimar a las 12 comunidades en San Juan Sacatepéquez en la defensa de su territorio de intereses privados y extranjeros. Ahora poderes parecidos han atacado comunidades y líderes de Alta y Baja Verapaz, promoviendo una campaña negra que criminaliza las comunidades frente a entidades nacionales e internacionales.

En respuesta a los ataques en los medios de comunicación en contra las comunidades en San Juan Sacatepéquez Frank La Rue expresó que "únicamente los lectores pueden fiscalizar la prensa". Así pedimos que la sociedad civil, autoridades y entidades nacionales e internacionales reaccionen a las informaciones mal construidas sobre comunidades acompañadas por la UVOC.

Como es sabido, en Guatemala los medios de comunicación al igual que las vías de justicia siempre han sido restringidos a la población que lucha en contra las normas sociales establecidas para acceder a la tierra y el desarrollo rural integral. Las comunidades acompañadas por la UVOC se enfocan en aprovechar los espacios de dialogo brindados por las autoridades para resolver pacíficamente los conflictos en los que se encuentran y no implementan estrategias ni medios violentos para defender sus derechos históricos como pueblos indígenas.

En repuesta a la paciencia de las comunidades en dichos espacios, el Estado y Gobierno de Guatemala solo han implementado políticas cada vez menos sanas como las estrategias de remilitarización de la región para controlar el territorio y permitir la entrada de empresas multinacionales, los estados de sitios implementados bajo la excusa del combate del narcotráfico, como una negación

a querer responder y resolver a los crímenes del pasado que plagan el presente, una politización de compromisos hechos durante la campaña electoral que afectan la población rural.

Únicamente la reforma agraria puede llevar paz a Guatemala. Las comunidades siguen plagadas por problemas que con la voluntad política necesaria podrían ser resueltos por el gobierno; la deuda agraria, la seguridad alimentaria, falta de respeto del convenio 169, falta de aprobación una ley de desarrollo rural integral, son necesidades urgentes para la resolución pacífica de los conflictos de tierras de las comunidades indígenas y campesinas del país.

Por lo tanto exigimos:

- Que la sociedad civil, autoridades y entidades fiscalicen y corroboren la información contenida en las difamaciones dirigidas a las comunidades que defienden su territorio y su derecho legítimo antes de reaccionar.
- A los medios de comunicación implementen una auto-regulación antes de publicar o transmitir información que no tiene ningún sustento legal o prueba fehaciente de los hechos ya que declaraciones o información sin fundamentos puede traer efectos dañinos a las comunidades u organizaciones señaladas.
- Que las autoridades respeten y respondan a la decisión de las comunidades en su rechazo de la militarización que se promueve en el país.
- El gobierno realmente comience a mostrar voluntad política para implementar acciones que garantice un verdadero Desarrollo Rural Integral que ayudaría a quitar los obstáculos que impide que las comunidades indígenas y campesinas puedan acceder y aprovechar los recursos de la tierra.

PBI GUATEMALA NO SE IDENTIFICA NECESARIAMENTE CON LAS OPINIONES Y CONTENIDO DE LOS ARTÍCULOS Y COMUNICADOS REPRODUCIDOS. LAS NOTAS DE COYUNTURA DEL APARTADO 1 NO SON COPIA LITERAL DE LAS FUENTES CONSULTADAS: SE HA SIMPLIFICADO LA REDACCIÓN Y SINTETIZADO EL CONTENIDO DE LOS ARTÍCULOS ORIGINALES.

- PROYECTO PBI GUATEMALA -

Team Office in Guatemala

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

Project Coordination Office

Rúa Mercado, 6, 4ªA
15001 A Coruña, Galiza (Estado español)
Telephone: (+34) 881 874 772
E Mail: coordinacion@pbi-guatemala.org