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.

Storm Eta and Iota cause havoc

The tropical storms Eta and Iota, which passed through Central America in early November, have devastated much of the territory in Guatemala, Honduras and Nicaragua, leaving almost 5 million people affected so far, 1 2 million of whom are from Guatemala. 2

The north and north-east of Guatemala were the regions most affected. The data provided by the National Coordinator for Disaster Reduction (CONRED) is staggering: 60 people are dead, 30 were injured, 100 people disappeared from communities in Alta Verapaz and 308,834 were evacuated. 234 communities, mostly in Quiché, Alta Verapaz, Huehuetenango and Izabal, remain flooded, without communications, and can only receive support by boat or helicopter. A total of 277,781 people are currently staying in shelters (of these only 31,000 are staying in official shelters). According to the Undersecretary for CONRED, Walter Monroy, food is being supplied to those in the 323 official shelters, while those in unofficial shelters, where the vast majority of people are sheltered, are receiving support when the local mayors request this. CONRED estimates that as a result of both storms 6,280 homes are at risk, 18,961 homes incurred slight damage, 56,096 have moderate damage and another 4,257 are also at risk. Likewise, 468 roads, 340 schools and 79 bridges are damaged, while 26 roads and 44 bridges were destroyed. 3

Alberto Ical Cal, president of the Community Development Council (COCODE) of the village Quejá, San Cristóbal Verapaz, pointed out “that neither the municipality nor CONRED warned them that they should evacuate in the face of an imminent tragedy,” despite the fact that the Meteorology Institute had publicly warned about the risks of storm Eta. 4

Sofía Letona, director of the organization Antigua al Rescate, who traveled to communities in Alta Verapaz to deliver food and clothing, made the following observation: "this is a case where the people are saving each other because there are no authorities present. It is the businessmen and women of each community who are supporting their own people. We haven't seen any help from the State. (...) I am worried about the possibility of people going hungry because the people are not producing food. I'm worried about what's going to happen when the news loses interest. They are going to remain in the same conditions, with nothing." 5

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1 Comunicado, La articulación con la sociedad civil es clave en la respuesta ante ETA e IOTA, Red EU-LAT, FONGI, Espacio ACI y LAWG, 24.11.2020.
3 Quino, H., DRAMÁ por Eta e Iota: 277 mil personas en albergues; 234 comunidades incomunicadas, La Hora, 01.12.2020.
4 Figueroa, S., Los reportes de Insivumeh sobre ETA que CONRED no socializó, No-Ficción, 19.11.2020.
Some 100 communities who form part of the Community Council of the Highlands (CCDA) - the Verapaces and the Union of Peasant Organizations (UVOC), both of whom are accompanied by PBI, were strongly affected by these storms (see details in section 2 "Accompaniments").

**Another Ex-kaibil sent to trial for the Dos Erres Case**

On November 19, Judge Claudette Domínguez ordered that Gilberto Roldán, a former member of the elite Kaibil squadron of the Guatemalan army, which perpetrated a massacre against at least 200 people in the Las Dos Erres (Petén) subdivision in 1982, be tried for crimes against humanity. The accused was extradited from the United States in March, after remaining fugitive for 20 years. According to lawyer Edgar Perez, who represents the families of the victims through the Association of Families of the Detained and Disappeared of Guatemala (FAMDEGUA), the key elements influencing the judge's decision included: the planning of the massacre, violence against the population during the massacre, the declarations of the survivors and the crimes committed against children. In addition, the judge highlighted the aggravated abuse of women who were treated as spoils of war, which, according to Edgar Perez, "was a systematic pattern repeated throughout the war, and was not exclusive to the Dos Erres case."

The State of Guatemala will also called to account in the trial. "Perez said that Judge Dominguez included the Attorney General's Office (PGN) as civilly responsible and, if Roldan is found guilty in the trial, the State must compensate the victims."

No date has yet been set for the opening of the trial, although it is expected to take place during the first four months of 2021. A hearing for the presentation of evidence has been set for November 24, where all the testimonies, expert reports and reports will be gathered.

This is not the first time the Dos Erres case has gone to trial. In November 2018, the ex-kaibil Santos López was sentenced to 5,160 years in prison (30 years in jail for each of the victims of the massacre). This precedent could be used during Roldán's trial.

**November 25: International Day for the Elimination of Violence Against Women**

As with every year, the march in commemoration of the International Day for the Elimination of Violence Against Women took place on November 25, with participants marching to the Central Park of the capital city, where the altar in memory of the girls who were burned and died in the fire at the State Home Virgen de la Asunción is located. The participants, who came from different departments and municipalities of the country, demanded an end to the murder of women and all forms of violence against women. They also denounced the violent actions against women perpetrated during the protests against the government of Alejandro Giammattei on Saturday, November 21.

It is important to note that this year, throughout the pandemic, "studies conducted by organizations who defend women's rights in Guatemala, have reported an increase in cases of violence and complaints to the Public Prosecutor's Office (MP) during the quarantine imposed in response to the COVID-19 pandemic. As of October of this year, the MP's record of reported cases, revealed that there was an average of 190 daily reports of crimes against women and girls, of which 72 percent correspond to violence against women. Fifty-two percent of these reports were for physical violence and 27 percent for psychological violence.

The IACHR condemns the excessive use of force and calls for an investigation into the violence which occurred during the protests

The Inter-American Commission on Human Rights (IACHR) has condemned of the excessive use of force deployed by the security forces in the context of social protests against the Giammattei government in Guatemala. The approval of the 2021 budget was the trigger for these protests, “to which citizen’s added demands to reject corruption, concerns over the destination of funds for addressing the COVID19 pandemic

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6 Toro, D., *Kaibil enfrentará juicio por la masacre de 200 personas en Petén durante la guerra*, Prensa Comunitaria, 19.11.2020
8 CIDH, Comunicado de Prensa No. 281/20, *La CIDH condena excesivo uso de la fuerza e insta a que se investigue toda forma de violencia durante las protestas sociales en Guatemala*, 23.11.2020.
and the general social, economic and political crisis which has been aggravated dramatically by the hurricane season. The IACHR’s rejection of the repression targeted against demonstrators, journalists and human rights defenders has been emphatic. This has resulted in at least 43 people arrested, 21 of whom have declared they were beaten by police officers; a further 12 people were injured, two of who received seriously blows to the eyes and the skull. A large number of demonstrators, including children, adolescents and elderly people, participated in the protests, which were convened peacefully, and these people allegedly experienced indiscriminate repression, with the excessive use of force, including tear gas, water guns, beatings and arbitrary arrests. The IACHR has positively valued the work of the Human Rights Ombudsman (PDH) and the courts, which declared the charges against a number of people who participated in the peaceful protests to lack merit. Furthermore, "in the judicial hearings that are still underway, the judges have repeatedly reproached the weakness and inconsistency in the presentation of the charges against the detainees by the MP."

The Commission warned, among other things, “that the use of the security forces should be strictly focused on containing acts of violence, as well as guaranteeing the right to protest, without any type of direct repression or arbitrary detention of peaceful demonstrators," calling for "full respect for the human rights of all persons" and hoping “for the construction of a solution to the institutional, political and social crisis that is based on dialogue and democratic values, consistent with the principles of the rule of law in Guatemala.”

Protests against Giammattei extend throughout multiple departments in Guatemala

The protests against Giammattei's government, took place not just in Guatemala's capital, but also spread to other departments across the country. Students, civil society and organized groups took to the streets and central parks to express their discontent: in San Marcos, a group of students from the University Center, together with neighbors from the area and various organizations, marched through the main streets of the municipalities of San Marcos, San Pedro Sacatepéquez and Comitancillo demanding the resignation of the nine departmental deputies, the president and the governor; in Totonicapán, there were concentrations in the central park; in Huehuetenango, people, mostly senior citizens, gathered carrying posters and pots and pans; in Quetzaltenango, a group of women came to demonstrate in the central park; in Retalhuleu, a group of residents demanded the resignation of Giammattei, the Minister of the Interior, and the Director of Police; in Alta Verapaz, dozens of people gathered in Cobán’s central park where they demanded the resignation of the mayor, the president, and his cabinet, and condemned the lack of government support for those affected by the Eta and Iota storms.

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.

As in the previous month, we continue to accompany human rights defenders through phone calls and virtual meetings. We have also resumed some face-to-face activities where possible, always assessing the necessary health protection measures to ensure the safety of both the people accompanied and the PBI team. We have also held virtual meetings with civil society organizations.

THE FIGHT AGAINST IMPUNITY

This month we maintained permanent telephone contact with the lawyers from the Human Rights Law Firm (BDH). On November 23, the Sentencing Judge in Cobán issued an acquittal in the case of La Cumbre, in favor of the three community members defended by the BDH, who were accused of the crime of aggravated trespassing.

The hearings in the case of Samuel Choc, an indigenous authority from the village of Las Mercedes, Chisec (Alta Verapaz) accused by the palm company Tecnoservicio Agroindustria, S.A. of the crimes of aggravated usurpation, illegal detention, and instigation to commit a crime, have continued.

10 See our website for general information on organizations and individuals we accompany: https://pbi-guatemala.org/en/groups-and-individuals-currently-accompanied-pbi
We continue to monitor the security situation of the Association of Neighbors of Chicoiyogüito de Alta Verapaz (AVECHAV). As with previous months, the health emergency continues to severely limit their meetings and other member activities, they are finding it difficult to sustain themselves financially and maintain their safety. In addition, they have experienced the impacts of the Eta and Iota storms: flooding of homes, landslides and difficulties in travelling. In spite of all these obstacles, the members of the Association continue to coordinate with each other and have been able to resume their assemblies and meetings with other organizations, in order to continue advancing their demands for justice and historical memory.

THE ISSUE OF ACCESS TO LAND

Lesbia Artola Peyul and Imelda Teyul, coordinators with the Community Council of the Highlands (CCDA) - Las Verapaces Region, have continued to face serious security incidents. In addition, this month has been marked by the disastrous passage of tropical storms through the department of Alta Verapaz. Both women human rights defenders have experienced the effects of flooding in their homes and workplaces, including significant material losses. For most of this month, CCDA has dedicated its efforts to systematizing the damage caused by the storms, as well as coordinating the delivery of food and basic subsistence products to the affected communities, where there have been landslides as well as losses of houses, animals and crops. CCDA has registered 68 flooded communities (about 7,500 families) who are in need of food. The support work is being coordinated from the national level CCDA, with affiliated families throughout the country collecting basic necessities for their comrades in Alta Verapaz.

This month we provided telephone accompaniment during the peaceful protests in Cobán against corruption and the approval of the 2021 Budget.

We have continued to provide telephone accompaniment to members of the community Santa Elena Samanzana II (Cobán), who are experiencing threats and who shared with us that they observed the presence of armed individuals in the community on two separate occasions.

We have also remained very attentive to the situation of the criminalized and imprisoned human rights defenders Jorge Coc and Marcelino Xol. They were sentenced to 35 years in prison 12 months ago and the appeal of this sentence was rejected by the Sixth Chamber of the Cobán criminal court.

As with previous months we maintained telephone contact with members as well as a number of virtual meetings as part of our accompaniment of the Union of Peasant Organizations (UVOC). This month their work has been determined by the terrible consequences of the tropical storms, both in the communities that are part of the organization, and their office. La Primavera and Chicoiyoy are among the communities which have suffered the most from the impacts of the storms, with homes and crops, as well as roads and bridges, devastated. There were many landslides and mudslides, but the most serious incident was in the village next to La Primavera, Quejá, which was buried under a massive landslide. The people accompanied by these communities have shared with us that this disaster has been aggravated by the deforestation carried out by companies, which the communities have been denouncing for years.

We provided telephone accompaniment to the organization's coordinators, Sandra Calel and Carlos Morales, during their visits to communities, hearings, and meetings with authorities. Although the collapse of roads has made it difficult for them to reach many municipalities and communities, they have managed to coordinate the delivery of food aid and basic necessities. We also accompanied UVOC during the peaceful protests that took place in Purulhá against the approval of the 2021 Budget and against corruption.

We continue to be very attentive to the situation of Justino Ilom from the community La Primavera (San Cristóbal, Alta Verapaz), who has been criminalized and unjustly accused of crimes against the community’s forestry resources, who also lost his home during the storms.

11 Alonso, Y., Aquí nada es firme. Triste crónica de una visita a Quejá, Plaza Pública, 9.11.2020
DEFENSE OF THE TERRITORY

The aggressions against New Day Chorti Campesino Central Coordinator (CCCND) continue with the same level of intensity. In addition, the department of Chiquimula also suffered the effects of the storms, with flooding, destruction of crops, roads and other infrastructure such as the Jupilingo Bridge in Camotán and the Jocotán Bridge. Many of the communities in these municipalities were left isolated and in a serious situation of food vulnerability. Several members of CCCND, whom we have accompanied by telephone throughout the climate emergency, have expressed concern about the unequal and partisan distribution of state aid in the municipalities of Jocotán and Camotán.

We continue to monitor community leaders Héctor Ovidio Vázquez, from the community of Lelá Chancó, and Pedro Esquivel, from the community of Lelá Obraje, in the municipality of Camotán, Chiquimula. In addition to the difficulties they have had to face due to the floods, they continue to be the target of a multitude of defamations, intimidations and death threats, all in retaliation for their work in defending the territory against mega-projects.

Furthermore, we have maintained contact with members of the Guareruche community, from the municipality of Jocotán, because of threats they have received in the context of a land dispute in the community.

We continue to monitor, through calls and meetings with various organizations, the situation of Agustín Ramírez and Timoteo Súchite, criminalized members of the CCCND, who have been imprisoned since 2013. Their release date has been set for 2021.

As with previous months, we have maintained telephone contact with the members of the Peaceful Resistance La Puya, who continue their sit-in and are monitoring the arbitration process between the company and the state.

The Peaceful Resistance of La Laguna, continue to experience a diversity of problems including water pollution, logging and food shortages which they are addressing through collective organisation.

With regard to the Peaceful Resistance, Cahabón, we have held meetings with the Unit for the Protection of Human Rights Defenders (UDEFEGUA) and the Madre Selva Ecological Collective to follow up on the case of Bernardo Caal Xol. During the first week of November we also provided telephone accompaniment to members of the Resistance when they went to the elections for the Council of Departmental Development in Cobán.

The rains affected some communities near the dams and reservoirs of the Cahabón and Ox-eek' rivers, and access to the region has collapsed. However, there has been great mutual support between the communities, and displaced families have been welcomed into shelters and churches while their homes are being rebuilt. This month we have registered several threats and intimidations, such as shots in the air, against families who are members of the Resistance.

We have maintained constant contact with TZ’KAT - Network of Ancestral Healers from Community Feminism. We provide accompaniment by telephone in their activities in accompanying and healing with women human rights defenders at risk. This month these accompaniments took place across a diversity of municipalities in Alta and Baja Verapaz and Chiquimula. Members of the Network have experienced diverse threats and defamations for their accompaniment work.

Chinautla Multisector, continue to respond to the lack of access to water and food shortages through mobilization and organization. We continue to monitor the security situation of their members in the defense of their environment, which is threatened by the actions of sand extraction companies.

We continue to monitor the security situation of the Retalhuleu Community Council (CCR), in the context of the hearings that will begin in January, due to the criminalization that four of its members are experiencing.
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.

This month we engaged in a dialogue with the head of the National Civil Police (PNC) substation in Camotán and with Giovanni Guzmán of the Human Rights Ombudsman’s Office.

4. INTERNATIONAL OBSERVATION
PBI Guatemala is present in international public events when requested to do so by Guatemalan social organisations, in order to show international attention and interest and in order to report internationally on what we observe.

On November 25, we observed the March for the International Day for the Elimination of Violence Against Women which left the Human Rights Plaza in front of the Supreme Court of Justice, and travelled to Zone 1 of Guatemala City.

5. OTHER ACTIVITIES OF PBI GUATEMALA ADAPTED TO THE CONTEXT OF THE PANDEMIC
On November 25, on the occasion of the International Day for the Elimination of Violence Against Women, we held the third virtual Meeting of Women Defenders of the Territory Land-Body, facilitated by members of TZ’KAT - Network of Ancestral Healers from Community Feminism. More than 20 women human rights defenders participated in the event which focused on the importance of the struggle to end violence against women. The various oppressions and struggles experienced by the participants were addressed and practices and uses of medicinal plants and ancestral medicine were shared with the aim of improving their well-being.

6. ACTIVITIES OF PBI GUATEMALA OUTSIDE GUATEMALA
Outside the country we constantly develop and strengthen the network of support for the Guatemalan PBI project, as this is one of the essential tools necessary to protect defenders of human rights. Regional Representatives, the Project Office Coordinator and other members of the committee and the Project Office and national groups of PBI, conduct public relations campaigns with many NGOs, agencies and national governments, parliamentarians and others. In this context we develop actions and public relations campaigns, and / or advocacy aimed at protecting defenders of human rights.

The European Representative held meetings with:

- Jordi Zuur, Guatemala desk, and Floris Semé, Human Rights Department, both from the Dutch Ministry of Foreign Affairs, within the framework of a "virtual tour" of the TZ’KAT - Network of Ancestral Healers from Community Feminism.

- Maria Giovanna Manieri, advisor to the Green Political Group of the European Parliament for Central America.

- Tilly Metz, MEP from the Green Political Group and President of the Delegation for Central America of the European Parliament, and Lena Widefjall, her assistant, in the framework of a "virtual tour" of TZ’KAT - Network of Ancestral Healers from Community Feminism.
Rechazamos el presupuesto 2021 orientado a la corrupción y a la muerte de los Pueblos

Los recientes hechos de emergencia han sido una prueba para el gobierno de Alejandro Giammattei y Guillermo Castillo, evidenciando su indiferencia ante los cientos de muertos, la destrucción de sus medios de vida, pérdida de fuentes de sostenimiento de las familias, y el colapso del sistema de salud y de educación. La crisis ha resultado ser un gran negocio para el sector oligárquico, el sector bancario, los proveedores de alimentos, supermercados, empresas constructoras y otros servicios que prestan los grandes proveedores del Estado, empresas aglutinadas en las diferentes cámaras que conforman el CACIF y que han saqueado y controlado el Estado desde siempre. Mientras el Presidente solicita estados de emergencia para evadir los controles de compras, las cámaras están muy cómodas recibiendo su pago por el financiamiento ilícito. Estas crisis agravan los problemas estructurales del país. La pobreza y el hambre llegan a su peor nivel en décadas. Se retrocede a niveles previos a la firma de los Acuerdos de Paz en las que no había una institucionalidad enfocada en estos temas. El cierre de la institucionalidad de la Paz es una muestra de esta indiferencia y del racismo estructural de Guatemala hacia las necesidades planteadas por los pueblos. El presupuesto 2021 solo es la punta del iceberg de una serie de corruptelas de este Congreso manejado por el Presidente Giammattei, refleja la incompetencia para administrar el Estado, y el persistente afán por enriquecerse ilícitamente. El Estado impune se amplía asfixiando financieramente a las instituciones de la Paz, el Procurador de los Derechos Humanos, y ubicando a sus operadores políticos en instancias fundamentales como el Ministerio Público, la Corte Suprema de Justicia, la Corte de Constitucionalidad, y la Contraloría General de Cuentas.

En los departamentos la ausencia de un Estado que sea realmente responsable de apoyar ante la emergencia, ha generado caos y muerte, mientras los actores políticos locales como diputados, alcaldes y gobernadores se involucran en actos de corrupción para fortalecer su poder.

Ante esta situación demandamos:

1. Que se vete el presupuesto 2021 recientemente aprobado para que sea abordado de forma transparente, democrática e incluya las necesidades de las comunidades más vulnerables a las recientes situaciones de emergencia ante el COVID 19, y las tormentas.
2. Que renuncie la Junta Directiva del Congreso actual y la reelecta y se investigue la compra de votos para la aprobación del presupuesto.
3. Depurar el Ejecutivo incluyendo el Centro de Gobierno y el Organismo Judicial plagado de corruptos.
4. Exigimos al Congreso la elección de Magistrados a la Corte Suprema de Justicia y Salas de Apelaciones de acuerdo a lo ordenado por la Corte de Constitucionalidad.
5. Que se priorice la vida y seguridad de las personas más vulnerables y en situación de riesgo, que sufren las actuales inclemencias de los eventos recientes.
6. Que se establezcan instancias con representación social en los departamentos para que se vigile el apoyo a las comunidades más urgidas y se frene el clientelismo partidario.

Ahora más que nunca es necesaria la movilización social para la defensa de los derechos humanos, individuales y colectivos. Debemos hacer presencia en las calles, las plazas, en las comunidades, ante las viviendas de los diputados responsables, frente a todos los espacios de participación social.

Iximulew 19 de noviembre de 2020

FIRMAN EL COMUNICADO
Asamblea Social y Popular -ASP-,
Asociación de Estudiantes Universitarios “Oliverio Castañeda de León”
Frente Indígena Campesino de Iximulew,
Autoridades Indígenas, Mayas, Xinkas y Garrifunas de Guatemala,
Alianza por las Reformas,
Coordinación y Convergencia nacional Maya Wajib’ Kej,
Federación Guatemalteca de Escuelas Radiofónicas -FGER-,
Asociación Grupo Integral de Mujeres Sanjuaneras -AGIMS-
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Parlamento del Pueblo Xinka de Guatemala,
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Fundación de Desarrollo para las Organizaciones de Base -FUNDEBASE-,
Comité de Unidad Campesina -CUC-,
Movimiento de jóvenes mayas -MOJOMAYAS-
Sector Interreligioso Centinelas,
Alianza Política Sector de Mujeres,
Justicia Yá,
UNISITRAGUA Histórica,
Consejo Maya K’iché de Quetzaltenango,
Comité Nacional de Viudas de Guatemala -CONAVIGUA-
Asociación La Cuerda
Central de Organizaciones Indígenas y Campesinas Ch’ortí Nuevo Día
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Colectivo Comunidad Tz’unun Yá,
Asociación Femenina para el Desarrollo de Sacatepéquez -AFEDES-
Colectivo Voces de Mujeres
Otra Guatemala Yá,
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Convergencia por los Derechos Humanos -CIDH-CAFCA-CALDH-ODHAG-ECAP-
SEDEM- UNAMG-UDEFEGUA-
Asociación Maya U’k’ux B’ee.
AJKEMAB RECH KASLEMAL
Federación de Asociaciones Civiles y Organizaciones para el Hábitat Popular - FODHAP-
Plataforma Urbana
Plan Nacional de Contingencia Contra la Pandemia y el Hambre
Asociación para el Mejoramiento Habitacional de Guatemala,
Centro de Prevención de la Violencia en Centroamérica
Asociación Pop No’j
Asamblea Ciudadana Contra la Corrupción y la Impunidad
Red por la Paz y el Desarrollo de Guatemala
Bufete para Pueblos Indígenas
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Festivales Solidarios
Asociación CEIBA
Asociación Gente Positiva,
Red Nacional por la Defensa de la Soberanía Alimentaria en Guatemala REDSAG
Trabajando Unidos Huehuetenango,
Oficina para la Diversidad Sexual y de Genero Cobán Alta Verapaz,
Refugio con Visión Diversa Quiche
Casa de la Cultura 4 de noviembre LGBTIQ+
Colectivo de Lucha y Resistencia -CLR-
Iglesia Luterana Guatemalteca -ILUGUA-
Asociación Coordinadora Comunitaria de Servicios Para la Salud -ACCSS-
Comité Projusticia y Desarrollo para el Pueblo Garífuna Guatemalteco -ÚARA GARIFUNA-
Articulación Nacional de Mujeres Tejiendo Fuerzas para el Buen Vivir
Asociación de Servicios Comunitarios de Salud -ASECSA-
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Coordinadora de Autoridades Ancestrales del Pueblo Maya Ch’ortí
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The photos of the floods are courtesy of the CCDA - Las Verapaces, the others are from PBI.

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