

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.

Guatemala: the sixth most dangerous country in the world to defend the land and the environment

According to the international organization Global Witness, Guatemala is one of the countries in the world with the most documented cases of deadly violence against people who protect the environment and natural goods, after Colombia, the Philippines, Brazil, Mexico and Honduras. The organization says that environmental defenders are trying to protect the critical areas for the preservation of the climate and reverse the devastating practices of extractive industries, and "they are the people on the front line of the climate crisis." The report also reveals that indigenous peoples are more vulnerable: "Our statistics reveal that a significant number of murdered land and environmental defenders belong to indigenous communities, whose land and water management skills are crucial to combat the climate crisis and the loss of biodiversity"¹.

Evictions and threats of evictions of peasant and indigenous communities continue

Despite the suspension of the judicial eviction orders established during the COVID-19 pandemic, throughout the month of July different campesino and indigenous communities in the departments of Alta and Baja Verapaz and Izabal were evicted or threatened on various occasions.

On Monday, July 13, 55 Mayan Q'eqchi' families were violently evicted by non-state actors from the El Esfuerzo 2 community, in the municipality of Raxruhá, Alta Verapaz, by people from the neighboring community of San Sebastián. Five houses were burned and there was violence during the eviction. The families claim to have sought the support of the agrarian institutions to find a legal solution to the ownership over the land, as they insist that it is national land, therefore property of the state. They have reported that people connected to the Dieseldorff family have often been the ones who have tried to evict them.²

70 families belonging to the Poqomchi 'indigenous community of Dos Fuentes, Purhulá municipality, Baja Verapaz, during the month of July were attacked with firearms on various occasions by people allegedly linked to the Byron Thomae farm, who hold land titles over the land they live on. Two people from the community were wounded by gunshot wounds.³

Three municipalities of Izabal and two of Alta Verapaz under the State of Prevention

On July 19, President Alejandro Giammattei declared a State of Siege in the municipalities of El Estor, Morales and Livingston, Izabal; and in Panzós and Santa Catalina la Tinta, Alta Verapaz. According to the government, the measure was in response to the presence of armed groups in the region that attacked the security forces and were causing violence, but the government did not mention specific incidents. Social organizations, independent analysts and congressmen from various affiliations rejected this measure and pointed out that it responds to the interests of economic groups such as the mining company CGN Pro-Niquel,⁴ which continues to operate in the El Estor area despite the fact that last month the Constitutional Court suspended mining activities for violating the right to prior, free and informed con-

¹ Estrada, J., [Guatemala: el sexto país más peligroso del mundo para defender la tierra y el ambiente](#), Nómada, 30.07.2020.

² UVOC, [Desalojo extrajudicial en la comunidad El Esfuerzo en Raxruhá Alta Verapaz](#), 14.07.2020.

³ Toro, D., [Aumenta amenaza de desalojos ilegales en Purulhá: comunidad Dos Fuentes reporta un nuevo ataque armado](#), Prensa Comunitaria, 8.07.2020.

⁴ Quino, H., [Organizaciones campesinas rechazan estado de Sitio en municipios de Izabal y Alta Verapaz](#), La Hora, 19.07.2020; UVOCGT, [Frente campesino rechaza el estado de sitio en Izabal y Alta Verapaz](#), 20.07.2020; Aguilar, D., [ASP, AEU y CALDH accionan contra estado de Sitio en Izabal y Alta Verapaz](#), La Hora, 20.07.2020.

sultation.⁵

The congress rejected the implementation of this measure, for which the government declared a State of Prevention, which does not require approval by the Legislature, but still leads to a series of limitations on human rights. Among others, it grants state authorities the right to forcibly dissolve any meeting, group or public demonstration without authorization and limits the right to hold demonstrations that affect the free movement of people and public services.⁶

Executive dissolves the institutions of the Peace Accords

In July, President Giammattei carried out the plans announced during his first months in office to close the Secretariat of Peace (SEPAZ), the Secretariat of Agrarian Affairs (SAA) and the Presidential Commission on Human Rights (COPREDEH). These institutions were created as a result of the Peace Accords, which ended the 36-year internal armed conflict, to “build a basis for eliminating inequality and the underlying problems that made the crimes committed by the State during the war possible.” According to Enrique Álvarez, who was a member of the monitoring commission for the fulfillment of the Peace Accords between 1994 and 2002: “Instead of eliminating Sepaz and other dependencies, the work of the Executive should be to strengthen them, because there are many fundamental problems that remain unresolved. Deep down, I think what they are trying to do is prevent the truth of what happened in Guatemala from becoming known and judged.” Similarly Leocadio Juracán, leader of the Community Council of the Highlands (CCDA), highlighted that “the closure of the Secretariat for Agrarian Affairs and other institutions is a great setback in the search to eliminate agrarian problems that have not been solved after more than two decades following the signing of the Peace Accords. The government has not been able to comply with the peace process, this makes a mockery of those agreements, there is no reason to eliminate these institutions.”⁸

Later, on July 31, President Alejandro Giammattei together with Vice President Guillermo Castillo and his ministers signed the creation of the Presidential Commission for Peace and Human Rights (COPADEFH). The president indicated that he will unify the Secretariat of Peace (Sepaz), the Presidential Commission for Human Rights (COPREDEH) and the Secretariat of Agrarian Affairs (SAA). COPADEFH will report to Giammattei and the Ministers of Agriculture, Energy and Mines, Government and Finance, in addition to the National Council of Protected Areas (CONAP), the Attorney General's Office (PGN) and the General Secretariat of Planning (SEGEPLAN).⁹

Ixil and Ch'orti' communities receive recognition over ancestral lands

The Guatemalan Constitutional Court issued two definitive injunctions this July recognizing the right to ancestral and community lands of 635 *caballerías* in the municipality of Jocotán, Chiquimula, for the Ch'orti' people and 33 *caballerías* in the village of Ak'ul in the municipality of Nebaj.

Authorities from the Maya Ch'orti' Indigenous Council and the New Day Ch'orti' Campesino Central Coordinator (CCCND) in 2015 filed an appeal to the CC demanding the co-ownership of the land. This right to property was denied during the liberal era with the creation of the municipality structure and in 2000 with the creation of the Catastral Registry. They have been able to verify that their ancestors acquired the deeds and the property titles to this land in the mid-19th century. This reaffirmation of their right to the land allows them to make decisions about the use and sale of the land, particularly in the context of the installation of extractive projects without consultation with the indigenous council or the population. This is the case of the land where the Bosch Gutierrez family's Tres Niñas hydroelectric plant is located, which the municipality ceded in 2007 for 50 years. With the ruling, this project and any others that have been granted will be canceled.¹⁰

The Ixil authorities from Nebaj, the B'oq'ol Q'esal Tenam Naab'a, filed an appeal in 2017 for overturning the sale of a farm to the Guatemalan State in 1983, in the midst of the internal armed conflict. This sale ignored the ancestral property of the indigenous authorities of the area. On August 3, 2020, the communities received the communication from the CC that they have been granted an injunction in their favor which permanently suspends the purchase and orders that the registration of those lands, and all other subsequent sales, in the State's name be annulled.¹¹

⁵ Aguilar, D., [CC: Mina Fénix solo tiene estudio de ambiente parcial y no hizo consulta](#), La Hora, 19.06.2020

⁶ Coronado, O., [Gobierno decreta estado de prevención en cinco municipios de Izabal y Alta Verapaz](#), CRN noticias, 27.07.2020

⁷ Toro, D., [Giammattei le dio el tiro de gracia a la institucionalidad de la paz](#), Prensa Comunitaria, 30.07.2020.

⁸ Ibidem. Toro, D., [Giammattei le dio el tiro de gracia a la institucionalidad de la paz](#), Prensa Comunitaria, 30.07.2020.

⁹ Vásquez, E., [Ejecutivo crea Comisión Presidencial por la Paz y Derechos Humanos](#), ElPeriódico, 31.07.2020.

¹⁰ Arreaga, S., [El pueblo maya ch'orti recupera tierras ancestrales cedidas en concesión anómala](#), Prensa Comunitaria, 29.07.2020

¹¹ Comunicado, [Los B'oq'ol Q'esal Tenam Naab'a al Pueblo Maya Ixil](#), 4.08.2020

Congress wants to dismiss the Human Rights Ombudsman

The organization Human Rights Watch requested the Congress of the Republic to halt the removal of the Human Rights Ombudsman (PDH), Jordán Rodas. Human Rights Watch notes that this congressional action is a response to the PDH using its social networks in June to commemorate Pride month and defend the rights of the LGTBI community.¹²

Dos Erres massacre, ex-kaibil linked to process

On July 27, the high risk judge A, Claudette Domínguez, indicted the retired kaibil, Gilberto Jordán, who has been accused by the Public Ministry (MP) of participating in the Dos Erres massacre. The massacre occurred in December 1982 in the Dos Erres village in Petén, during the regime of Efraín Ríos Montt. Jordán was deported from the United States on March 3, 2020 and, following several days of hearings, the judge concluded that there are indications of the possible participation of the former military officer in the events. The Ex-kaibil is being held in preventive detention and must face criminal proceedings for murder and crimes against humanity.¹³ So far, six military personnel have been sentenced for their participation in the massacre.

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.¹⁴

As with the previous month 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**, this month we accompanied the following cases:

On July 1, we accompanied the lawyers to the hearing in the **Virgen de la Asunción Home case** for a review of the coercion measures. Carlos Rodas, former secretary of the Ministry of Social Welfare and Santos Torres, former director of the Virgen de la Asunción Home, who are currently in preventive detention, had requested to be released due to health conditions that make them vulnerable to Covid-19. Judge Rosa María López denied the request for their release from prison and both remain in preventive detention.

On July 2, Judge Pedro Rodolfo Laynez, in compliance with the resolution of the CC, issued on May 26, 2020, admitted the expert opinion on the fire from Luis Arturo Assardo and that of lawyer Ramón Cadená, entitled "Chain of Command and Responsibility of the State in Crimes of Deprivation of Liberty", as evidence in the case. An expert fire report had been rejected by the judge because of a conflict of interests¹⁵.

On July 28, we accompanied the lawyers from the Human Rights Law Firm to two appeal hearings for **Bernardo Caal Xol**, Q'eqchi' leader and defender of the territories, in Cobán. These were suspended once again.

¹² Human Rights Watch, [Guatemala: Procurador de Derechos Humanos en riesgo de ser destituido](#), Washington, 22.07.2020.

¹³ León, E., [Dos Erres: ex kaibil señalado de 200 asesinatos ligado a proceso](#), 27.07.2020.

¹⁴ See our website for general information on organizations and individuals we accompany: <https://pbi-guatemala.org/en/groups-and-individuals-currently-accompanied-pbi>

¹⁵ Álvarez. L., [Juez admite peritajes como prueba para el caso Hogar Seguro Virgen de la Asunción](#), Prensa Comunitaria, 24.07.2020.

The Association of Neighbors of Chicoyogüito de Alta Verapaz (AVECHAV) held a press conference on July 28 on the occasion of the 52 year anniversary of their resistance and struggle. The community asked the Guatemalan authorities to comply with the "Peace Accords".

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. Throughout July there were multiple attacks against the families from the community of Dos Fuentes, municipality of Purulhá (Baja Verapaz). On July 27 and 28 they experienced incidents of intimidation, threats and physical attack, resulting in gunshot wounds to two members of the community, one of whom is in critical condition.

The coordination of CCDA has continued to be the target of defamation from different actors, among them, the Association for the Defense of Private Property (ACDEPRO). Therefore, we have held virtual meetings as well as a face-to-face meeting in the Cobán offices with the organization's coordinators. We have also held meetings with different human rights organizations and international institutions, who are closely following this case.

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.

Serious security incidents occurred on July 8 in the Chiux Tomtem Tres Cruces community, Cobán municipality in the Alta Verapaz Department. Representatives from the Sapper family, who are of German descent, arrived with an eviction order, destroyed the houses and stole the community members' belongings. The 20 families that make up the community requested the Land Fund (Fontierras) to clarify the ownership over the land for years. Accompanied by UVOC, the community took the case to a negotiating table with the state entities including the SAA, Fontierras, Catastral Information Registry (RIC) and the land owners. They have spent almost 15 years searching for a solution to the conflict without success.

In these two accompaniments, PBI continues to be deeply concerned about the continuous attacks that families suffer, especially in the context of the current COVID-19 pandemic, when judicial evictions are suspended, and the State has limited resources to face the food situation, health and housing of these communities.

DEFENSE OF THE TERRITORY

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

We continue to monitor the situation of Ovidio Alonzo Lucero, vice president of the Indigenous Council of the La Cumbre community, municipality of Olopa (Chiquimula), defender of the territory against the mining project "Cantera Los Manantiales" and brother of Don Medardo Alonzo Lucero, who was murdered in June.

Also of concern is the security situation of Héctor Ovidio Vázquez, from the Lelá Chancó community, and Pedro Esquivel, from the Lelá Obraje community, both 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.

PBI has held various meetings with the coordination of the organization and held a virtual meeting on the 22nd where PBI presented itself to the Indigenous Council of Olopa.



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.

There is some positive news: On July 28, the Constitutional Court issued a definitive injunction recognizing the right to ancestral and community lands of 635 *caballerías* in the municipality of Jocotán, Chiquimula, for the Ch'orti people (see 1. Current Situation).

We have maintained telephone contact with the members of the the **Peaceful Resistance of La Puya** and the **Peaceful Resistance of La Laguna, San Pedro Ayampuc**. The latter continue 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 of 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.

On July 16, the Q'eqchi' leader and defender of the territory, Bernardo Caal Xol, was declared a "prisoner of conscience" by Amnesty International. Bernardo Caal is the first prisoner of conscience Amnesty International has declared in Guatemala since the signing of the Peace Accords that ended the country's internal armed conflict in 1996.¹⁶

We have maintained constant contact with **TZK'AT - Network of Ancestral Healers from Territorial 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. PBI has maintained calls and virtual meetings with the members of the **Network of Healers**, following up on their work. We also carried out a telephone accompaniment to a member of the organization in the distribution of food to trans women in different communities of the municipality of Cobán.

Chinautla Multisector, remain concerned over problems of access to water and food shortages and the difficult economic situation as a result of COVID-19. 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. They are leading a process of social audits of the aid programs implemented by the municipalities using government funds.

¹⁶ Amnistía Internacional, [Guatemala: Amnistía Internacional declara a Bernardo Caal Xol preso de conciencia](#), 16.07.2020.

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:

- Jennifer Echeverría, Focal Point on Human Rights from the **European Union Delegation(EU)**.
- Vanesa Álvarez, Officer from the **Office of the United Nations High Commissioner for Human Rights (OHCHR)**.
- Alejandro Gallardo, Human Rights Officer at the **British Embassy**.
- Guillermo Alejandro Hernández Salmerón, Head of Legal Affairs and Human Rights at the **Mexican Embassy**
- Edoardo Pucci, **Italian Ambassador**

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

- Edwin Ardiano López, national **deputy director general of operations of the PNC**
- Marilis Guedalin Ramirez Baltazar, head of the **PDH Chimaltenango auxiliary office**

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

On July 15, we held a “Get to Know You” event on Facebook during which we spoke with Lorena Cabnal and Alex Vásquez, members of **TZ’KAT - Network of Ancestral Healers from Community Feminism from Iximulew**, about the situation those who inherit ancient Mayan wisdom. In this program they shared their ways of joining with other companions across different territories of the country and the continent. **It is available on our website.**

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:

- Isabel Santos, MEP of the S&D Political Group and member of the Subcommittee on Human Rights as well as the Delegation for the EuroLat Parliamentary Assembly.
- Iban García del Blanco, MEP of the S&D Political Group and member of the Delegation for the EuroLat Parliamentary Assembly and with Karen Gaete Llanos, advisor to S&D Spain for Latin America.
- Kevin Schoes, assistant to MEP Charles Goerens, Renew Europe Political Group, and member of the Subcommittee on Human Rights as well as the Development Committee of the European Parliament

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
PEACE BRIGADES INTERNATIONAL**

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