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Campesino Committee of the Highlands (CCDA) – Verapaces Region: agrarian struggle threatened

In July 2018, Peace Brigades International started accompanying CCDA – Verapaces Region, which covers the departments of Alta and Baja Verapaz as well as El Estor, Izabal and part of the Zona Reyna in Quiché. CCDA's main objectives are the defense, recuperation of and access to land. In this region alone CCDA accompanies more than 150 Maya q'eqchi' communities who have been repressed and stripped of their land or are immersed in conflicts regarding land tenure. Due to their work many of their members have faced threats, criminalization processes, kidnappings, and murders.

The Campesino Committee of the Highlands (CCDA) is an indigenous, campesino organization who has fought for access to land, defense of territory, decent work, and agrarian justice for more than 36 years. It was founded in 1981 in the Western Highlands and after the Peace Accords it expanded to the Alta Verapaz region. At present CCDA works in 20 departments in Guatemala. Aside from being a campesino movement, CCDA has a coffee cooperative that sells products to Canada and Europe. Sales from these products help sustain the organization.

An organization led by women

CCDA – Verapaces Region is led by two women: Lesbia Artola coordinates the organization and Imelda Teyul facilitates the organizing aspects of the work. Both leaders are targets of threats, intimidations, and smear campaigns with clear chauvinistic tones whose intention is, among others, to question their capacity as leaders because they are women. As defenders they have to face the same risks as their male



Lesbia Artola and Imelda Teyul

counterparts and in addition specific risks marked by sexism.

The organization incorporates a gender focus in its work, accompanying female CCDA members whose rights have been violated during violent extrajudicial evictions, providing psychological support and legal advice. The organization places emphasis on their accomplishment of greater equality between women and men in the communities they accompany. According to Lesbia Artola, the workshops they facilitate on new

masculinities have contributed to greater awareness by men related to gender equality. She comments that with this work they have achieved greater participation of women at the community level. The organization's board of directors sets the example by being composed of equal number of women and men: *years ago there was no recognition of women's struggles. Sometimes during evictions, women were on the frontlines, but they were never recognized for that role. Today female defenders of territory are recognized, there is more participation, boards of directors are*



Members of CCDA during a security workshop

composed of men and women, our ancestral authorities are women and men. There is more participation by women in all spaces¹. However, Lesbia is clear that more work needs to be done to attain greater active participation by indigenous women at the municipal, departmental, and national levels.

The roots of the land conflict in the Verapaces

The struggle for land was one of the main causes of the internal armed conflict that Guatemala suffered for 36 years (1960-1996). This problem

continues today without a solution and is at the heart of the struggle of many campesino and indigenous organizations, such is the case of CCDA. The recognition of land titles and disputes over these titles continues to be a huge problem in many regions of Guatemala, including the Verapaces.

With the liberal reform at the end of the XIX century, *the elite landowners came to power (Justo Rufino Barrios) and enacted laws with coercive force of the State to takeover communal lands of indigenous peoples suitable for cultivating coffee and at the same*

*time imposed a regime of semi-slavery: forced labor on farms and in the construction of infrastructure to facilitate the development of the new economic model (...) Wealth for a few and misery for many*². The indigenous q'eqchi' population, stripped of their lands, were subjected to a feudal economic system that forced them to work as *mozos colonos*³ on coffee plantations.

According to Jorge Santos, Coordinator of the Unit for the Protection of Human Rights Defenders in Guatemala (UDEFEQUA), Alta Verapaz was the

1 Interview with Lesbia Artola, October 11, 2018

2 Asociación Pro-Bienestar en Acción Sahaq Ach'ool Nimla K'aleb'aal APROBA-SANK y Agrónomos y Veterinarios Sin Fronteras AVSF, *Agriculturas Indígenas y Campesinas, Identidad Q'eqchi' y Construcción Territorial: Re-tomando el Camino de la Diversificación. Base Económica de una Comunidad Indígena más Autónoma*, Guatemala, September 2014.

3 The *mozos colonos* lived and worked on the farms and in exchange for their work the farmer allowed them to cultivate a piece of land for the subsistence of their families. Generations of settlers have lived on the same farms for decades without receiving a salary in exchange for their work.



Members of CCDA

last department to emerge from the *mozo colono* system. Over time the plantations changed owners but the *mozos colonos* stayed on the lands. When the *mozo colono* system ended, campesino and indigenous families who had worked the lands were evicted from the plantations and were not given another alternative for survival. Thus, they were forced to reclaim land where they could live and cultivate their food⁴. To date the situation has not been resolved, there are numerous conflicts surrounding land tenure, which often ends in evictions of families and entire communities who are usually not offered an alternative. The inequality in the distribution of land in Guatemala has not changed in the last 50 years⁵, and continues to be one of the highest in Latin America.

For Lesbia Artola the concepts are mistaken, as campesinos are

branded as land invaders, but from her point of view the true invaders are the landowners and companies. However, they accuse the q'eqchi' peoples of invading their own territory, of which they have been stripped throughout history.

Dialogue as an alternative to conflicts

The CCDA seeks peaceful means to resolve land conflicts, actively participating in dialogue processes with different state institutions. In 2017, after a protest next to the National Palace in which 400 q'eqchi' families participated, they were able to sign an agreement with Vice President Jafeth Ernesto Cabrera Franco to establish a dialogue table. In the agreement they prioritized 42 communities and established roadmaps aimed at finding solutions to agrarian conflict. Representatives from said communities participated

in the dialogue sessions to discuss problems of the evicted communities, access and adjudication of lands, and communities in protected areas. The dialogue roundtables are convened by the Presidential Commission on Dialogue and various state institutions participate, such as the Secretariat for Agrarian Affairs (SAA), Land Fund (FONTIERRAS), Ministry of Agriculture, Cattle, and Food (MAGA), Ministry of Interior (MinGob), Presidential Commission for Human Rights (COPREDEH), National Council on Protected Areas (CONAP), National Forest Institute (INAB), and Human Rights Ombudsman's Office (PDH).

In December 2018, as a result of these negotiations, FONTIERRAS signed an agreement to purchase land to relocate 81 families from five communities. These communities, some whom have suffered evictions, will finally have their own lands to live

4 Interview with Jorge Santos, June 28, 2018.

5 El Observador No. 15, *La tierra continúa mal distribuida*, November 2008.

on and cultivate. However, Lesbia regrets that the accomplishments are few: *this is headway, but imagine how many years we have been asking for justice. This was for 81 families, but many more in the region continue with the same problems and suffer from agrarian conflicts.* She also states that *after the roadmap was established, the level of conflict increased.* 2018 was the worst year for CCDA in terms of aggressions against its members. As Lesbia Artola describes it, *to be an alleged invader on one's own land, translates into community leaders and ancestral authorities who are part of CCDA being subject to criminalization, incarceration, and murder.*

Murders, disappearances, and criminalization⁶

Between 2016 and 2018, six defenders and members of CCDA – Verapaces Region have been murdered. 2018 was particularly critical as between May and June three of these six murders took place. Also, two members of the organization were disappeared in 2017 and 2018: Abelino Zacarias, who filed an injunction against the Rocja Pontilá hydroelectric dam; and Manuel Cabnal, who fought against pollution by the palm oil companies in the region. According to Lesbia Artola, *all of them were people who participated a lot – very committed to the defense of territory.* In addition, all of the leaders who were murdered participated in dialogue sessions,

which is a worrisome fact as it appears that this participation has been a high risk factor. Despite the suffering that these murders have brought to families and the risk involved in participating in these struggles, Lesbia tells us that the widows of these leaders continue the struggle for their lands.

Murder is not the only risk that people who defend land and territory are exposed to. According to CCDA figures, currently more than 300 members of the organization have arrest warrants out against them. Just in the community of Nueva Libertad (Cobán, Alta Verapaz) comprised of 32 families, there are 70 existing arrest warrants.

Many of the people who are criminalized are accused of aggravated usurpation. This is the case of Martin Chu Cajbon and Erwin Haroldo Choc, members of the CCDA board of directors, who were detained in August 2018 when they were leaving a dialogue session with COPREDEH, where they had participated as representatives of the organization. They were finally released on bail in December 2018.

CCDA members Jorge Coc and Marcelino Xol Cucul from the Choctun Basilá community have been detained since January and March 2018. They are accused of the murder of an employee of the cooperative that operates in their community, which took place in 2015. The cooperative filed a complaint

against 16 community members for the same murder in 2017. Two of these people who were in jail for one year were freed in August 2018 due to lack of evidence.

CCDA – a strong organization

According to CCDA – Verapaces region leadership, *these attacks aim to stop the struggles for territory. This is a reaction to the strengthening that has taken place in communities which have grown preparing to face these conflicts. The expression and presence of communities in dialogue roundtables appears to bother some actors because it is indicative that communities are resisting, instead of being subdued.* Therefore, Lesbia explains, *to stop the whole fight, it is better to kill a community leader or arrest them. As they have seen a strong resistance and the historical right of the communities has been demonstrated, they respond with repression, murder, kidnapping, threats, and persecution of all defenders of land and territory.*

Lesbia states that a strength of CCDA is the solidarity that exists within the organization. They have a clear and legitimate struggle for the defense of territories and natural resources. One of the achievements that stands out is that since 2016 no violent evictions have taken place. Lesbia explains that before that date the evictions were characterized by the burning of houses, destruction of crops, rape of women, and violence towards girls and boys.

⁶ Information provided by Lesbia Artola during the interview.

In memory of the community leaders murdered for their struggles defending land and territory, we express our solidarity with the victims' families and with CCDA

Daniel Choc (29 years old – murdered on June 8, 2016): CCDA representative in San Juan Tres Ríos, Cobán. He had two children. *He fought to attain legal ownership of lands in a dispute with landowner in Rancho Alegre. Two months prior to his murder he filed a complaint for threats and he was granted security measures.*

Samuel Chub (33 years old – murdered on February 27, 2018): campesino, indigenous leader and ancestral authority in indigenous community Xyaal Kobe, Cobán. He had 4 children. *Along with his family he defended the territory from the time of his grandparents. He mobilized to defend their lands, participated in dialogue roundtables, he was active at all meetings, and he constantly spoke out for his community.*

Gumercindo Butz (32 years old – murdered on March 2, 2018): board member in the Chiguoyo community. He had 4 children. *He fought for the recognition of documentation that confirmed the indigenous populations belonging to the land. His father also struggled for land rights and died from the same pressure. In August 2017, Gumercindo participated in a demonstration in Guatemala City which led to an agreement signed by the Vice President.*

José Can Xol (35 years old – murdered on May 10, 2018): CCDA board member, community authority, and community treasurer in Choctun Basilá, Cobán. As a CCDA member he accompanied criminalized people to court proceedings. He had 3 children. *José was helpful and stood in solidarity with others, a defender of land and territory, a farmer who worked the lands they wanted to strip him of. He fought to recover what was being taken away and confronted the cooperative to demand his rights. He was not afraid of anything because he was defending his lands – he was not committing a crime.*

Mateo Chaman Pauu (30 years old – murdered on May 13, 2018): indigenous leader, ancestral authority and treasurer in his community San Juan Tres Ríos, Cobán. He was also a CCDA board member and had two children. *He had been criminalized for 7 years and had an arrest warrant out for him - for defending his lands. He was also threatened and had state security measures. His only crime was defending his rights. Despite the arrest warrant against him, he took the risk and participated in dialogue sessions. He always raised his voice to defend his land, to defend his colleagues' human rights, and the rights of indigenous peoples. He showed solidarity to others – when he saw that a community had been violated he was present.*

Ramón Choc Sacrab (32 years old – murdered on June 1, 2018): CCDA board member and indigenous authority in the community of Ixloc, San Pedrito, Cobán. He had four children. *Ramón was an active leader who motivated others to participate. All of his colleagues were fond of him – he was a friend and a defender. He knew that he had to defend territories, defend rights, raise his voice against the oligarchy, against the State who represses communities, he stated clearly that he was willing to give his life. He said, “because of this we are not going to fall”. He gave us encouragement when our colleagues were killed, without us imagining that he would be next. We all appreciated and loved him; he was an example of how to struggle for us.*

Second verdict in Ixil Genocide Case: Interview with Francisco Vivar one of the lawyers on the case

On May 10, 2013 the Guatemala justice system handed down an historic verdict in the Ixil Genocide Case. Former de-facto President, between March 1982 and August 1983, José Efraín Ríos Montt was sentenced to 80 years in prison for genocide and crimes against humanity, while General José Mauricio Rodríguez Sánchez, former director of military intelligence during Ríos Montt's government, was acquitted. Ten days later the Constitutional Court (CC) suspended the verdict after pressure from sectors who deny that a genocide took place. The CC argued irregularities in the trial. This situation led to a new trial which began in January 2015 and ended in September 2018. However, Ríos Montt died on April 1, 2018, before the end of the trial, leaving Rodríguez Sánchez as the only defendant in the case. On September 26, 2018, the tribunal unanimously ruled that genocide was committed against the Ixil peoples. However, the only person on trial was acquitted due to lack of evidence, with only one judge, Judge Sarah Yoc, issuing a dissenting opinion.

In October 2018, PBI interviewed attorney Francisco Vivar Castellanos. He is a 2005 USAC graduate and member of the Human Rights Law Firm (BDH) since its founding in 2010. Vivar Castellanos has been a litigating attorney in several emblematic cases for crimes against humanity against indigenous peoples during the internal armed conflict, including Dos Erres, Plan de Sánchez and the Genocide Case. His motivation for carrying out this important role is his *conviction to support the victims whom many times due to discrimination, exclusion, or for economic reasons have limited access to justice.*

The second genocide trial concluded on September 26th 2018, Can you compare this trial to the one that took place in 2013?

At the beginning of the second trial, it was argued that Ríos Montt suffered from mental illness for which a multidisciplinary medical team carried out an examination

and concluded that the accused was unfit to stand trial. However, during the first trial in 2013 there was greater attention to the case because Ríos Montt was without a doubt an emblematic figure, as he was a former president, a former head of state, and a person with a lot of power in this country, who probably never imagined that justice was going to reach him, but finally it did. Seeing him seated in front of a panel of judges definitely impacted many people, including me. It is not the same when one is in a courtroom looking at the people on trial, which is part of my work, as seeing it from the outside, from a distance and leaving the trial. That's when you really take note of the importance and realize how astonishing it is, who is in front of you – a figure that no one ever thought would be judged.

This really attracted a lot of attention. But not just this, also what it meant to be trying a genocide case here in Guatemala, the fact that a national tribunal was hearing a case on

genocide in the same country where the acts took place. What has happened in other cases around the world is that an international tribunal is formed to hear genocide cases, but here in Guatemala our own justice system has taken this on. This definitely contributed to the level of media coverage. I remember that most days the courtroom was full. The topic was constantly present in the newspapers, the case did not rest, articles were published daily, commentaries, columns, everyone wrote on the subject daily - whether or not genocide was committed.

The legal team that took the case to trial used all of their skills to respond to the strategies of the defense lawyers. We must recognize that the justice system did respond: from the first instance judges – we remember that it was Judge Miguel Ángel Gálvez who sent the case to trial – to the tribunal who heard the case – Judges Yassmín Barrios, Pablo Xitumul and Patricia Bustamante. They had the courage to schedule the trial and carry it out, despite all of



Edwin Canil, president of Association for Justice and Reconciliation (AJR), the lawyers Franciasco Vivar with his colleagues Edgar Pérez and Santiago Chóc Cú of the BDH and Hector Reyes of Centre for Legal Action on Human Rights (CALDH). (photo: José Rodríguez/CALDH)

the incidents that happened, this is very important.

However in 2015, when we restarted the process, the intensity was lower. When the trial started there was interest in the case, but when Ríos Montt died things changed. His death was a critical moment, marked by before and after. After his death, interest in the case was lost, because the caudillo, leader, former president, former dictator was not going to be judged. The case against Rodríguez Sánchez continued, but it was not the same. Less people observed the hearings and the media lost interest. There

were a few alternative media sources who were present, but the mainstream media did not cover the trial. When the verdict was handed down the coverage was not the same as the first trial.

In your opinion, what significance does the most recent verdict have in terms of impunity in Guatemala?

Impunity continues to prevail in our country. And I am not only focusing on the acquittal of Rodríguez Sánchez, but also on the impunity throughout the process. The fact that it took five years, from March

19th 2013 to September 26th 2018, to carry out the second trial is also a sign of impunity. Despite all the efforts, victims had to wait five years to hear the verdict, and with that one can conclude that justice came too late. During this time, five witnesses died, as well as the accused, Ríos Montt. Impunity was evident in this trial, because although a sentence was eventually delivered, the verdict came too late.

The good thing about this case is that in the second verdict it was recognized that genocide did take place and that from my point of view gives the first verdict validity.

In the first verdict, Ríos Montt was convicted and I would say that he was responsible for crimes of genocide and the verdict was validated by two Guatemalan tribunals. This is an important fact.

Another relevant matter is that a historical truth was revealed, facts that some people have denied happened. Victims needed for this historical truth to be known. Despite the long judicial process, the surviving victims are willing, if necessary, to give their testimony again because this history cannot be denied. You cannot turn the page if you do not know the truth. I think that, for the victims and also for us as lawyers, the satisfaction of having achieved recognition of the crime of genocide is very important.

In the second trial the Head of Intelligence was acquitted, a decision we do not agree with because we are sure that there is clear responsibility, marked and proven, as adequate evidence was put forth. However, the judgement of the court prevailed. It was a split decision - two against one, that must also be noted. When we have the verdict in writing and are able to analyze it, it is likely that an appeal can be presented to prove that yes, this man is responsible for the acts.

After the acquittal of the only living defendant, what are the next steps for victims and plaintiffs?

There are still (legal) steps to be taken, the last word has not been given. What would happen if we presented a special appeal and the court decided that he is indeed responsible? This would mean he

is responsible and that genocide took place and consequently victims would be called for a second hearing and there would be dignified reparations. That said, if that step is exhausted, there would still be the possibility of a legal recourse before the Supreme Court of Justice and that could review the decision. In any event, we will analyze how far we can go, because we could also resort to international mechanisms, but it is still too early to take into account this possibility. First we must exhaust all of the legal steps here.

During the second process that took place from 2015 to 2018, what do you think had the greatest impact?

I think it was obviously the testimonies. We heard them several times, in preparing for the second trial. Since 2013 we had to talk with witnesses, listen to them, and analyze their testimonies to prepare ourselves. So, if you ask me what impacted me – I would say obviously the victims' testimonies. I can give you examples of a few that have stuck with me. There was a witness who told how they killed a man and his son was next to him and when the son saw his father bleeding, the boy took some of his father's blood and placed it on himself. This can be interpreted two ways: one being that he did it to appear to be hurt and the other, as I interpret it, he was playing – he thought his father was playing and he wanted to play too. That testimony really impacted me.

An important event during the trial was when the tribunal traveled to Nebaj, the place where the acts

took place. Although they were in the urban area, the judges could see the mountains, see the geographical layout and imagine how the people survived in adverse conditions. They could understand what it meant when people said “we went to the mountains”, how it was to survive in a cold, rainy place, how difficult that was and they mentioned this in the verdict. The courage of these people is incredible, their desire to live made them overcome everything they suffered – hunger, worn clothes.... There were people who died in the mountains. It was quite special that the judges visited the region two times and listened firsthand to witnesses there because the elderly and sick people could not travel to the capital to give their testimony. I think that was also something positive that happened in the second process.

Now that there is a new verdict, what happens with the first verdict from 2013?

There are many ways to interpret this. We have always argued the validity of the first verdict and for us it was never annulled. It is rather technical because what was ordered at that time was that all proceedings were left without effect, but not all judges could hand down a new verdict without having examined everything that had happened. The new verdict, so to speak, is the one that comes to life. But we must appeal it, because it is an acquittal and the law does not stipulate dignified reparations for the victims in this case.

In your opinion, what impact do these transitional justice processes have, beyond the verdicts that are handed down?

The judicial process is going to be very slow to change history. Justice is moving forward slowly, but at least it is making progress. We must recognize the progress that has been made, slowly but there is headway.

This is what gives us optimism, the ability to see in the end a verdict, although we do not agree 100 percent with it. There is definitely some kind of progress in the justice system. The verdict absolves the Head of Intelligence, but acknowledges that genocide took place in Guatemala. It is relevant that, on the judicial level, an historical truth often ignored has

been recognized. Now, the public in general knows more about the genocide that took place. This is very important to us. Basically, it was proved in court that genocide was committed. That also has value for victims – what they suffered was recognized – it is a way of saying, “yes, we believe you.”



The lawyers during the hearing (photo: José Rodríguez/CALDH)

Petén: Protected Areas Law (LAP) and its consequences over the communities that inhabit these areas

Since 2007 we have undertaken one or two annual missions to Petén to gather information on the human rights situation in this department¹. Our last trip took place in November 2018, visiting the community of Laguna Larga situated at the border with Mexico and whose habitants are living under precarious conditions. This article aims to provide context for the forced evictions carried out in the protected areas as well as the Alternative Proposal for Integrated and Sustainable Development created and presented by the communities affected by the declaration of Laguna del Tigre and Sierra Lacandón as Protected Areas².

The Protected Areas Law, ratified in 1989 by Decree 4-89, grants management of protected areas to the National Council on Protected Areas (CONAP). The largest Protected Areas in the country are located in Petén. The fact that an area is declared as protected affects many communities who inhabit it due to the legal uncertainty regarding land ownership and the right to stay and live in this land.

The State's response to this situation was to establish Cooperation Agreements with the communities. However according to a lawyer who provides legal support to these communities, these Agreements are administrative instruments implemented unilaterally by CONAP to allow the temporary occupation of these areas until evictions take place. To that effect, *there are few communities that have signed the Cooperation Agreement and these*



Laguna Larga community

are not without risk of eviction and are in the same state of abandonment, criminalization, and subject to arbitrary detentions by the combined forces³.

On September 10, 2010, we observed how 137 communities from Petén presented a manifesto in Congress which stated: *our fathers and grandfathers came years ago to*

Petén (...), from the Southern Coast, Eastern Guatemala, Alta Verapaz, Huehuetenango and other regions of the country, and colonized with our families and their efforts these Petén lands. They felt pushed to seek new horizons in Petén due to lack of land, hunger, and diverse government programs. Our history and the history of our communities is full of (...)

1 Virgili, E., *La defensa del territorio y los derechos humanos en Petén: Resistir frente a megaproyectos, una actividad de alto riesgo*, PBI-Guatemala, June 2016.

2 *Propuesta Alternativa de Desarrollo Integral y Sostenible de las Comunidades afectadas por la declaratoria de Áreas Protegidas de Laguna del Tigre y Sierra del Lacandón, Petén*, Guatemala, September 2016.

3 Virgili, E., Op. Ci., pág. 7.



Laguna Larga community

*displacements, uprooting and forced relocations*⁴.

In this manifesto they denounced public policies that made their communities invisible and denied them the right to land, while the State allowed the installation of megaprojects without prior consent. Likewise, they demanded guarantees for the right to life, protection for inhabitants, recognition of communities, suspension and cancellation of megaproject licenses and an investigation of the evictions carried out in La Colorada, El Florido, Centro 1 and other communities that would confirm human rights violations perpetrated and would guarantee reparation for damage and losses caused.

Nine years after presenting the manifesto, evictions continue in

Petén without minimum guarantees for relocation. This is the case of the Laguna Larga community, evicted on June 2, 2017 which at present is in an unfortunate situation as we observed on our visit to the area on the first anniversary of the eviction. Furthermore, in Sierra Lacandón several families from the Pollo Solo community were evicted on August 22, 2018. Some of these families were able to relocate with relatives in Alta Verapaz and Izabal, but others continue to live in an improvised settlement in San Andrés, Petén.

During our observation mission in June of this year, we had the opportunity to visit families from Centro 1, a community in Sierra Lacandón who was violently evicted on June 16, 2009. To date they are still awaiting relocation. We spoke with several community members and

one woman recalled that 164 families were evicted and moved to Barrio Santa Cruz (La Libertad, Petén) in the early hours of the morning while it was raining: *my daughter was born there, under a plastic sheet*. All of the people we spoke with expressed that their main concern is the lack of land to cultivate and the difficulty to find employment to subsist. These families live in extreme poverty and feel totally abandoned by the State as no authority will meet with them. In addition, the eviction of Centro 1 was made worse by the fact that the government of Alvaro Colom not only alleged they were occupying protected areas but also justified the eviction as a way of fighting drug trafficking⁵.

Journalist Óscar Martínez, reports how at 10am on June 16, 2009 the military, police, and other authorities

⁴ *Manifiesto de la Comunidades de Petén*, 10 de septiembre de 2010, en pág. 4 de Resistencia de los Pueblos, December 2010.

⁵ Martínez, O., *Ser un nadie en tierra de narcos*, El Faro, November 3, 2011.

introduced with the eviction of Centro Uno community, a new way of carrying out massive evictions of campesinos in Petén. One hundred sixty-four families from the community which was established before the signing of the peace agreements in 1996 were removed by a few families without permission. Some families arrived even earlier, in 1992. Most of them, relatives of the pioneers, arrived in the next five years from Ixcán, Izabal, Quiché, and Cobán. They had wandered looking for a place to settle and land to cultivate away from the war. The journalist interviews one of the campesinos from the community who illustrates his experience during the eviction: (...) they gave us a half hour to evacuate. I managed to grab my four children. I left a corn press about two square meters in size. I had it at my place along with 17 acres of squash seeds ready to harvest. Everyone lost everything”⁶.

The avobementioned anniversary of the forced eviction in Laguna Larga took place last June and was attended by representatives of the Human Rights Ombudsman’s office (PDH). The PDH made a public statement to highlight the State’s violation of *human rights including access to adequate housing, health, food, security, education, access to water, a healthy and safe environment for inhabitants of this community*⁷. In this statement the PDH also gave several recommendations to Guatemalan authorities and concludes that *there will be no peace in Guatemala as long as there are attitudes of tolerance to human rights violations*⁸. During the PDH’s visit to the community,

in muddy and rainy conditions, community leaders told them that due to their current living conditions they feel like they are being *treated worse than dogs* and that children cry asking to go home. According to experts consulted by PBI, the deplorable situation in which the families of Laguna Larga are forced to live sets a precedent for the government to not allow more evictions that trigger such humanitarian crisis.

The Alternative Proposal

In this paradoxical context where transnational companies are allowed to enter lands declared as Protected Areas, while campesino families are prohibited to stay in them, communities proactively put forth an Alternative Proposal for Integrated and Sustainable Development for Communities affected by the declaration of Laguna del Tigre and Sierra Lacandón as protected areas. In this proposal communities manifest their multicultural composition which is the result of migrations of different indigenous peoples from other regions of the country. Likewise, they call on the Guatemalan State to recognize, ensure, and guarantee the communities’ right to remain in Sierra Lacandón and Laguna del Tigre, while including them in the development of the nation by guaranteeing them the right to their own land, citizen participation for integrated development, and the fulfillment of human rights. They propose that the communities themselves in alliance with other communities or non-governmental entities be the ones who manage, plan, and execute their own

sustainable community development projects. In reference to land security, they emphasize the importance of the collective nature land ownership and request the guarantee of non-repetition of evictions and the resettlement of communities who were evicted by force. They call for the State to fulfill its institutional functions through the corresponding government agencies, demilitarizing the region while guaranteeing the necessary security measures to protect the campesinos from organized crime. They also expressly ask the State to not renew or grant licenses and contracts for industrial activities that damage the ecosystem and that affect the right to a healthy environment. In this manner, they manifest their commitment to care for, protect, and ensure natural resources of the area for future generations. In contrast to monoculture practices, communities propose to sustain biodiversity in order to better conserve the land.

The presentation of this proposal generated expectations both at the departmental and national levels. A dialogue space between communities and competent government entities was briefly created before being abruptly interrupted by the arrest of community leader Jovel Tovar from La Mestiza in March 2017 for the crime of usurpation of protected areas, and by the eviction of the Laguna Larga community in June of the same year. Dialogue has not been resumed to date and the communities continue to wait for the guarantee of their right to a dignified life.

6 Ibidem.

7 Resolución PDH Laguna Larga, June 20, 2018.

8 Ibidem.

News of our work

PBI celebrates the 20th anniversary of the UN Declaration on Human Rights Defenders

“Through the work of human rights defenders, hundreds or thousands of lives have been saved”

Defender who participated in 20th anniversary activities

To mark the 20th anniversary of the UN Declaration on Human Rights Defenders, Peace Brigades International (PBI) organized a series of activities in Brussels in October and November 2018 to reflect on the situation faced by defenders. The Declaration not only recognizes the legitimacy of defenders by considering their work as a right in itself, but also the decisive role they play and the need to guarantee their protection.

Accompanied by PBI, defenders from Guatemala, Honduras, Mexico, Colombia, Kenya, Indonesia, and Nepal participated in the activities. For three days they made contacts, shared experiences on the defense of human rights, analyzed different contexts and the impacts their work has on their security situation. They also shared experiences on protection and highlighted the importance of strengthening networks between organizations and performing joint political advocacy work.

This experience shaped a common narrative on global trends which allowed for the identification of common needs shared by all defenders. They also identified recommendations directed towards European Union (EU) political actors and other Member States.

There was a general recognition that the situation of defenders 20 years after the birth of the declaration is not positive. Their work is carried out in contexts that are increasingly hostile, with growing risks of criminalization and repression of social protest, as well as a rise in murders and social conflict. It was concluded that the



Human rights defenders in the PBI activity in Brussels, 2018

majority of these risks are directly related to the imposition of economic projects. However, despite this adverse situation, there was also room to reflect on the successes and recognize the strengthening of movements in defense of human rights in the participants' countries of origin. Successes, such as historic verdicts both from the Inter American Court on Human Rights and domestic courts, as well as the progressive adoption of legal instruments that strengthen the Rule of Law, were celebrated. The importance of the work carried out by defenders, who contribute to these essential changes for societies, was recognized, as was

the need to continue supporting and protecting them.

Defenders also had meetings with the human rights and geographic departments of the European External Action Service (EEAS) and with political advisors to European members of Parliament. These EU actors had the opportunity to hear firsthand from defenders the analysis and findings of the previous work sessions. They also shared their recommendations aimed at recognizing the importance of the work of those who defend of human rights, which demands better protection mechanisms that allow them to carry out their activities and the reversal of the situation of generalized impunity.

To close these activities, PBI and the Permanent Representation of Austria organized a roundtable discussion with the participation of defenders with different profiles, international human rights organizations, representatives from the UN, EEAS, and the General Directorate of Commerce of the European Commission as well as Permanent Representatives from Member States. This event highlighted the importance of making

visible the work of defenders as a tool for empowerment and protection, but also emphasized the need to increase resources, promote, and support networks between organizations, and promote the creation of effective legislation in favor of their protection. Organized civil society groups insisted on the need to promote binding legislation in the EU that regulates the due diligence of companies and establish effective mechanisms to access justice with the participation of defenders.

After these activities, the defenders toured different European countries to continue sharing their experiences and situations they face with



Domingo Vázquez and Sandra Alarcón in the PBI activity in Brussels, 2018

institutions, the media, and civil society organizations.

Interview with Domingo Vázquez, Guatemalan human rights defender and member of Campesino Central Coordination 'New Day' Ch'orti' (CCCND)

How was your experience in the activities that took place in Brussels for the 20th anniversary of the UN Declaration on Human Rights Defenders?

It impacted me because I met many male and female defenders from other countries like Nepal, Kenya and other places. I realized that their struggles coincide with the struggle in Guatemala. They also suffer many threats due to their work. It was very important to learn that not only in Guatemala there are threats against defenders, but around the globe.

What experiences did you share as human rights defenders from different countries?

We suffer the same threats, smear campaigns and stigmatization. For example, I met a woman from

Honduras who told me that she was slandered in a public statement stating that she had received money from a company. This also happens to us.

What did you learn about the UN declaration on human rights defenders?

I knew the declaration existed, but I did not know much about it. Many of us do not know that it exists. The declaration helps us a lot as human



Domingo Vázquez in the PBI activity in Brussels, 2018

rights defenders, although sadly the Guatemalan government does not respect it that much. But for example, we and our lawyers use it – for example when we file an injunction. It is important to know that there is a declaration that defends us and that we can back ourselves as human rights defenders.

Did you bring a message from Brussels to share with CCCND members?

I went to Europe in representation of the indigenous authorities of Ch'orti territories. I am happy because as indigenous authorities of the Ch'orti territories we were made visible to international eyes. Now, I must meet with others and share the message that we are not alone, that other defenders also suffer what we suffer - this will give them encouragement.



PEACE BRIGADES INTERNATIONAL GUATEMALA PROJECT

PBI is an international non-governmental organization (NGO) which provides international accompaniment and observation at the request of threatened social organizations. The presence of international volunteers backed by a support network helps to deter violence.

PBI in Guatemala

PBI maintained a team of volunteers in Guatemala from 1983 to 1999. During those years, it carried out accompaniment work with human rights organizations, unions, indigenous and campesino organizations, refugees and churches. In 1999, after an evaluation process, it was decided to close the project since the country had greatly advanced in the opening of space for the work of human rights organizations. Nevertheless, **PBI** continued attentive to the happenings in Guatemala through a follow-up committee.

From the middle of 2000, PBI began receiving a number of requests for international accompaniment. Due to these requests, **PBI** carried out an investigation in the field that made evident a turn in the direction and a losing of space for human rights defenders. In April of 2002, **PBI** decided to reopen the Guatemala Project in order to carry out international accompaniment and observation in coordination with other

international accompaniment and observation in coordination with other international accompaniment NGOs. In April 2003, the new **PBI** office was opened in Guatemala.

Purpose and principles

Contribute to improve the human rights situation in Guatemala and accompany social and political processes that promote the enhancement of democracy and participation in the country and the region. To attain this, PBI employs an international presence that supports the maintenance and opening of political and social spaces for human rights defenders, organizations and other social expressions facing repression due to their work supporting human rights.

PBI follows the principles of non-violence, non-partisanship and non-interference.

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