



PEACE BRIGADES INTERNATIONAL  
GUATEMALA PROJECT

**making space for peace**



Bulletin No.

**47**

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# Stolen Childhood:

“We are the seeds that the State tried to kill, but now we bloom in the morning light.”

For some years now, walking through the streets of the historic center of Guatemala City, we are astonished by the hundreds of photographs that paper some of its walls. They are the faces of people who disappeared during Guatemala’s Internal Armed Conflict (IAC), lasting over three decades, and ending with the signing of the Peace Accords in December 1996. More recently, these have been accompanied by images of young people carrying photographs of themselves as children or babies and who are now looking for their families.

On February 25, at the march for the National Day for the Dignification of the Victims of the IAC, we met Ignacio, Juana-Iris and Marjorie, members of the *Estamos Aquí - Nous sommes ici* (We Are Here) collective, founded by people born in Guatemala and adopted to Quebec (Canada). A week later we interviewed them and they told us part of their stories.

## Q: How did this collective begin?

**Ignacio:**

Three years ago a friend sent me an article about child trafficking. I read it and it had a big impact on me, it was a “shock” for me. The following year, I decided to return to Guatemala to begin the process of searching for my family by going to the Guatemalan Forensic Anthropology Foundation (FAFG) and giving my DNA. When I arrived in Guatemala 2 years ago I had no contacts; I had not lived here in the capital, I had lived elsewhere, but not in the capital. I didn’t know what to do, where to go. I began to walk the streets of Sixth

Avenue and there I became aware of the extent of the armed conflict through the photos on the walls. That’s how I got to know H.I.J.O.S<sup>1</sup> Guatemala. When I saw those photos I realized how terrible the conflict had been and that families were looking for their disappeared. It was a very important moment for me, because my story is the other way around: I am “the disappeared looking for his family” and not “the family looking for their disappeared.” The following week I met the gang from H.I.J.O.S Guatemala and I shared my idea with them. They said they would support me and they did, they helped me a lot. We took photos for papering the streets and organised a press conference. From then on I started receiving emails from people who had also been adopted and who had doubts. That’s how it started.

Back in Canada, during the pandemic, I realized how difficult it is to begin searching with so few tools, no contacts in Guatemala, no political context and without speaking the language... you don’t know where to start. It’s something that nobody teaches you. Society believes that if you want to start the process, that it’s your responsibility,

because people assume that you were lucky to have been adopted. So, when I started receiving emails, the idea of forming a collective or organization to support people affected by illegal adoptions and trafficking of minors began to grow. That’s how I met Juana. But in general nobody talks about it, it is still very unknown.

In April 2021 we formed the collective. Our goal is to create a solidarity network between Guatemala and Canada so that people don’t feel alone, because this story is the story of a people, not only the story of the children who were adopted, but also of the Guatemalan families who lost them. We want to form a network of solidarity and begin this struggle among all of us. In Canada there are about 15-20 of us who have come together to get to know each other and share our stories and our experiences, which are very similar, even in regards to racism.

## Q: And how did you get involved in the association in Canada?

**Juana:**

Talking to a friend who is also adopted from Guatemala and is looking for her family, the subject came up and she introduced me to Ignacio. In December 2020 I talked to him and he told me about his idea of creating a collective, because he thought it was important to help me and other people who have been looking for their families for a long time, so that we could find out the truth about our stories and if our papers were real. In Canada I wrote to the organization involved in my adoption

1 Hijos e Hijas por la Identidad y la Justicia contra el Olvido y el Silencio – Children for Identity and Justice against Forgetting and Silence.





Juana, Ignacio and Marjorie read the communiqué of their collective in the Plaza de la Niñas, at the end of the March for the Dignification of the Victims of CAI., 25.02.2022.

and they told me that they do not work with Guatemala. But my papers include the name of this home and the name of this person. I wrote several times to this person and to the consulate, but got no response.

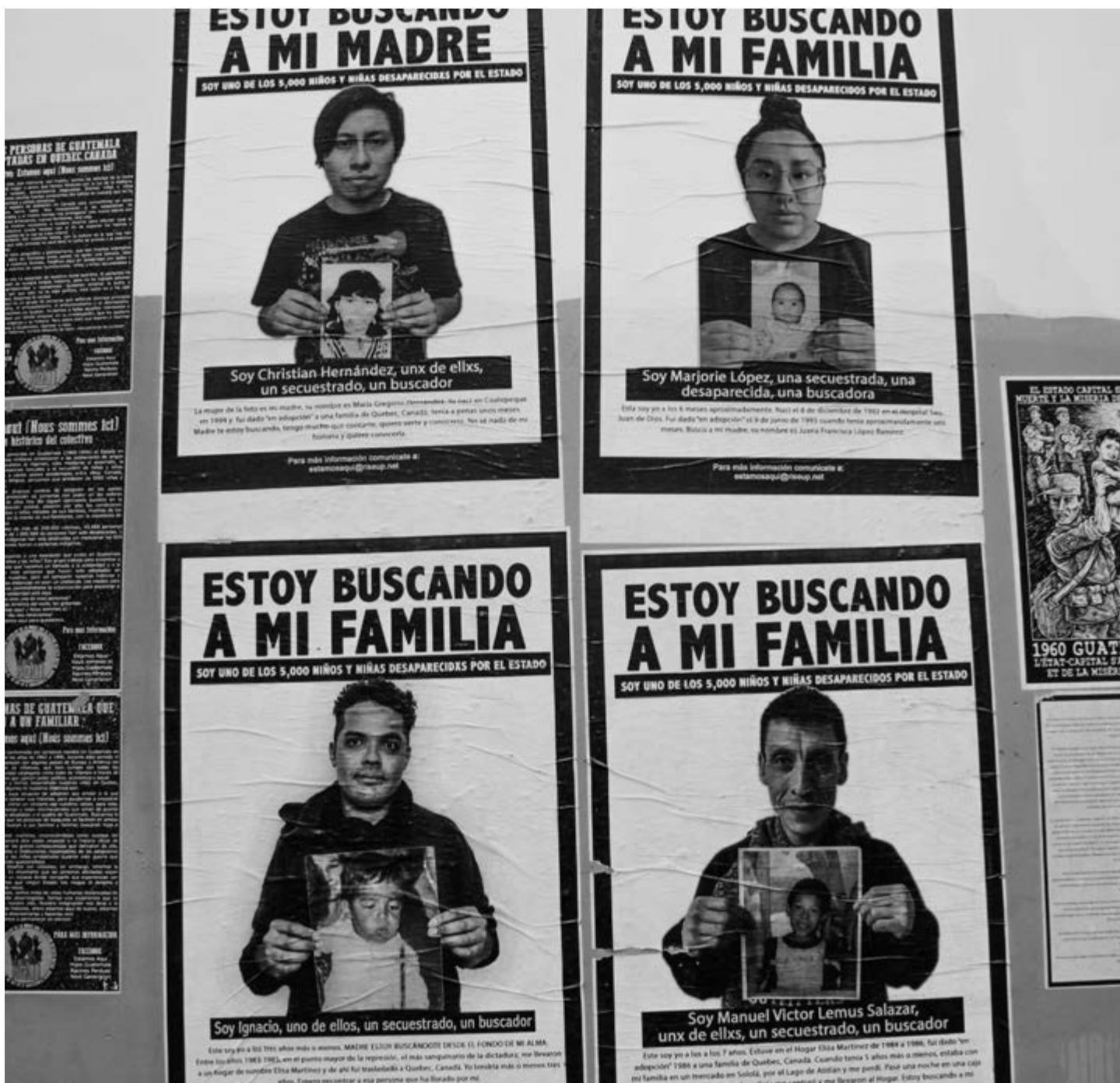
Faced with this lack of response, we talked to a journalist in Canada who was making a documentary about illegal adoptions to Canada. He invited me to participate and tell my story. There have

been many children adopted to Canada. It is very difficult to live with this, there is no information, neither in Guatemala nor in Canada.

#### **Marjorie:**

I met Ignacio the first time when I came to Guatemala in 2020. This trip changed my life because I did not expect to feel at home. After this trip I decided to start the process of searching my mom. I wrote to

the Adoption Secretariat in Quebec. The waiting list was very long and I was told it would be a slow process. My adoption papers also contained information about my lawyer in Guatemala. I looked her up on Facebook and wrote her, she replied that it was a pleasure to meet me and that she was going to help me, but little by little she moved away from the case and no longer answered me.



The collective's banners on the streets of Guatemala's capital city, 25.02.2022.

I contacted the "Association of Guatemalans in Quebec" to ask if they helped to find relatives in Guatemala. They replied that they did not. But someone from their association told me about the Facebook page for the collective. I wrote to Ignacio and then we talked on the phone and he told

me that the collective could help me, that I was not alone in this journey; and so, little by little I became aware of everything that happens here in Guatemala.

After that I realized that I didn't just want to look for my mom, I also wanted

to know the truth. It's important to me, that's why I got involved in the collective. I am 29 years old and I never knew this story before and I don't think it's fair. I think that it shouldn't just be me, other adopted people and parents who lost their sons and daughters, need to know the truth.





In 2020 Ignacio participated for the first time, with his search banner, in the March for the Dignification of CAI Victims. He was accompanied by Osmin Tobar, who was stolen when he was 7 years old and taken to the United States; he took his case to the Inter-American Court of Human Rights, which ruled in his favor in 2018., 25.02.2020.

And it's hard for me to understand how the Canadian government never became alarmed or questioned why there were so many adoptions of children from Guatemala, they closed their eyes to the situation. I can't understand it, and it's important for me to know the truth.

**Q: Adoption papers are the first clue in the search, do adopted people have access to these papers?**

**Juana:**

It depends on each case. I have many papers in French, English and Spanish. In the Spanish papers some things are different from the French papers and the same happens with the English papers. In another case, the woman involved has only one set of adoption papers and she does not know if it contains the real names of her parents or the correct dates. She doesn't know if the papers include the truth about the city where she was supposedly born, nor the information about the adoption home.

**Marjorie:**

In the 80's it was easier to put children up for adoption without papers. But in my case, for example, I have many official documents, this does not mean they are more accurate, just that the adoption procedure was more "orderly."

**Q: Mariela SR-Coline Fanon's autobiographical book "Mom, I'm not dead: The incredible story of Mariela, kidnapped at birth" tells the story of how she was stolen from the hospital as a baby. What do you know about the circumstances in which the adoptions took place?**

**Ignacio:**

It's difficult to know because we don't have much information. I have been told that things began with the massacre in 1978, when they started taking children, and continued with the massacres that followed in Petén, Quiché, Chimaltenango, Quetzaltenango, the Verapaces and others. They also stole the babies of the pregnant women they had kidnapped and imprisoned for their militancy. They waited for them to give birth, took the baby from them and then murdered them. There are many girls and boys from the Coast and from the Capital. I believe that in a few years we will know more. We know of some cases in which they have already found their relatives and they have told us what happened. The young people who were adopted 30 years ago are now starting to organize themselves. We don't have a lot of data, we don't know what happened, but I think in a few years there will be more information.

**Marjorie:**

In my documents there is a page that explains why, supposedly, my mother gave me up for adoption. The papers pretend that it is she who explains that she gave me up for adoption because she did not have the resources to take care of me. It also states that I have other siblings. I don't know if this is true, but after talking to other people I see that we have a similar story where the mom doesn't have resources, the region of the country varies, but the stories are similar.

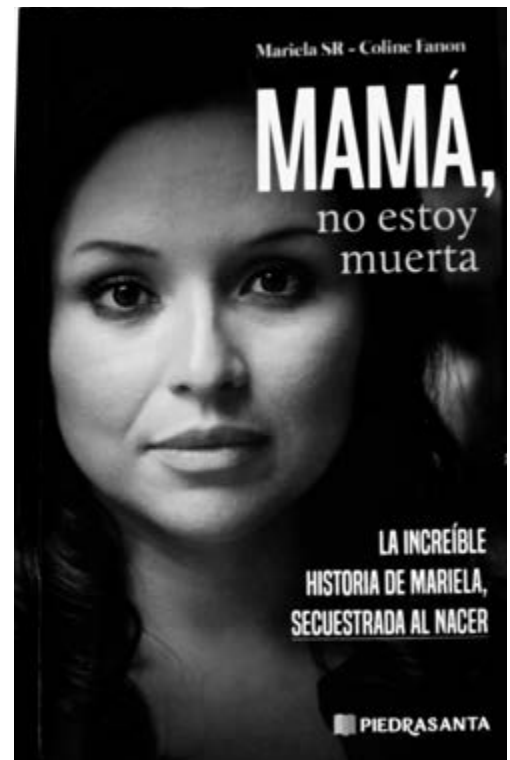
**Juana:**

I can say that, depending on the years, the stories of the children can vary, like those from the Capital. There are even papers that say the parents were violent.

**Q: Do you have data on the number of children affected and their ages?**

**Ignacio:**

I think we will never know the number of people affected, but we know that there are approximately 5,000 missing children and at the same time there are more than 35,000 children who were illegally given up for adoption. Thousands and thousands of children were sold, and all this started during the IAC. In the beginning the aim was to wipe out the peasants and the children of the peasants. They wanted to prevent the formation of future guerrillas and also to eradicate the Mayan culture. Then they began to steal those children. Then they extended it everywhere, but there were also families that "gave" them to hospitals.



When they were taken from their families and homes, most of the children were between a few days and four years old. We also know of cases of children who were eight and ten years old.

*"The beauty of it all is that we are back," I told them. The most beautiful thing is that the Guatemalan State never thought that the children who were trafficked would return, and this for me is a "small" great victory.*  
Ignacio

**Q: What is your wish regarding the search for justice?**

**Marjorie:**

For me it is important. On the one hand it's a personal issue, of each person affected. Each child who was adopted experienced the situation in a different way, so each of us must decide how to deal with the situation. But it's also a collective issue.

**Juana:**

J: I think it's something personal, but for me it is very important to get involved and help other people. That is my first objective, to help, since I know what it is like to live with this, I want to help other people who are looking for answers.

**Ignacio:**

Well, I believe that this struggle is collective, autonomous, political and personal. That each person does what they want. For me the most important thing is to know what happened, what happened to our families, where the archives are. During that time they classified many files, in the People's Registry they classified our surnames, dates of birth, the towns where we were born. It's important for me to know the truth and to find justice in both countries. It feels more difficult here, it's better back there. But yes, it's the struggle of people like us; there are also people who are not searching and who don't want to know anything, and we have to respect that. Each person has his or her story, and if someone wants to begin the search process, I am here. Also if you want to meet the people or know the stories, we will put you in touch. Everyone has their own rights and decides their own way of fighting.

**Q: What have you achieved as a collective in your first year of existence?****Ignacio:**

The collective is less than a year old, but we have been able to locate some families, we have done a report with Canadian television and we have met 15 or 20 other adopted people. I think we are doing quite well, but we have to give it time and keep in mind that this can be very emotional. At the moment we are creating a guide for adopted people around the world, which we will publish soon. We are gathering all the information for those people who want to come to Guatemala, so that they have this guide as a reference: where to go, where to ask for their papers, how and where to give their DNA, etc.

We are in contact with comrades in Montreal, France, Belgium, the United States..., we see that people are organizing themselves and that soon more people will arrive in Guatemala, as in the case of Marjorie, whom I accompanied. For me it is an interesting process, because accompanying them reminds me of the first time H.I.J.O.S. accompanied me. Now it was me who accompanied her. The collective is a space for people to come and not feel alone, because we are here.

*The motto of our collective is “We are the seeds that the State tried to kill, but now we bloom in the morning light”. And so it is, the seeds that they tried to kill are here, the struggle continues and here I am waiting for an answer and justice.*  
Ignacio

**Irregular adoptions in Guatemala**

According to a report by Agencia Ocote published in 2019,<sup>2</sup> Guatemala was one of the countries with the highest number of children “given up for adoption” between the 1980s and 2000s; 95% of these were “international adoptions”, and 90% correspond to the USA while the rest were destined for Belgium, Canada, Denmark, Spain, France, Italy, Norway, Netherlands and Sweden.

The report of the Commission Against Impunity in Guatemala (CICIG) on Illegal Adoptions,<sup>3</sup> between 2000 and 2007 estimates that 20,000 children were adopted outside Guatemala, generating an income of 200 million dollars, where the average price for an adoption was \$35,000, relating to the paperwork for each adoption. This profit was distributed among the different actors involved in this fraudulent process. According to an investigation by Pablo Vega,<sup>4</sup> this type of practice has been embedded in State institutions themselves: the Ministry of Foreign Affairs, the Government (because it is in charge of the Migration institution), the Judiciary, municipal civil registries and hospitals. It also includes Guatemalan and foreign adoption agencies, as well as the state institutions in the countries of destination for the adoptions, involved in the process. The report estimates that 30% of the profits from this human trafficking business remained in the hands of the Guatemalan actors involved.

2 Rabanales, M., Espejo Roto: El drama de las adopciones irregulares en Guatemala, Agencia Ocote, 2019.

3 CICIG, Informe sobre actores involucrados en el proceso de adopciones irregulares en Guatemala a partir de la entrada en vigor de la Ley de Adopciones (Decreto 77-2007), Guatemala, 2010.

4 Rabanales, M., Op.Cit.



# Journey to the green desert:

Retalhuleu communities reclaim their right to water

We carried out an observation mission to the Retalhuleu and Champerico<sup>1</sup> municipalities in March 2022, accompanying defenders from the Community Council of Retalhuleu (CCR) and the National Network for the Defense of Food Sovereignty of Guatemala (REDSAG). During the mission we verified the negative impacts that sugarcane plantations and other extractive projects are having on the health, food and environment of these communities. They also shared their appeals to the relevant Guatemalan authorities, the sugar mills and other companies operating in the area with us.

Arriving to the South Coast from Guatemala City in the dry season, we were greeted with an abrupt change of climate. We were surprised by the high temperatures and the homogenous green of the landscape, a green that at first glance seems beautiful, but on second glance makes us wonder: why are there no trees? Why is everything the same and why is there no natural diversity or crops? The numerous trucks on the roads, brimming with thin trunks, answer our questions: we are surrounded by kilometers of sugar cane monocultures.



Sugar cane mills irrigate their fields day and night, while communities lack water, March 2022.

1 Found in the departament of Retalhuleu, on Guatemala's South Coast.





A dried-up lagoon among the sugar cane plantations, Champerico, August 2022.

According to data from the International Sugar Organization, Guatemala is the third largest exporter of sugar in Latin America and the sixth largest in the world.<sup>2</sup> Sugar and its derivatives were Guatemala's fourth most exported product in 2020, representing 6.5% of the country's total exports.<sup>3</sup> This data demonstrates the economic weight of this sector (most of the sugar mills are concentrated in the South Coast<sup>4</sup>) and, therefore, the power wielded by the families who own them. They are

an essential branch of Guatemala's agroindustrial elite and participate in the energy matrix as well as in the country's financial and political system.<sup>5</sup>

Studies conducted on the sugarcane sector over the last decade<sup>6</sup> have brought to light several concerns regarding the impact of this crop on the lives of the local population and the environment. These include the drastic reduction in the availability of land and water for peasant families, as well as the

worsening of the climate crisis, which is a consequence of the accelerated deforestation process to make space for the monoculture crops. These impacts were evident during our visit to the department of Retalhuleu.

### **Pajales Sector Sis: a community at risk of disappearance**

The Pajales Sector Sis community (municipality of San Andrés Villa Seca) is located on the road between the departmental capital of Retalhuleu and

2 International Sugar Organization: <https://www.isosugar.org/sugarsector/sugar>

3 Asociación de Azucareros de Guatemala ASAZGUA: <https://www.azucar.com.gt/azucar-de-guatemala-en-el-mundo/>

4 The geographical area of Guatemala known as the South Coast includes the departments of Retalhuleu, Suchitepéquez, Escuintla and Santa Rosa.

5 Solano, L., *Las familias azucareras emergentes*, CMI Guatemala, 10.04.2016; Cabanas, A., *Intereses económicos y políticos presentes en comunidades de Costa Sur y su impacto en los derechos de la población y la criminalización*, Guatemala, 2019.

6 Ibidem y Labrador, G., Villagrán X., Sánchez R. y Alvarado, J., *El cartel del azúcar de Guatemala*, El Faro, 25.04.2017.



Women washing their clothes in the Sis River, contaminated by waste from two nearby sugar mills. They also face the danger of the gabions falling when the heavy winter rains arrive and the mills release the excess water from the dams, March 2022.

the municipality of Cuyotenango. Upon arrival, José Miguel Sánchez López, a water defender and member of the community, which is made up of 65 families, is waiting for us. As soon as we get out of the car, we notice a strong odor. José Miguel explains that the smell comes from an open channel that carries water which has been polluted by waste from two sugar mills which discharges into the river that flows through the community, the Sis. “Our community has been left in the middle of the El Pilar sugar mill and the Tululá

sugar mill, which in the summer divert the water from the Sis River through dams and hoard it to irrigate their sugar cane crops. Families no longer have access to water from the river and only have access to piped water for one hour a day. In addition, water pollution from sugar mill waste impacts our health and we suffer from skin diseases and other related illnesses, such as dengue fever”.

We continue towards the Sis River and are astonished to see how low the water is. There is a group of women

washing clothes on a rock, but due to the low level of the river, they have to sit in the middle of the riverbed to be able to wash. Jose Miguel remembers how 30 years ago they used to fish for shrimp, scorpion fish and mojarras. “At that time we had a healthy diet. Now the families can no longer count on fishing, they have no land, no water for the cornfields and many depend on working in the sugar mills to survive, so their hands are tied in terms of resisting. They are exploited in the plantations, even children work in the sugar cane.” Jose





One of the gabions that fell after the first rains, August 2022.

Miguel's words echo the findings of an evaluation carried out by the European Union on the Association Agreement between its member states and Central America.<sup>7</sup> The report highlights how the sugar sector violates labor rights, especially with respect to minimum wages, working hours, occupational health and safety, denial of union rights and the use of child labor.

Currently, the community's concerns are centered on the poor condition of the gabions – river retaining walls built seven years ago by the El Pilar sugar mill – some of which have since collapsed. “The Sis River is a fast-flowing river. Although in summer it dries up because of the sugar mills, during the rainy season it rises with great force. We are afraid that next winter it will sweep the gabions away and flood the community, as has happened on previous occasions. Even CONRED<sup>8</sup> has warned of this danger on several

occasions.<sup>9</sup> We have sought dialogue with the sugar mill to resolve this problem, but they haven't responded, nor did they appear at the roundtable for dialogue with the community which was convened by the Retalhuleu governor's office. The mill is responsible for the maintenance of the gabions. That's why we have filed a complaint with the Public Prosecutor's Office (MP). However, nothing has been done.” The families from Pajales Sector Sis, not only have to live with this situation of extreme precarity and risk, but also several people in the community have been criminalized for defending their right to water. José Miguel himself has been accused of threats and coercion by the El Pilar sugar mill and has had a case open against him since 2017.

For the communities of the South Coast, as in other parts of Guatemala, criminalization is a recurring problem for those who defend rights. In Retalhuleu

alone, the CCR has 12 cases of criminalization against its leaders. According to Abelino Mejía Cancino, a member of the CCR's Board of Directors and one of those criminalized, the purpose of this criminalization is to wear people down physically and psychologically, so that they abandon their demands.

### Women at the head of the Tierra Blanca Community: defending the common good from private interests

Abelino accompanies us to learn about the situation of the Tierra Blanca community, in the municipality of El Asintal, which is affected by private companies and projects with practices similar to those of the sugarcane industry. On the banks of the Nil River, under the refreshing shade of ceibas and conacastes, a delegation from the community awaits us to share their story of struggle and care. Lorena González (President) and Eloísa Cifuentes represent the Community Development Council (COCODE). As defenders of water and human rights, they tell us that 35 years ago the Nil River was considered one of the most abundant and cleanest in the area. The problems began in 2013 when a company built a dam on the river, without first consulting the community, diverting its waters to supply fish farms and for the operation of a hydroelectric plant. *“When the community realized this, the dam had already been built and the river was completely blocked. We filed a complaint with the Ministry of Environment and Natural Resources of Retalhuleu, but seeing that the situation was not going well, we decided to make an agreement with the company that established that it could divert only 50% of the water, leaving the rest for the community. However, the company has not respected the*

7 European Commission, *Ex-post evaluation of the implementation of part IV of the Association Agreement (Trade Pillar) between the EU and its Member States and Central America*, Brussel, May 2022.

8 National Coordinator for the Reduction of Disasters.

9 Cuevas, D., *Conred evacúa a 60 personas por desbordamiento del río Sis*, Prensa Libre, 3.10.2020





The Nil River in the municipality of El Asintal used to be a clean, fast-flowing river; a hydroelectric plant now impedes its flow, March 2022.

*agreement and in the dry season the community is left without any water. For this reason, we have continued to denounce the situation publicly and with the Public Prosecutor's Office."* The women human rights defender denounced that the treatment they have received from the authorities when filing the complaints has been completely sexist. The fact they are young women and leaders has been the reason they have received disrespectful and degrading treatment from the authorities. On the other hand, while these complaints are completely stalled at the MP, Lorena González has been the target of death threats for having made the complete diversion of water from the Nil River public. *"Maybe some think we are crazy because we will never win this fight, but we believe our fight is for life,*

*we do it because water is life. There is a lot of talk about climate change. They want us to believe that the problem is because we don't take care of the environment, but in reality the problem is the unlimited use of natural resources by companies and the lack of interest on the part of the authorities in solving this type of problem. It's not only the representatives who are in the struggle, but of all the people who are demanding justice."* The right to water is not only denied to Tierra Blanca, but to a total of 28 communities in the municipality of El Asintal, all to supply this vital liquid to private companies who don't look out for the common good, only their own benefit. *"They divert the water to produce electricity for export. However, we are giving what is most precious, our river,"* says Abelino Mejía.

### **Without monocultures, life returns: family gardens and food sovereignty in the 20 de Octubre neighborhood**

Since its founding in 2015, the CCR has focused on denouncing the increase in monocultures in the region and the impacts on the population. Through this work, they have managed to get 10 sugar plantations to abandon the land in the municipality of Champerico and three more are in the process of doing so. "The mills extract 3,600 gallons of water per minute 24 hours a day through wells, in addition to sequestering the rivers. Where there is sugar cane, nothing can be produced because there is no water," explains the human rights defender as he accompanies us on a tour of some rivers in the area: the Bolas, the Pichuy, the Manacal and the Español, where

the lack of water and its pollution is evident. The serious situation of these rivers and the communities that use the water has also been documented in a report issued by the Human Rights Ombudsman's Office (PDH) after a visit to the area in 2021.<sup>10</sup>

However, the work of the CCR is not limited to denunciation, they also supports the communities in recovering their food sovereignty. An example of this support can be found in the 20 de Octubre neighborhood, in the municipality of Champerico, where three thousand families live. We are welcomed to the community by Reina López, president of the community's women's association, which brings together more than 80 members. Doña Reina explains how, through their struggle, they managed to stop sugarcane cultivation on the land around the community two years ago and how the owner of the farm now rents this land to families to grow corn. She also explains some of the negative impacts that sugarcane had on family crops. For example, the vegetables were affected in their growth by the chemicals sprayed from airplanes by the sugar mills. In addition, these insecticides burned the flowers on the fruit trees, impacting reproduction. The zafra season was also very difficult for the families, as the ash covered the crops, the water, the clothes hanging out to dry and filled people's lungs.<sup>11</sup>

Doña Reina accompanies us on a visit to the vegetable garden she tends next to her house, where she grows blackberry, chipilín, bleo (amaranth), miltomate, onion, carrot, beet, banana, malanga and yucca using ecological methods. "The garden allows us to supply the family and also gives us a small surplus that we can sell to the rest of the families in the neighborhood." Doña Reina's garden is an example of how community struggle



Doña Reina López among the tomato plants in her family garden, Champerico, March 2022.

can restore food sovereignty to families in the communities. Nevertheless, the impacts of monocultures are still being felt, because the deforestation that was carried in order to plant the sugar cane has greatly affected rainfall. *"There are no longer trees to bring on the rain and the wells are affected by the lack of rainfall. We are forced to irrigate the gardens through waste water."* Community organization is now more important than ever on the South Coast, essential for defending such a precious resource as water and, with it, the life of families and nature.

Abelino and Doña Reina bid us farewell, reminding us that behind sugar and the devastation caused in the region by this monoculture, there are companies with big interests, for example companies producing luxury items such as well-known brands of rum that are exported in large quantities. *"Sugarcane cultivation has brought poverty and migration to the communities. On this coast, a stalk of sugarcane is worth more than the life of a human being."*

10 Defensoría Socio Ambiental, Defensoría de Pueblos Indígenas, Defensoría de defensores de derechos humanos y periodistas, *Informe de visita de campo por información sobre desvío de ríos y criminalización de defensores de derechos humanos en el departamento de Retalhuleu y municipio de Mazatenango del departamento de Suchitepéquez*, Guatemala, Julio de 2021.

11 The zafra refers to the burning of the remains of sugarcane crops that takes place annually between November and May.



# Biodiversity and Ancestral Knowledge Law Initiative

Article 1: The objective of the present law is to guarantee the respect, recognition, conservation and protection of the ancestral indigenous and peasant knowledge and practices, as well as the biological diversity in their territories, their ecological balance and conviviality with the individuals, peoples, indigenous and peasant communities.



Delivery of the Biodiversity and Ancestral Knowledge Law Initiative in front of the Congress.

Guatemala – Iximulew in Mayan languages – is one of 21 mega-diverse countries in the world and is considered one of the eight centers of origin for biodiversity in the world. Between 13 and 15% of the species of mammals, reptiles, amphibians, birds and plants present in the country are endemic.<sup>1</sup> In order to protect this natural wealth, which is threatened by diverse economic activities, hundreds of ancestral authorities and indigenous and peasant organizations presented the Biodiversity and Ancestral

<sup>1</sup> REDSAG, *Protejamos nuestra biodiversidad*. Documento mediado de la Propuesta de Iniciativa de Ley de Biodiversidad y Conocimientos Ancestrales, 2021.





During the delivery of the law initiative, 31.05.2022.

Knowledge bill, known as the Peoples' Law, on May 31. The law was delivered to several deputies of the Congress of the Republic, who pledged to take the initiative (registration number 6086) through the legislative process. During this activity we spoke with several

people accompanied by PBI and with an ancestral authority. They shared their assessments of the proposal, as well as the work to be done, with us.

Paulina del Carmen González Navichoc, an ancestral authority from San Pedro La Laguna, Sololá, was one of the

indigenous authorities present. She shared her motivation with us: *"It's very important for us to protect biodiversity and our seeds. We know that sometimes Mother Earth sprouts by herself without the need to plant, without the need for chemical fertilizers. Whereas if GMO<sup>2</sup> varieties come, they are only going to produce one seed a year, if it goes well. We would have to buy fertilizers, we would have to buy seeds every time we want to plant. They don't taste the same either, because they have definitely been modified. We can tell when we buy corn or the sheaves used to make tortillas; they taste like plastic when they are toasted, they don't taste like ours, which come out toasty and crunchy. That is why we want to defend our biodiversity. We don't want them to give us seeds from other places that do not benefit us, on the contrary, they make us sick, because our organism is adapted to what is ours, to what is native."*

**"As communities we join this initiative, because it comes from the people"**

Abelino Mejía, a member of the Community Council of Champerico (CCC) and a human rights defender who has been criminalized due to his struggle for water in the South Coast, told us that the CCC were involved in local and regional assemblies from the beginning: *"the proposal came from all the communities, because of the diversion of rivers, the erosion, the terrible pollution that exists in our region..."*

The CCC is part of the National Food Sovereignty Network of Guatemala, who for five years have been facilitating a series of meetings between ancestral authorities from the different territories across the country, community leaders and representatives of indigenous and peasant organizations. These spaces led to joint reflections and analysis on the challenges encountered in the

2 Genetically Modified Organism



PBI observes the delivery of the law initiative, 31.05.2022.

course of taking actions to protect and conserve Mother Earth, seeds and ancestral knowledge.

The participants agreed to form the Alliance of Authorities for the Defense of Biodiversity to protect *“the practices, knowledge, know-how and biological diversity with which we have coexisted in a balanced way over many centuries”*.<sup>3</sup> With legal advice from the Indigenous Peoples Law Firm, and other experts and academics, they developed an initiative, grounded in the cosmovision of Indigenous Peoples and peasants that is based on harmony, respect, conversation and connection *“with all forms of life on Mother Earth and the Cosmos.”*<sup>4</sup>

The proposed law reaffirms the rights and power of native peoples, indigenous and peasant communities, to decide on their own collective knowledge systems, as well as to manage the biological diversity in their territories.<sup>5</sup>

### GMOs and fertilizers versus biodiversity and ancestral wisdom

During the activity at the Congress we also met José Angel Llamas, from the Peaceful Resistance, La Puya, who have been resisting a mining project, currently suspended, since 2010. La Puya support this bill, because the defense of biodiversity and ancestral knowledge is also at the heart of their struggle: *“We defend water, we defend life. Without water we have no crops, and if we have no crops there is no life, that’s why it’s necessary to take care of water and defend the right we have to the non-privatization of our seeds. [In Congress] they continue to pass laws in which they privatize seeds, and they are*

3 Ibidem.

4 Ibidem.

5 REDSAG, Flyer informativo sobre Ley de Biodiversidad y Conocimientos Ancestrales.



*going to make us sow those varieties, and not our native seeds, which are the ones that not only have more nutrients, but are more adapted to our territory. In introducing GMOs, unfortunately, they forced us to use chemical fertilizers, because of the publicity and promotion in government programs and how well the companies presented them. But any product that is developed through organic fertilizers is much healthier than those that grow with the help of chemical fertilizers."*

The indigenous mayoress of San Pedro La Laguna highlights the damage caused by chemical fertilizers: *"since the fertilizer has been introduced, it has damaged Mother Earth, because it sterilizes it. In the same way, when it rains all this runs into the rivers and lakes causing pollution. Let us remember that water is life for us, and polluted water definitely affects us. Our Lake Atitlán is very polluted and the biggest problem is that several of the communities living in the basin drink from that water, so this is affecting us. It is sad that our [state] authorities, are trying to commercialize the water instead of doing something for us as native inhabitants."*

Furthermore, the protection of native seeds has another dimension for Guatemala's indigenous peoples, as Paulina del Carmen González Navichoc explains: *"seeds have medicinal properties, for example, if someone has a conflict and comes to us, the ancestral*

*authorities, we give them yellow corn to take in their hands and they calm down, they can ease their nerves and speak spontaneously. On the other hand, the white corn is to avoid diabetes, which is a disease that is very prevalent now; you have to drink it like a soft drink, the meal is mixed with water, without flavoring or anything, without sweetening it, that's how it cures; and the black corn is an antioxidant, just like the red corn."*

### The road ahead

When asked what the next steps are, Abelino Mejía, who is also part of REDSAG's political council, warns that *"although the bill has already been presented, our work lobbying in Congress and meeting with more congressmen will continue. We will also raise more awareness about the law more so that people really know about it and can unite behind it. I believe that the time will come when all sectors will unite: students, peasants, workers, from different unions... because the poor social class has been, and is, very exploited in this country. So, that is the work, it's a huge challenge. We are going to continue growing in numbers because what we are talking about here has to grow."*

Confronting a congress which has demonstrated itself to be against the interests of the people, the Alliance of Authorities for the Defense of Biodiversity has proposed that rather than waiting

for the law to be approved, they should introduce it immediately in the indigenous and peasant communities. The way forward for the ancestral authorities is *"to raise awareness through the media, such as community radio stations, to use them to raise awareness among our people. In fact, many are already aware, and we have to ask them not to bring GMOs to our communities, because in the long run it affects us all. The problem is when there is no information based on the truth."*

Abelino Mejía sees an openness among the communities of the South Coast to learning about the initiative: *"we see the initiative as very good because of the great need caused by the scarcity of water in the communities of Champerico, and because it takes into account the water needed for food. Yes, we have had many scares and many protests due to the lack of water, and more people and associations are joining us to learn about this law initiative."*

Finally we met José Bo, a member of the Peaceful Resistance, Cahabón who are resisting three hydroelectric projects. He traveled to the capital for three days to be present at the activity: *"We are used to eating a diversity of corn and other native foods. We do not want them to be taken away from us. What we must do is unite to defend our food and our native crops, that is why I come all the way to Guatemala to support our compañeros and compañeras."*





## News from our Work:

*La Sangre de la Tierra* documentary returns to Cahabon

The Covid-19 pandemic was declared in March 2020. As a measure to contain the spread of the virus we were all confined to our homes and had to adapt our work to the virtual format. We carried out our work under these new circumstances for seven months. One of the last face-to-face activities we organised before the country closed was the presentation of the documentary *La Sangre de la Tierra* (The Blood of the Earth) (2020, Director: Felix Zurita), produced by PBI Catalunya.

*La Sangre de la Tierra* tells the story of resistances to hydroelectric projects by three indigenous peoples' across Mexico, Honduras and Guatemala. The section which covers Guatemala was filmed in April 2019 in the Q'eqchi' territory of Cahabón with members of the Peaceful Resistance, Cahabón. It also included an interview in Coban prison with Bernardo Caal Xol, leader of the resistance and a criminalized and



The community of La Cresta in the municipality of Cahabón during the screening of the documentaries, May 2022.



The community of Sesaltul in the municipality of Cahabón during the screening of the documentaries, May 2022.

imprisoned human rights defender. We had planned a return trip to the region for April 2020 to screen the documentary and present the result of this audiovisual project back to the communities and people of the resistance. The trip had to be suspended, however, due to the circumstances imposed by the pandemic.

During the second half of 2020 we resumed part of our work in person, carrying out some accompaniment in the capital city. As of January 2021 we began traveling to the capitals of the departments where we had accompaniment projects and we began to physically meet once more with the people and organizations we accompanied, with due regard to the necessary biosecurity measures. We finally resumed visits to the communities and workshops during the first semester

of 2022. This was the moment when we decided to resume our plan to present the documentary in the place it was filmed, Cahabón. This coincided with the wonderful news of the release of Bernardo Caal Xol. This did not occur because the judicial system had recognized his criminalization as false, but because he was granted a remission in his sentence, as provided by law, having served more than half of his sentence and having behaved excellently.<sup>1</sup>

Thus, from April 30 to May 8, we traveled to several communities in the municipality to screen the documentary along with another documentary, produced by the Madre Selva Collective, on the history of the Resistance: *Agua - Sangre de la Tierra* (Water – Blood of the Earth, 2020). Each screening was introduced with a message from Bernardo to his Q'eqchis'

brothers and sisters. The communities we visited included Rumpoc, Chajbelén, Las Tres Cruces, Setzacpec, Gualibaj, Sepoc, Sepos, La Cresta, Sesaltul and San Cristobal Sactá. Some 2,000 people attended the screening and saw themselves in their own history of resistance and defense of the Cahabón and Oxec rivers. The screenings took place in community halls, churches and homes and were filled with people of all ages, who were visibly interested and excited, especially when they saw Bernardo explaining, from jail, why he was fighting for the rivers. The joy expressed was widespread, as were the words of thanks and applause at the end of the event. We are deeply grateful for the affection and warmth with which we were welcomed during this unforgettable week spent with the communities of the Peaceful Resistance of Cahabón.

<sup>1</sup> Nevertheless the criminalization of Bernardo continues. He is currently awaiting trial on an accusation by the Ministry of Education against him in what is known as the "Teacher Case."

**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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**Fotos: PBI Guatemala**

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