



## Monthly Information Package Guatemala

Number 188 - May 2019

### 1. THE CURRENT SITUATION

*Monthly update 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 defense of territory.*

#### **Organizations Express Concern over the Historical Archive of the National Police**

During the last week of May, the worrying situation at the Historical Archive of the National Police (AHPN) came to the fore once more. In the month of July of 2018, Gustavo Meoño, director of the archive since 2005 was dismissed without notice or explanations. Since the beginning of 2019, staff have been gradually, but continually, dismissed. Today only 35 people are left working at the Archive, when at its peak the Archive had a team of 200 workers.

The AHPN is administered by the General Archive of Central America, which in turn is under the direction of the Ministry of Culture and Sports. In spite of this, from June, the rental contract of the facilities of the National Civil Police (PNC) where the archive is located - a dependency of the Ministry of the Interior - expires. So far, Enrique Degenhart, current Minister of the Interior, has not signed a new agreement to ensure the permanence of the Archive in this facility.

Degenhart announced on Monday, May 27, the ministry's intention to create a technical round-table, with the participation of the Ministry of Culture and Sport and the Ministry for the Interior, "to analyze access to these documents because they are considered 'sensitive' information for the country"<sup>1</sup>. The Rapporteur for the Freedom of Expression of the Inter-American Commission on Human Rights (IACHR), Edison Lanza, reacted to these comments on social media: "The files, which include serious violations of human rights - such as those of the National Police in #Guatemala - should have broad public access and be preserved beyond the control of the agencies that participated in those violations. National Security does not apply"<sup>2</sup>.

This situation is generating concern among the organizations for the victims and survivors of the armed conflict, as well as among all the people and institutions that work on historical memory in Guatemala. All of them require the State "to take the necessary actions to guarantee the security, preservation and accessibility of the AHPN documents in the building where they are located, so that the organizations of victims, relatives, human rights, academics and users can continue to have access"<sup>3</sup>.

For more information about the case please see here: <https://pbi-guatemala.org/es/news/2019-05/organizaciones-expresan-preocupacion-por-el-archivo-historico-de-la-policia-nacional>

#### **Continues emergency situation in Laguna Larga**

In May, a delegation from the International Commission of Jurists (CIJ) visited families from the Laguna Larga community, who suffered a forced eviction in June 2017, and are currently displaced at the Guatemala-Mexico border. This eviction was carried out without a plan for the relocation of the population who, at present, continue to live "without adequate humanitarian attention and without a longterm solution". The delegation noted that "according to international standards, States have the obligation to "refrain" from

<sup>1</sup> Paredes, L., [Relator: Archivos de violaciones a los derechos humanos deben preservarse fuera del control de las agencias que participaron en ellas](#), El Periódico, 28.05.2019

<sup>2</sup> *Ibidem*.

<sup>3</sup> Comunicado de la Asociación en Guatemala de Amigos de la UNESCO, *El Archivo Histórico de la Policía Nacional en grave peligro*, 27.05.2019

carrying out forced evictions, as well as to protect people against these practices”<sup>4</sup>.

In 2017, the Inter-American Commission on Human Rights (IACHR) granted precautionary measures for their protection following a visit to the displaced community and observing its dire situation<sup>5</sup>. However, almost two years on from the eviction, this community remains in a "humanitarian crisis" situation<sup>6</sup> and have yet to receive a response from the State of Guatemala. The conditions in which the families are living are subhuman: "more than 400 people, mostly children, are suffering from hunger, disease and neglect. They do not have access to drinking water and those problems increase and multiply with each day they are left living out in the open. Their health has deteriorated, the oppressive heat and illnesses have had a strong impact on the situation and for the last few weeks chickenpox has been spreading through the community"<sup>7</sup>.

## Electoral violence continues

Voting day in the first round of elections (June 16) is approaching and the climate of violence continues. Outside of Guatemala City, this violence has worsened. Candidates have been murdered, including the president of the Municipal Electoral Board of Jutiapa<sup>8</sup>. Petén is the department where the electoral violence has probably reached its highest levels, with persecutions and assassination attempts, such as the attempt against Luis Tesucún, mayoral candidate for San Andrés with the Fuerza party<sup>9</sup>.

## 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 defense of territory*<sup>10</sup>.

### THE STRUGGLE AGAINST IMPUNITY

During the month of May we accompanied the **Human Rights Law Firm (BDH)**, through regular meetings with their team members and in following-up to some of the cases they are leading:

- The hearing in the “*Hogar Seguro*” (Safe Home) case was suspended, and postponed until October 22 due to material impossibilities and the fact that the judge excused herself from the case.
- In the case against the Q'eqchi human rights defender, Bernardo Caal Xol, who has been criminalized for his work in defense of the Cahabón river and is currently serving a prison sentence Cobán, Alta Verapaz, we are monitoring developments in the appeals which were filed over the last month, and which are scheduled to begin on June 26. The lawyers from BDH are also involved in defending Bernardo in another process related to his work as a teacher and this participation in the teachers' union. The objection filed against the judge for impartiality is still pending, the hearings cannot continue normally until this is resolved.
- On May 3, Eduardo Bin Poou, vice president of the Fishermen's Association of El Estor, Izabal was acquitted, however, we are still awaiting the result of a hearing scheduled for June 3 to decide whether he will be granted alternative measures to put an end to his preventive detention. Another case has opened against him and four other community members, in relation to the organization of a protest that was held two years ago in defense of Lake Izabal. This process is also taking place in the Court of Puerto Barrios, Izabal.
- We have closely followed the progress of the judicial process, and negotiations, related to the precautionary measures granted to the Laguna Larga community by the IACHR in 2017.

<sup>4</sup> EFE Guatemala, [Expertos ven una "crisis humanitaria" en los campesinos desalojados de Guatemala](#), eldiario.es, 24.05.2019.

<sup>5</sup> Monzón, M., [Laguna Larga: abandono e indolencia](#), Prensa Libre, 07.05.2019

<sup>6</sup> EFE Guatemala, Op. Cit.

<sup>7</sup> Monzón, M., Op. Cit.

<sup>8</sup> Barrientos Castañeda, M. y Hernández Mayén, M., [Matan a presidente de Junta Electoral Municipal en Jutiapa](#), Prensa Libre, 21.05.2019.

<sup>9</sup> Escobar, I., [Elecciones bajo fuego en San Andrés, Petén: Candidato a alcalde resulta ileso en ataque](#), Prensa Libre, 23.05.2019

<sup>10</sup> See our website for general information on organizations and individuals we accompany: [Groups and individuals currently accompanied by PBI](#)

- On Wednesday, May 22, there was a ruling in the case of Jovel Tovar, from the community of La Mestiza (Laguna del Tigre, Petén) who has also suffered criminalization, in which the judge recognized the irregularities in the process against him and granted decriminalization measures in his favor.

We continue our accompaniment of the **Chicoyogüito Neighborhood Association of Alta Verapaz (AVECHAV)**, through the monitoring of their activities and meeting with some of their members so that we are up to date with their security situation. The association remains concerned about the possibility that the legislative initiative 5377 (Reform of the National Reconciliation Law) could be approved, which would have tragic consequences in terms of impunity, the closing of civil society spaces and increased security risks for organizations seeking justice such as AVECHAV.

### THE ISSUE OF ACCESS TO LAND

We continue to monitor the situation of the members of the **Union of Campesino Organizations for the Verapaces (UVOC)**, by holding meetings and



visiting their offices regularly, both in Guatemala City and in the Alta Verapaz region. On May 5 we accompanied them at one of their general assemblies, at which there was participation from more than 200 leaders. During this assembly they renewed their commitment to combatting the injustices that are being committed in their territory and in responding to the dozens of cases of criminalization they have suffered as a result of their work in defending their rights and their territory.

We also accompanied Carlos Caal (and other members of the organization from Senahú), to verify the security situation, he and his son are facing following the illegal detention they suffered last April and the serious threats they have received.

We also accompanied a roundtable for dialogue with the Public Prosecutor's Office in Cobán relating to the irregularities and threats that occurred during the construction of a public highway in the community of Santa Inés, in the municipality of Santa Cruz Verapaz.

We visited the offices of the **Community Council of the Highlands (CCDA) - Las Verapaces** and we met with its members on several occasions. We continue to monitor the security situation of the members of the coordination who have been assigned perimeter measures by the State as a result of the risks they face. Their members also expressed concerns over different communities where there have been problems related to land ownership. Some of these communities have had serious conflicts and have been severely criminalized by State institutions, with eviction orders and hundreds of arrest warrants taken out against them.

We accompanied negotiations in the case against 16 families who have been accused of the violent occupation of a farm in the municipality of San Andrés, which is still stalled due to a lack of action from the complainants.

Likewise, we have maintained visits to Jorge Coc Coc and Marcelino Xol Cucul, members of CCDA who have been, in preventive custody Cobán prison for over a year. They the start date of their trial has still not been scheduled.

## DEFENSE OF THE TERRITORY

With regard to the **'New Day' Ch'orti Campesino Central Coordinator (CCCND)**, we have held various meetings this month with members of the organization to follow up on their delicate security situation and the measures that they are taking to improve their security. We have maintained our periodic monitoring of the situation at the peaceful protest camps at El Carrizal and La Prensa (Olopa), which have continued to receive multiple attacks and threats as a result of their demands for compliance with the final pronouncement from the Ministry of Environment and Natural Resources (MARN) on the cancellation of the license and the closure of the *Cantera Los Manantiales* mine. We are also monitoring the compliance with the perimeter security measures that were granted to two members of the Pelillo Negro community in Jocotán.



Regarding our accompaniment of **Peaceful Resistance La Puya** (located in the municipalities of San José del Golfo and San Pedro Ayampuc), this month we continued to monitor the sit-in and hold meetings with members of the resistance so they could update us on their security situation. We are also monitoring the international arbitration process that is taking place between the mining company, Kappes Cassidy & Associates, and the State of Guatemala.

Regarding the **Peaceful Resistance Cahabón**, Alta Verapaz, we have continued our visits to the human rights defender Bernardo Caal Xol in Cobán prison. We have continued to periodically monitor the security situation experienced by the communities in resistance, with special concern for more vulnerable members, and we are monitoring the criminalization cases that have been taken against them. There will be a hearing on June 5 in the case against the defender Raúl Caal in the first court of Cobán.

This month we continued accompanying **TZK'AT - Ancestral Community Healing Network of Community Feminism**, through meetings and accompanying the ceremony they held on May 17, in the Guatemala's Central Park, to remember the girls who died in the 2017 fire at the *Virgen de la Asunción* "Safe Home".

Additionally, this month we met with members of the **Cunén Communities' Council (CCC)** again to update ourselves on the problems affecting the municipality, as well as the organization's security situation. On May 31 and June 1, we accompanied members of the CCC to the Assembly of Peoples from the West, in which they participate along with other community organizations from the territories of Quiché and Huehuetenango, in the defense of their territories.

### 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.*

On May 8 we carried out observation at the "**March for Dignity, Life and Justice**", which left at 7:00 in the morning from Mixco and ended at the central park. This was the final stage of a march which left from the Central Park in Quetzaltenango on May 1, passing through Totonicapán as it made its way towards Guatemala City. Several of the organizations that we currently accompany participated in the march as well as others that we have accompanied in the past. The march was calm and peaceful and an estimated 3,000 people or more participated.



### 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.*

At the national, departmental and municipal level, we met with the following authorities:

- Elvis Chocó, head of the **PNC substation in Senahú.**
- José Ivan de la Cruz, Councilor from the **municipality of Senahú.**
- Giovanni Guzmán, Deputy Director of Mediation from the **Human Rights Ombudsman's Office.**

### 5. OTHER ACTIVITIES OF PBI GUATEMALA IN GUATEMALA

On May 18 and 19, we organised a **security workshop for the Community Council of the Highland (CCDA) - Las Verapaces** in Cobán, Alta Verapaz. It was facilitated in the Q'eqchi language and 19 people participated.

### 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 European Representative of the project met in Brussels with:

- Christoph Meinert, of Germany's **Permanent Representation at the Human Rights Working Group COLAC at the European Union.**
- Francois Roudie, Guatemala Desk at the **European External Action Service (EEAS).**

## 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.*



### MANIFIESTO DE LA MARCHA DE LA DIGNIDAD POR LA VIDA Y LA JUSTICIA

Esta marcha la iniciamos en Xelajúj No'j donde nuestros abuelos y abuelas iniciaron la Resistencia; con ello rendimos homenaje a nuestros antepasados que enfrentaron al invasor, al encomendero o a los que actualmente invaden nuestros territorios.

Somos autoridades ancestrales, comunidades en resistencia, organizaciones indígenas y campesinas, movimientos estudiantiles, de jóvenes, de mujeres, artistas, de la diversidad, feministas, organizaciones sociales de diversas índoles, medios de comunicación comunitarios y alternativos y personas que soñamos y luchamos por un cambio. Venimos de distintos lugares de Ixim Ulew y en nuestro caminar nos hemos encontrado, hemos puesto en común nuestro pensamiento y decidimos unir nuestros pasos para hacernos visibles, porque este sistema no nos toma en cuenta, nos invisibiliza y solamente contamos cuando nos persiguen por defender nuestros territorios; cuando nos acusan de delincuentes y alborotadores por movilizarnos y reclamamos nuestros derechos, o somos un número de votos para que políticos corruptos, violadores de derechos o delincuentes saqueen el Estado.

Esta marcha la realizamos con el esfuerzo individual y colectivo de cientos de personas y comunidades que han dado su aporte para poder realizarla. Comunidades enteras dieron toneladas de maíz y frijol; aportaron café, verduras, arroz y distintos alimentos más. Muchas manos, prepararon alimentos, en algunos casos después de horas de caminar; personas en la individual brindaron sus aportes en especie o efectiva y distintos compañeros y compañeras integraron las diferentes comisiones para hacer posible este recorrido y cientos de hermanos y hermanas dieron su tiempo para incorporarse en esta lucha.

Hemos decidido caminar por la persecución que se mantiene contra hombres y mujeres que defienden la vida, la justicia y los derechos humanos y reaccionan ante la miseria, la permanente violación de derechos; la ausencia de salud, educación, servicios y necesidades básicas que padecemos la mayoría de la población y que no podrán ser resueltas mientras se mantenga el actual modelo de acumulación y despojo que invade nuestros territorios con minería, hidroeléctricas y grandes construcciones que beneficia a unas cuantas familias; mientras continúe la impunidad y corrupción de políticos, funcionarios y empresarios que se apropian de los recursos que provienen de nuestras impuestos estas graves necesidades no podrán ser resueltas.

Hemos unido nuestros pasos porque rechazamos la Alianza Criminal que actualmente

tiene el control de los tres poderes del Estado y que, hasta el último día de su gestión el 13 de enero de 2020, aún puede aprobar leyes que afectarán profundamente a la mayoría de las guatemaltecas y guatemaltecos o bien decisiones de gobierno en contra del pueblo. Realizamos esta marcha porque tenemos la firme convicción de que es urgente enfrentar las acciones del Pacto de Corruptos y por eso llamamos a todas y todos a volver a levantar la indignación y la acción porque no solamente se trata de enfrentar la corrupción, sino porque la intención de fondo es crear mayores condiciones para el despojo de los Pueblos, Comunidades y personas.

Caminamos porque rechazamos la postulación de candidatos y candidatas con procesos judiciales en su contra, defensoras del genocidio y la violencia de muerte que golpeó nuestros pueblos; narcotraficantes, corruptos y otras candidaturas nefastas que evidencian la podredumbre y el desmoronamiento de un sistema de partidos políticos que no se puede calificar de democrático y al que es necesario transformar desde la raíz, para que sea realidad el postulado que el Poder proviene del Pueblo.

Para nosotras y nosotros la democracia es algo más que elecciones y cambio de gobierno. No puede haber democracia verdadera en un país donde se violan constantemente los derechos colectivos e individuales; donde se impone por la fuerza un modelo extractivista y de agronegocio; donde a las y los jóvenes se les mira con sospecha por el simple hecho de ser jóvenes; donde existe una exclusión permanente de las mujeres y los Pueblos Indígenas; donde las necesidades básicas de la población no estén satisfechas porque los recursos se desvían para el enriquecimiento de políticos, funcionarios y empresarios corruptos

Pero sobre todo caminamos juntos hombres y mujeres de distintas edades y territorios porque a pesar de la represión, criminalización y el olvido, somos la Dignidad de la Memoria, que rememora a nuestros antepasados, a los que no se rindieron ante la opresión y dominación, a los que cobijaron en el exilio, en los pueblos y ciudades, valles y montañas la histórica rebeldía durante los dictatoriales gobiernos militares; a quienes mantuvieron la llama de la rebeldía encendida en los tiempos más oscuros y a quienes ahora han enfrentado a empresas palmeras, cañeras, mineras, hidroeléctricas y construcción de grandes negocios y a los gobiernos que los apoyan.

Somos la dignidad de los Pueblos que conformamos Guatemala, somos los cuidadores y cuidadoras de la vida, las plantas, las montañas, los ríos, los animales grandes y pequeños y todo lo que vive en el subsuelo, el suelo y el sobresuelo; somos las herederas y continuadores de nuestras culturas milenarias, nuestras cosmovisiones y nuestras propias formas de gobierno.

Somos quienes históricamente hemos sido excluidas y olvidados, pero que nos negamos a agachar la cabeza, más bien reivindicamos la Rebeldía y somos la Dignidad de quienes no se rinden y que en medio de las dificultades hemos sabido mantener la lucha contra el modelo extractivista que atenta contra nuestros derechos como pueblos originarios y comunidades en resistencia.

Somos la Dignidad de las mujeres que, a pesar del olvido, la invisibilización, la exclusión y la opresión, no claudicamos, no dejamos de luchar, no dejamos de levantar nuestra voz y no dejamos ni dejaremos de reclamar nuestros derechos hasta que este sistema patriarcal y machista se transforme y se reconozca, valore y tome en cuenta nuestro aporte, pensamiento y condiciones.

Somos la Dignidad de la juventud rebelde, la que en distintos territorios y ciudades mantenemos nuestra inconformidad con el sistema, quienes no aceptamos que nuestras vidas giren en torno del consumismo con el que tratan de cooptarnos, somos las y los jóvenes que participamos de diversas maneras rechazando este sistema de muerte

Somos la Dignidad de la indignación porque no aceptamos que el único futuro para los guatemaltecos y guatemaltecas sea tener un narcoestado, a corruptos gobernando y el estado cooptado por las mafias. Somos la dignidad de la diversidad; porque reconocemos que ser de distintos pueblos y territorios, ocupaciones, religiones, opciones o preferencias sexuales, clases sociales, edades y actividades, no disminuye en nada los derechos que nos corresponden a todas y todos; somos quienes, en medio de la desesperanza, mantenemos y le abrimos camino a la Esperanza, a la Justicia y la Paz para todas y todos.

Somos, en resumen, la Marcha de la dignidad que recorrimos medio país, pero llegamos de las cuatro esquinas de Guatemala y venimos con nuestra Dignidad Rebelde para decir que aquí estamos, para defender y construir la la Vida que no puede florecer si no tenemos tierra, salarios decentes, respeto a nuestros derechos individuales y colectivos, defensa de nuestros territorios, respeto al equilibrio de la Madre Tierra, respeto a nuestros ríos, bosques, subsuelo y defensa de la vida de todo ser viviente.

Estamos aquí para reclamar justicia verdadera, que no puede venir de un sistema judicial capturado por las mafias y las élites económicas, que se niegan a aceptar la realidad de la que los pueblos indígenas tenemos nuestra propia justicia y nuestras formas de resolver conflictos que deben de ser respetados. Rechazamos la impunidad que se ha instalado en este país, donde los poderosos, cuando les conviene, incluso pasan por encima de las normas jurídicas que ellos crearon, con el fin de proteger sus intereses, pero al pobre cuando actúa fruto de la injusticia, todo el peso de la ley le cae encima.

Luchamos por un acuerdo nacional por la vida, la resistencia y el buen vivir.

Luchamos por la defensa articulada de la vida, nuestros territorios y nuestros derechos y garantías.

Luchamos por la constitución del poder de los pueblos, por medio de una democracia plurinacional, participativa y popular.



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**GUATEMALA PROJECT  
PEACE BRIGADES INTERNATIONAL**

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