



Monthly Information Package Guatemala

Number 201 - June 2020

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.

Brutal murder of Domingo Choc Che, spiritual guide (Ajq'ij) and Mayan medicine specialist (Aj ilonel)

On the morning of Saturday, June 6, a group of ten people burned Domingo Choc alive, accusing him of being a "witch." According to testimonies gathered by the National Civil Police (PNC) and community sources, they blamed him for the chronic illness of a family member who had died days before in the Poptún hospital, and who supposedly said Domingo was responsible for this illness before he died. Domingo Choc, was a Q'eqchi' spiritual guide and specialist in Mayan medicine. He was well known and respected for the community service he provided in applying his ancestral knowledge about medicinal plants and healing. This also won him international recognition and respect beyond Guatemala's borders. He was also an active member of the Association of Councils of Spiritual Guides Releb'aal Saq'e' based in Poptún, Petén.

The crime has caused profound indignation both within and outside of Guatemala, and has sparked a public debate on key issues such as: discriminatory dynamics towards indigenous peoples, racism, Mayan spirituality, freedom of worship, religious tolerance, as well as on the responsibility of the State in the recognition and protection of the social, cultural, religious and spiritual values and practices of indigenous peoples, as set out in Convention 169 of the International Labor Organization (ILO).¹

Murder of Alberto Cucul, park ranger at Laguna Lachúa

On June 8, Alberto Cucul, 46, was shot to death by unknown assailants when he was traveling by motorcycle to the Laguna Lachúa National Park (Alta Verapaz) where he worked. This crime occurred within the context of serious threats to the future of the park from the advance of African palm plantations, illegal logging of forests, hunting protected species, the spread of agricultural land² and the plans to build a hydroelectric dam.³

The Association of University Students has publicly stated that "resource rangers (as park rangers are called in Guatemala) and other institutions continue to be threatened, attacked and even killed for doing their job, thus their work has become very risky due to the insecurity and violence that is perpetuated towards those who are dedicated to the maintenance of protected areas."⁴

Murder of Fidel López, member of CODECA in Izabal

Fidel López, a 55-year-old defender of land and territory defender and member of the Peasant Development Committee (CODECA), was murdered on June 23 in the community of San Vicente de Paul, in the municipality of Morales. CODECA has denounced the repression that it continues to suffer, which has already claimed the lives of 17 of its members in the last 2 years.⁵

¹ De León, Q., Choc C., Melgar, R., *¿Cuál fue la causa del crimen contra Domingo Choc Che Aj Ilonel?*, Ruda, 09.06.2020.

² Soberanes, R., *Guatemala: asesinan a balazos a guardaparque de Laguna Lachúa*, Mongabay Latam, 12.06.2020.

³ Quiles, J., *¡Defendemos la vida! Las luchas sociales en Alta Verapaz*, PBI Guatemala, mayo 2020.

⁴ Soberanes, R., Op. Cit.

⁵ CODECA, *Comunicado: Exigimos Justicia por el asesinato del defensor Fidel López*, Guatemala, 24.06.2020

Extension of the State of Siege in Sololá and arrest of Francisco Chox

The State of Siege declared on May 29 by the Congress of the Republic in the municipalities of Santa Catarina Ixtahuacán, Nahualá and Santa Lucía Utatlán, was extended on June 25. This extension has sparked strong rejection by national and international organizations "aware of the serious and systematic violations of rights that the progressive militarization of the country and the constant imposition of states of siege have entailed since 2010."⁶

In this context, on June 11, Francisco Chox, a community journalist and a Nahualá firefighter, who was covering a confrontation between people from Santa Catarina Ixtahuacán and Nahualá, was attacked and detained. Chox was stripped of his work equipment and detained by residents who handed him over to officers from Army and then to the PNC. He spent six days in a prison in the department of Chimaltenango until his first statement before the judge. After hearing the arguments from the two sides, the judge declared a lack of merit and ordered his immediate release.⁷

Closure of SEPREM

The Presidential Secretariat for Women (SEPREM), along with institutions such as the Secretariat for Peace, the Reparations Program, the Secretariat for Agrarian Affairs and the Land Fund, were created as a result of the Peace Accords in order to overcome the causes of the conflict and lay the foundations for a new development. On the signing of the Accords these institutions became state commitments.

In late May, however, President Alejandro Giammattei announced the closure of SEPREM and the creation, in its place, of a Presidential Commission. Women's organizations and the Women's Commission of Congress, asked the president to reverse this decision.⁸ Likewise, the Human Rights Ombudsman (PDH) filed an injunction before the Constitutional Court (CC) 2 to prevent SEPREM's closure, on the basis that SEPREM ensures the full participation of women in the country's development, as well as genuine and effective equality between women and men.⁹ The closure of this institution would represent an obstacle to the advancement of women's rights in Guatemala. Tatiana Rein Venegas, president of the Committee of Experts of the Follow-up Mechanism of the Convention to Prevent, Punish and Eradicate Violence against Women (MESECVI) highlighted how closing SEPREM would go against the recommendations of international committees from the UN and the OAS: "It is a setback in all the advances that have been made towards a national plan for the promotion and development of Guatemalan women and in the continued advancement along these lines."¹⁰

The CC orders suspension of the Fenix mine in El Estor

Despite the health crisis and the suspension of most activities in the private and public sectors, the Fenix nickel mine, managed by the Guatemalan Nickel Company and located in El Estor, Izabal, has continued to operate without authorization.¹¹ However, on June 19, the Constitutional Court (CC) ordered the suspension of the mine on "consideration that the rights of indigenous peoples to participate in the formulation, application and evaluation of economic, social and cultural development plans and programs that directly affect them were violated."¹²

This same Court also granted protection to the communities of San José del Golfo and San Pedro Ayampuc, which form the Peaceful Resistance of La Puya, for not having carried out the consultation contained in ILO Convention 169 (more information in the following section "Accompaniments").

⁶ 91 organizaciones firmantes, *Rechazo al estado de sitio en tres municipios de Sololá, Guatemala*, 01.07.2020.

⁷ Alvarez, L., *Guatemala. De enero a junio de 2020 se reportan 43 ataques contra periodistas*, Resumen Latinoamericano, 29.06.2020.

⁸ Quintela, C., *Gobierno de Giammattei descabeza la SEPREM y organizaciones piden que recapacite*, Agencia Ocote, 1.06.2020.

⁹ PDH, *PDH presenta Amparo ante la CC respecto de la SEPREM*, 25.03.2020.

¹⁰ Quintela, C., *Cerrar la SEPREM contraviene recomendaciones internacionales al Estado de Guatemala*, Agencia Ocote, 09.06.2020.

¹¹ García, J., *Minería en tiempos de COVID-19: ¿Cómo la Compañía Guatemalteca de Níquel siguió operando?*, Nómada, 08.06.2020.

¹² Corte de Constitucionalidad, *Comunicado de Prensa 26-2020*, 19.06.2020.

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.¹³



We continue to accompany human rights defenders through phone calls and virtual meetings, without a physical presence on the ground, thus complying with the measures decreed by the Government in response to the pandemic. During this month, we have also held virtual meetings with civil society organizations, Guatemalan authorities and the diplomatic corps.

THE FIGHT AGAINST IMPUNITY

As well as maintaining permanent telephone contact with the lawyers from the **Human Rights Law Firm (BDH)**, this month we accompanied the following cases:

- **CREOMPAZ CASE.** On June 1, we accompanied the hearing to review the measures of former military officer César Augusto Ruiz Morales, who is accused in this case. Judge Claudette Domínguez, of the Higher Risk A Court, denied the request to put him under house arrest (he is currently in prison on preventive detention). On the other hand, the defense of ex-military officer Raúl Dehesa Oliva, resigned from the hearing and as such his request was not heard. Both have been accused of forced disappearance and crimes against humanity committed during the internal armed conflict between 1981 and 1988. 565 bodies were found in the exhumation carried out in the former Military Zone number 21 of Cobán.
- **Dos Erres Case.** On June 11, we accompanied the lawyers to a hearing in this case, in which former military officer Gilberto Jordán, extradited from the United States to Guatemala last March, is accused of crimes against humanity. The hearing was suspended because the accused was not transferred to the court, due to the guidelines approved at the beginning of the month that limit the mobility of people deprived of liberty due to the contagion risk.



We continue to monitor the security situation of the members of the **Chicoyogüito Neighborhood Association of Alta Verapaz (AVECHAV)** who have been following the hearing of the CREOMPAZ case (see above) closely as they are plaintiffs. They remain concerned about the lack of work and the food shortage caused by the measures imposed to control the pandemic.

THE ISSUE OF ACCESS TO LAND

The members of the **Community Council of the Highlands (CCDA) - Las Verapaces Region** continue to suffer serious security incidents. During this month we have paid particular attention to the situation of the families from the community of Dos Fuentes, municipality of Purulhá (Baja Verapaz), who have experienced continuous episodes of intimidation, threats and pressure in the context of the existing land conflict with the Thomae family. Of particular concern is the fact that a minor was shot and

¹³ See our website for general information on organizations and individuals we accompany: <https://pbi-guatemala.org/en/groups-and-individuals-currently-accompanied-pbi>

wounded in the context of this conflict. In addition to this extreme situation are the difficult living conditions caused by the current pandemic and the limited State resources in terms of responding to the food, health and housing situation of these people.

The Association for the Defense of Private Property (ACDEPRO) has denounced alleged land invasions, accusing CCDA directly of these acts.¹⁴ Concerns over these accusation led us to hold virtual meetings with CCDA coordination and with different human rights organizations and international institutions, who are closely monitoring the situation.

Despite this complicated context and the risks that it implies for CCDA and its members, the coordination has continued to maintain its work and this month we have followed up on the distribution of food that they have carried out among the families of the communities from this department who are most impacted by the pandemic.



As part of our accompaniment of the **Union of Peasant Organizations (UVOC)**, this month we maintained contact with their members over the telephone as well as a number of virtual meetings. They have shared their concern about the situation of the families from the Mochán village from the municipality of Purulhá (Baja Verapaz) who have faced rejection and discrimination as a result of COVID-19.

DEFENSE OF THE TERRITORY

We continued to monitor the worrying security situation of the **New Day Chorti Campesino Central Coordinator (CCCND)** closely throughout the month. During the calls to the organisation they shared their concerns relating to different aggressions that various leaders from communities which are members of the organization have suffered.

We followed up on the lamentable murder of Don Medardo Alonzo Lucero, brother of Ovidio Alonzo Lucero, vice president of the Indigenous Council of the La Cumbre community, municipality of Olopa (Chiquimula), and defender of the territory against the mining project "Cantera Los Manantiales". CCCND published two alerts related to this case and calling attention to the high risk of Ovidio Alonzo Lucero and the entire Indigenous Council of the community.

Also of concern is the security situation of Héctor Ovidio Vázquez, from the Lelá Chancó community, and Pedro Esquivel, from the Lelá Obraje community, in the municipality of Camotán (Chiquimula). Their vulnerability has increased due to the measures imposed by the government in response the pandemic, which strongly limits their ability to carry out their work, as well as the work of other human rights organizations and that of the state institutions themselves.

This month we virtually accompanied an online meeting organized with Ch'orti' young people from the member communities of CCCND, in which proposals were made to address the complicated situation of access to food that the communities are experiencing.

We continue to monitor the security and health situation of the imprisoned human rights defenders Agustín Ramírez and Timoteo Suchite, who are members of the organization.

We continue to monitor the situation of the **Peaceful Resistance of La Puya** (municipalities of San José del Golfo and San Pedro Ayampuc) through regular phone calls to the members of the resistance, following up on the situation of the human rights defenders. The CC granted protection to the communities of San Pedro Ayampuc and San José del Golfo in their conflict with the Kappes, Cassidy & Associates (KCA) company for the "El Tambor" mining project. The Court has ordered the development

¹⁴ [ACDEPRO: "El 60% de las invasiones en Guatemala pertenecen al departamento de Alta Verapaz"](#), La Red 106.1, 06.07.2020.

of a consultation process for indigenous peoples, the establishing of baselines for health and to maintain mining operations in the area in suspension.

The **Peaceful Resistance of La Laguna, San Pedro Ayampuc**, continues to experience a lack of drinking water in the community due to pollution, as well as the food shortages and they continue organizing to support families with least resources.

The members of the **Peaceful Resistance, Cahabón (Alta Verapaz)** have been organizing through subsistence farming to feed their families and the residents of the communities in response to the ring this crisis of scarcity.

We have maintained constant contact with **TZ’KAT - Network of Ancestral Healers from Community Feminism**. The members of the Network are continuing to support other women human rights defenders from different territories, assisting them in facing the difficulties they have encountered due to the measures to contain the pandemic and situations of patriarchal violence. In addition, this month we have followed up on the security situation of one of the members of the Network during a ceremony held in Cobán, Alta Verapaz, in memory of the spiritual guide Domingo Choc Che, murdered earlier this month in Poptún (Petén). Through this ceremony, the participants claimed the deep meaning of Mayan spirituality and denounced the criminalization and stigmatization of spiritual expressions, as well as the persecution of defenders of the Maya Q’eqchi territory.

Chinautla Multisector, remain concerned over problems of access to water and food shortages. They have been very active in organizing food aid to families and communities.

This month we monitored the situation of four members of the **Retalhuleu Community Council (CCR)**, who are experiencing criminalization in their fight in defense of the environment and the right to life. We are particularly concerned about the security situation of Abelino Mejía Cancino, leader of the Multicultural community Olga Marina Cuchupán of the municipality of Champerico (Retalhuleu), who suffered several attacks and threats at home for his work in defense of health and access to water and food sovereignty of the communities in the area, against the impacts caused by the installation of sugar mills in the territory.

We gave telephone follow-up to the president of the **Association of Neighbors Against Corruption in Patzicía (AVCCP)**, Carlos Sajmoló Pichiya, who has been subject to a process of criminalization and persecution as a result of his work as a human rights defender and due to his demand for transparency and good government aimed at municipal institutions.

3. POLITICAL ACCOMPANIMENT

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

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

As part of our dialogue with the diplomatic corps and international organizations present in Guatemala, we met virtually with the following people this month:

- Lucrecia Maza, Head of the Petén office of the United Nations High Commissioner for Refugees (**UNHCR**).
- Ricardo González Peña, Head of Consular, Administrative and Cultural Affairs of the **Spanish Embassy**.
- Léa Vinnel and Maud Aba’a, First Counselor and Cooperation Attaché of the **French Embassy**.

As part of our dialogue with Guatemalan authorities we met virtually with the following people:

- Nancy Evanury Galindo Gramajo, head of the departmental office of **the PDH in Retalhuleu**.

- Romero Esquivel, head of the departmental office of the **PNC in Retalhuleu**.
- Elsa Soto, head of the Women's Office of the **municipality of Olopa**.
- Claudia Palma, member of the security commission of the **Alta Verapaz governor's office**.
- Miguel Colop and Daniel Tucux, National Director of the departmental offices and Operations Director for the **national office of the PDH**.
- Henry Alexander Spain López, Sexual Diversity Officer at the **national office of the PDH**.
- Dorotea Antonia Gómez Grijalva, Women's Officer at the **national office of the PDH**.
- Armando Ajpacaja, Chief of the Human Rights section of the **National PNC**.

4. OTHER ACTIVITIES OF PBI GUATEMALA ADAPTED TO THE CONTEXT OF THE PANDEMIC

On June 4, we held a **virtual meeting** of human rights and body-land-territory defenders with participation from human rights defenders from various organizations and facilitated by the TZ'KAT - Network of Ancestral Healers of Community Feminism. The space allowed sharing experiences about the situation that women defenders are facing during the COVID-19 pandemic and for providing mutual support.

On June 12, PBI projects in the Latin American region (Colombia, Guatemala, Honduras, Mexico and Nicaragua /Costa Rica) organized a **virtual meeting between human rights defenders they accompany across these five countries**. This space provided an opportunity for exchange on the context and the challenges they are facing in carrying out their defense of human rights under these exceptional circumstances. They discussed the different impacts that the pandemic has had on a social, economic, cultural and emotional level and identified trends at the regional level. At the same time, they shared different coping mechanisms that they have implemented during this period, both individually and collectively. They agreed that the pandemic has aggravated the human rights situation across the countries in this region, and agreed that strengthening networks at the national and international levels is now more essential than ever. This is the first discussion in a series of meetings that will continue to be replicated with diverse groups of human rights defenders accompanied by PBI projects.



On June 17, we carried out the virtual program **Acércate**, on Facebook, which focused on the situation of food sovereignty and the growing chronic malnutrition in the Ch'orti 'and Q'eqchi' communities. Norma Sancir, community communicator and Lesbia Artola, coordinator of the CCDA-Las Verapaces participated in the event.

5. 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.

Due to mobilization restrictions in the context of the containment of COVID 19, in-person meetings have been canceled. Virtual meetings were held with:

- Tomás Reyes Ortega, geographic manager for Central America at the **European External Action Service (EEAS)** and Karolien Knies, manager for El Salvador at the same unit.
- Tilly Metz, MEP and President of the **European Parliament Delegation for Central America**, Lena Widefjall, her assistant, as well as Gaby Kueppers, advisor to the **Greens political group for Latin America**. At this meeting, in addition to the project's European Representative, Edgar Perez, **Director of the Human Rights Law Firm in Guatemala (BDH)**, an organisation accompanied by PBI, was present.

6. NON-GOVERNMENTAL ORGANISATIONS

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



COMUNIDADES DE LAGUNA DEL TIGRE Y SIERRA DEL LACANDÓN COMUNICADO: PETRÓLEO Y TURISMO

A la opinión pública, nacional e Internacional, manifestamos:

Somos comunidades multiculturales, que por muchos años hemos vivido en este territorio; llegamos a causa de la pobreza profunda que se vive en el país, el Conflicto Armado Interno y políticas públicas de Colonización del Departamento. Pero ahora, el Estado, nos reprime, criminaliza, estigmatiza y empobrece.

Estamos conscientes que el cuidado del medio ambiente es necesario, por esta razón, las comunidades en 2016 presentamos una **Propuesta Alternativa de Desarrollo Integral y Sostenible al Estado de Guatemala** para iniciar un diálogo que permitiera encontrar soluciones duraderas, en beneficio del Medio Ambiente y las comunidades. Sin embargo, durante estos procesos de diálogo, las comunidades sufrimos capturas de líderes campesinos, desalojo de Laguna Larga, y amenazas de desalojo.

Repudiamos las acciones que pretenden privatizar la Reserva de la Biosfera Maya a favor de Richard Hansen y políticas extranjeras, poniendo en total entre dicho la Soberanía Nacional y la vida de muchas personas de Petén que sobre viven de la selva.

Denunciamos que a través del Contrato Petrolero 2-85 ubicado en Laguna del Tigre Se sigan robando los recursos del país sin que haya un control de las autoridades y sin garantizar un beneficio a la población. En estos días hemos observado cómo PERENCO ingresa nueva maquinaria al Pozo Xan, con la finalidad de producir más petróleo. Mientras a esta empresa se le da todos los privilegios, a las comunidades se nos acusa injustamente de invasores, narcotraficantes, y delincuentes, poniendo por encima de las comunidades a las compañías petroleras y empresas turísticas extranjeras.

Proyectos como los mencionados, son lo que nos han preocupado y nos han motivo a presentar propuestas que garanticen el futuro de nuestras generaciones y que los bienes naturales no terminen siendo concesionados a empresas privadas y discriminadoras, que solo buscan lucrar y dejar en la miseria a la población.

Por lo anterior exigimos

Que cualquier proyecto que pretenda concesionar áreas de bosque o minerales en Petén, debe ser previamente Consultado y aprobado por las comunidades, de acuerdo a la legislación nacional e internacional.

Que se promuevan políticas públicas para que las comunidades locales participen de los planes, programas y proyectos turísticos. Para garantizar un desarrollo integral y sostenible.

Peten, 22 de junio de 2020

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**GUATEMALA PROJECT
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