



Monthly Information Package Guatemala

Number 168 - September 2017

1. THE CURRENT SITUATION

Monthly selection of news on the situation in Guatemala as highlighted by the press, related to the main thematic areas of PBI Guatemala's work: the fight against impunity, land issues and the negative effects of globalization on human rights.

Political crisis continues

At the end of August, a serious political crisis erupted when President Jimmy Morales declared Iván Velásquez, head of the International Commission Against Impunity in Guatemala (CICIG), to be a persona non grata. In protest of this declaration, massive citizen demonstrations took place throughout September. Meanwhile, on September 11, Guatemalan Congress rejected the motion to strip the President of his political immunity, making an investigation into illegal financing of his 2015 electoral campaign impossible.

On September 12, news came to light that the President has been receiving Q50,000 monthly from the army since January. So far this year he has pocketed a total of Q450,000 in bonuses from the Ministry of Defense. Following this revelation, the Comptroller General of Accounts (CGC) filed a complaint against Minister of Defense William Mansilla for awarding these "responsibility bonuses."¹

On September 13, Congress introduced and passed, as a matter of national urgency, two decrees to reform the Penal Code. The reform exculpates leaders of political parties charged with illegal campaign financing, the same crime at the root of the request to strip President Morales of his immunity. This reform also would reduce prison sentences for more than 400 crimes, including a number of crimes that many members of Congress have been accused of by the Public Ministry and CICIG. Other beneficiaries of this reform are politicians of the former administration who are in prison awaiting trial on charges of corruption.

In response to these events, thousands of citizens mobilized on September 15 - Independence Day - in a massive protest in Central Park and in front of Congress to pressure for the repeal of the reform, dubbed the Pact of the Corrupt. Even though members of Congress finally repealed the reform, citizens blocked the exits of Congress, demanding the resignation of those members who had passed the reform. That night, after members of Congress had been shut in for about eight hours, National Civil Police (PNC) forces facilitated their exit by using tear gas to dissolve the peaceful protest.²

On Wednesday, September 20 the University Student Association (AEU) and the Justice Now Movement called a national strike. Private universities, high schools, campesino and indigenous organizations, small and medium-sized businesses, and a number of churches joined the strike to march against corruption and impunity in Guatemala as well as to call for the resignation of the President and a purge of Congress. The Human Rights Ombudsman (PDH) estimated that more than 125,000 people converged on the center of Guatemala City and more than 80,000 people in other departments throughout the country.³ In addition, some businesses closed their doors to members of Congress involved in the Pact of the Corrupt, declaring the legislators "non grata."⁴

In addition, the severe weakening of the government bears mention. This weakening owes in part to the exit of several Ministers, Vice Ministers and presidential commissioners during the months of August and September. The latest resignations took place on September 19 and were made public in a joint press release in which Minister of Labor Leticia Teleguario, Minister of Public Finances Julio Estrada, and Minister of

¹ Redacción, [Ministro Williams Mansilla es denunciado por pago de bono de responsabilidad](#), Prensa Libre, 09/30/17.

² Pradillo, A., ["Perdón", pidieron los diputados: "que se vayan", exigió la plaza](#), Plaza Pública, 09/15/17.

³ Flores, P., [Los mitos que rompió el Paro Nacional 20S](#), Nómada, 09/21/17.

⁴ Bollmann, C. y Jaramillo, V., [Guatemala: Empresarios frente a la crisis política y contra la corrupción](#), <http://www.estrategiaynegocios.net>, 09/23/17.

Interior Francisco Rivas stated that the spaces to continue their work plans had closed. Six Vice Ministers of these entities soon followed suit.

San Rafael Mine

On September 8th the Supreme Court of Justice (CSJ) ruled in favor of an appeal to restart operations of the San Rafael Mine. After 84 days of suspended operations, on September 26 work was begun again, despite the mine's noncompliance with the communities' right to prior consultation.

In recent months, the operations of San Rafael Mine, in San Las Flores, Santa Rosa, have generated conflicts within the community, which blames the company for the frequent seismic activity recorded in the area.

To protest the CSJ's decision, the residents of Casillas, Santa Rosa blocked passage of supplies to the plant on September 26. Rafael Maldonado, an attorney with the Center for Legal, Environmental, and Social Action (CALAS), announced that they will file a criminal complaint for attempted illegal exploitation of natural resources and disobedience, since the CSJ's ruling allows the mine to operate once the sentence is confirmed, which has yet to happen as there are several pending appeals.⁵

2. ACCOMPANIMENTS

PBI accompanies social organizations and individuals who have received threats for their work in the defence and promotion of human rights. In this context we are accompanying social processes in the fight against impunity, land inequality and the negative impacts of globalisation on human rights.⁶

STRUGGLE AGAINST IMPUNITY

This month we met with members of the **Neighborhood Association of Chicoyogüito (AVECHAV)** and we continue to follow their security situation.

According to The Centre for Legal Action on Human Rights (CALDH), the CREOMPAZ case is advancing slowly due to pending appeals. Plaintiffs, therefore, are waiting in this case.

We continue our weekly presence at the **Human Rights Law Firm's (BDH)** office. This month we also accompanied BDH to hearings on the Samayoa case, which is in trial phase. Patricia Samayoa was killed by a private security guard in 2014. Meanwhile, in regards to the Virgen of Asunción Safe Home case, in which 41 girls were killed in a fire, all of the hearings continue to be suspended. Finally, in the Laguna Larga, Petén case, involving a community which was evicted in June, the judge in San Andres authorized to the community to return to harvest what remained of their crops.

ACCESS TO LAND

Through our continuing relationship with the **Union of Campesino Organizations of Verapaz (UVOC)** and the communities that comprise it, we have learned that the investigation in the case of Dominga Caal, of Nueva Sebax, who was shot and wounded in October 2016, is continuing to advance. It is worth noting that in Nueva Sebax and Nueva Seamay, land and crops were destroyed last April. In Nueva Seamay the situation seems to be calming down, though security incidents continue.

⁵ Bolaño, R. [San Rafael busca empezar a operar. Calas presentará querrela](#), Prensa Libre, 09/27/17.

⁶ For general information about the organizations and people we accompany see our website: <http://www.pbi-guatemala.org/field-projects/pbi-guatemala/who-we-accompany/>

NEGATIVE IMPACT OF GLOBALISATION ON HUMAN RIGHTS



In recent weeks, threats, intimidation, and defamation against people who form part of the **Peaceful Resistance of Cahabón, Alta Verapaz communities** have increased considerably, given the opposition to the Oxec I and II hydroelectric projects expressed in the good-faith consultation carried out last month. Accordingly, we organized a security workshop in a community in Cahabón and conducted the workshop in the Q'eqchi language. The high rate of attendance (approximately 60 people) demonstrates the wide-spread interest in the topic.

We have accompanied members of the **Council of K'iche' Peoples (CPK)** to several hearings on gender based violence cases in Santa Cruz del Quiché. We have also been present in communities to learn about the security situation and the problem of illegal logging in the region.

The **Peaceful Resistance of La Puya**, established near "El Tambor" mine, shared with us that despite the suspension of the mining project and the consequent withdrawal of machinery, water continues to pass from one pool to another. The criminalization processes against some Resistance members continue, as well as threats and intimidations via social media. This month we also visited the **Peaceful Resistance of la Laguna**, where we observed an intense concern about the entrance of trucks and workers into the area.

We continue to monitor the security situation and the activities of the **Campesino Central Coordinator New Day' Chortí (CCCND)**. We accompanied CCCND members to file a complaint for an act of intimidation. We continue to be worried about the situation of two community leaders from Las Flores, Chiquimula. Agustín and Timoteo were accused and sentenced four years ago for a homicide that took place during a mob. At the end of July, they were transferred to the jail in Puerto Barrios, Izabal, far from their communities, which is a great hardship for them and their families.

We continue to monitor the security situation of the **Ecumenical and Social Coordinator in Defense of Life in Zacapa and Chiquimula**, which at the moment is stable.

3. INTERNATIONAL OBSERVATION

PBI Guatemala is present in international public events when requested to do so by Guatemalan social organisations, in order to show international attention and interest and in order to report internationally on what we observe.

Elections of the **University Student Association (AEU)** at the University of San Carlos concluded in August with the election of Lenina García, the first woman to serve as AEU General Secretary in the association's 97 years of existence. With these elections, the AEU has recovered its place in the political and social life of Guatemala. This association is not simply a symbolic space recovered by the Guatemalan student movement; it participates in the University Superior Council, which in turn has representation in entities like the nominating committee for magistrates and the upcoming elections process for Attorney General and head of the MP.



In regards to the **communities that live in protected areas in Sierra del Lacandón and Laguna del Tigre, Petén**, we continue to be concerned about the lack of State response to the communities' demand to establish a dialogue space with respect to the alternative proposal for community development.

We continue to pay attention to the **legal case against Jovel Tobar, a community leader from La Mestiza, San Andrés, Petén**, who was accused of usurpation of protected areas last March because his house was located in this area.

On September 8th, in the Central Park in Guatemala City, we observed a commemorative ceremony convoked by **TZK'AT - Network of Ancestral Healers for Community Feminism**

for the girls burnt in the Safe Home. . This ceremony was not only to commemorate but also to serve as a space to call for justice for all the girls who died and those who were gravely injured in the fire.

4. POLITICAL ACCOMPANIMENT

Meetings and other contact with the diplomatic bodies, international organisations and Guatemalan authorities

Meetings with national and international authorities are an important way for PBI to make known what we do and what our objectives are. Through these meetings, where necessary and in a reserved manner, we share our concerns about worrying situations that we have witnessed first-hand from the work we do in the field.

In our interlocution work with the diplomatic corps and international organisms in Guatemala this month we met with:

- Thomas Cieslik, Deputy Chief of Mission, **Embassy of Germany**.
- Andrew Tate and Alejandro Gallardo, Deputy Chief and Human Rights and Justice Officer, **Embassy of the United Kingdom**.

At the national and regional level we met with the following authorities:

- Patricia Paa, Human Rights Official, **PDH Cahabón**

5. OTHER ACTIVITIES OF PBI GUATEMALA IN GUATEMALA

This month we held our **PBI - Guatemala Assembly** where the field team, office staff and committee members met to evaluate the work carried out in the last semester and plan work for the next semester.

At the end of the month we organized the **10th Meeting of Female Defenders** in El Estor, Izabal. During this meeting we facilitated a space for female defenders of body-territory and land to share and heal. The activity coincided with the commemoration of the death of Adolfo Ich Chamán, a leader and teacher from El Estor who was killed 8 years ago by members of a private security company for the nickel mine Compañía Guatemalteca de Níquel S.A. (CGN), a subsidiary of Hudbay Minerals Inc. (Canada). The meeting participants accompanied Adolfo Ich's widow, Angelica Choc, in her mourning.



6. ACTIVITIES OF PBI GUATEMALA OUTSIDE GUATEMALA

Outside the country we constantly develop and strengthen the network of support for the Guatemalan PBI project, as this is one of the essential tools necessary to protect defenders of human rights. Regional Representatives, the Project Office Coordinator and other members of the committee and the Project Office and national groups of PBI, conduct public relations campaigns with many NGOs, agencies and national governments, parliamentarians and others. In this context we develop actions and public relations campaigns, and / or advocacy aimed at protecting defenders of human rights.

This month the project's European representative met with Tsiguereda Waleign and Rosario Ruiz Rivera of the **Secretariat of the Sub-Commission on Human Rights of the European Parliament** in Brussels.

7. NON-GOVERNMENTAL ORGANISATIONS

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

Desinformación, estigmatización y graves agresiones contra las comunidades de Ixquisis

El Foro de ONG Internacionales en Guatemala - FONGI - manifestamos nuestra profunda preocupación por la desinformación, estigmatización en los medios de comunicación y redes sociales y graves agresiones contra las y los defensores de derechos humanos de la microregión de Ixquisis, de San Mateo Ixtatán, Huehuetenango.

La desinformación y estigmatización se dio posterior a una movilización pacífica realizada por las comunidades el 30 de agosto en la cual reiteraron su rechazo a la presencia de la empresa hidroeléctrica PDH, S.A. en el territorio al igual que la presencia del ejército y la PNC ubicados en terreno de la empresa. La movilización pacífica fue presentada en los medios de comunicación como una acción armada y violenta y preocupa que tales tergiversaciones de los hechos pueden dar lugar al aumento de represión y criminalización de las y los defensores de derechos humanos en la microregión. En ese sentido, cabe señalar que la Comisión Interamericana de Derechos Humanos en su reciente visita in situ en Guatemala, observó que “la mayoría de los casos de violencia y criminalización contra defensores está relacionada con la defensa del ambiente,(...) así como la defensa del territorio frente a la instalación de proyectos hidroeléctricos y mineros.”

El día 30 las y los comunitarios se ubicaron en dos puntos de la microregión donde procedieron a manifestarse pacíficamente en la carretera. A uno de los puntos se acercaron agentes de la PNC para averiguar la situación. Al percatarse que la movilización procedía de forma pacífica, se retiraron, ofreciéndoles que contaran con su apoyo. La movilización concluyó en la tarde, sin ningún incidente de violencia. Ese día en adelante las noticias y pronunciamientos que salieron presentaron la movilización pacífica como acciones de violencia, actos de terrorismo y de delincuencia, tildando a los líderes de la manifestación como coordinadores de las acciones violentas.

Por otra parte, el viernes 1 de septiembre se registraron graves agresiones en contra de un defensor de derechos humanos y su familia en el caserío de San Francisco, cuando varios carros de la PNC y de la empresa arribaron a su casa y comunitarios en favor de la empresa agredieron la casa, lo cual obligó a la familia a huir a la montaña para resguardar su vida. Asimismo, el lunes 4 de septiembre se registró una grave agresión contra un defensor de derechos humanos en la comunidad de Pojom quien fue atacado con machete en la calle y al llegar a su casa fue agredido con piedras por los comunitarios a favor de la empresa.

Recordamos que el 17 de enero del presente año, durante una manifestación pacífica en contra de la hidroeléctrica, fue asesinado el comunitario Sebastián Alonzo Juan, por disparos procedentes desde las instalaciones de la empresa. Hecho que al día de hoy sigue sin ser esclarecido ni sancionado.

Ante la desinformación, estigmatización y las agresiones, como organizaciones de la comunidad internacional:

1. Hacemos un llamado a las autoridades para que tomen las medidas necesarias para aclarar ante la opinión pública los hechos acontecidos en la manifestación pacífica de las comunidades de Ixquisis, el 30 de agosto del presente año.
2. Instamos a las autoridades competentes a que tomen todas las medidas necesarias para garantizar los derechos de las comunidades de Ixquisis, sobre todo el derecho de manifestarse libremente sin represalias, al igual que el derecho a la vida e integridad física.
3. Instamos al Ministerio Público que investigue las graves agresiones contra los defensores de derechos humanos de Ixquisis con el fin de esclarecer los hechos e identificar y sancionar a las personas responsables.
4. Llamamos a la comunidad nacional e internacional a que presten especial atención a la situación de riesgo en la que se encuentran las comunidades de Ixquisis que se manifiestan pacíficamente en contra de la presencia de los proyectos hidroeléctricos en su territorio.

5. Invitamos a la comunidad internacional a que realice visitas a la microregión de Ixquis con el fin de verificar en el territorio la situación de violación a los derechos humanos que viven las comunidades de Ixquis.

Guatemala, 11 de septiembre de 2017
Foro de ONG Internacionales - FONGI

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