



PEACE BRIGADES INTERNATIONAL – GUATEMALA PROJECT

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1. NOTES ON THE CURRENT SITUATION

IMPUNITY

March of ex-military men and their families in the City of Guatemala

Guatemala, 10.09.2012 (PP, PL).- Military retirees José Efraín Ríos Montt, Mario Lopez Fuentes and Mauricio Rodriguez Sanchez are accused of genocide and crimes against humanity for the slaughter of 1,771 people in the Ixil region, between 1982 and 1983. However, the trial is on hold by legal action presented by the defense.

On September 9, military retirees, family and friends marched in the capital. Former colonels, generals and other retired senior officers also participated. Participants confirmed they felt, "legally persecuted", and argue that their obligations include remaining alert, march the streets to be heard, and try to defend themselves from the investigations carried out by the Public Ministry (MP). During the march, signs were held with phrases like "It is thanks to the soldiers and not priests, that we choose the religion that we want", "It's thanks to the soldiers and not the poets that we can speak in public" and "It is thanks the troops and not the journalists that we have freedom of press. " In the course of the activity, a collage of faces was shown, including those of Edgar Gutierrez, Iduvina Hernandez, Frank La Rue, Jean Marie Simon, Mario Roberto Morales, Eduardo Stein, Gustavo Porras, and Claudia Paz Paz, current Attorney-General and chief MP. This collage was underlined with the sentence: In the eyes of the military, "all former terrorists"; some of the people mentioned working in the field of human rights.

Zury Rios participated in the march in solidarity with his father-Rios Montt, and said that there are many organizations that have taken advantage of the internal armed conflict to raise funds, and that there was no genocide in Guatemala. Former military protesters warn of the possibility of road blocks to express their dissatisfaction, believing that while there were indeed casualties on both sides of the war, they maintain that the military struggled to maintain the country's institutions. Among the marchers organizations include the Military Society, Military Veterans Association of Guatemala (AVEMILGUA) and Solidarity Association.

The signing of the Peace Accord in December 1996 ended 36 years of internal armed conflict, which left some 250,000 victims, dead and missing. In March 2012 former military commissioner Luke Tecún and 4 civil patrolmen were sentenced to 7710 years in prison, for the slaughter in the Community Plan Sánchez, Rabinal, Baja Verapaz, perpetrated 1982 July, where 256 civilians were executed.

Women reporting sexual violence against them during the internal armed conflict give their testimony in court

Guatemala, 25.09.2012 (PL, EP.) – With faces covered and steps slowed by old age, the first four of 15 women reached the courtroom of the Guatemalan courts on September 24 to relate the horror to which they were subjected during their captivity at the military base at Sepur Zarco, Polochic Valley, on the border between the departments of Alta Verapaz and Izabal. At various times, she caught her breath while telling of the suffering caused by rape and sexual slavery to which she was subjected and which members of the military are accused. Women who gave their testimony recalled how they were raped by officers and soldiers, the tasks that were required as part of the war, and waiting 30 years to expose these facts in court between 1982 and 1986.

One woman who managed to leave the outpost said that three soldiers raped her in her home: they were in search of her husband, a peasant leader, and when she refused to respond as to his whereabouts they violated her. "I could not answer them, then they put a gun to my chest and another in my mouth and abused me," she said. She said she managed to escape to the mountain, but could not linger in any location, as she was pursued. She also recalled that three of her nine children died in the jungle for lack of food and one of her daughters was killed by soldiers with machetes while pregnant. "It was very sad and very painful what I suffered," she said while crying. The affected told the judge Miguel Angel Galvez, of the First Court B of higher risk, "the Canche" – a military commissioner- was what led the army to her community, and that this man still resides in Panzós, Alta Verapaz . Another woman who testified stated that three soldiers violated her in a river a week after the military captured her husband in a church: "They told me to drop my jar, grabbed me by force, put a gun chest and three soldiers raped me. (...) I was going with my 4 year old son, who

clung screaming to see what they would do to me, they took him the farm The Tinajas and never saw him again. "I was left bleeding badly. What they did to me was terrible, because I was married," she said in her testimony.

Lucy Moran, director of Women Transformed the World, said in Sepur Zarco there were six specific outposts. Some were for torture, political prisoners, prisons concentration, other were for recreation, and San Miguel farm for officers' vacations. The latter was where the alleged violations occurred. According to researchers and research the case, have been identified 36 alleged assailants, some of whom still work in the army.

LAND

The Secretariat of Agrarian Affairs has seen 226 cases of land conflicts in the country between January and June

Guatemala, 04.09.2012 (PL). - From January to June, 226 cases of land disputes were submitted to the Secretariat of Agrarian Affairs (SAA) for resolution, bringing the total cases known to this institution to 1214, affecting more than a million peasants throughout the country. The new cases involve 30,236 people in 14 departments, claiming 93,228 hectares of land, according to the report from Statistics in Agricultural Conflict, July 2012, of the SAA.

Every year, land is the cause of clashes and conflicts for different reasons; in 2012, of claims that were recorded in the first half of the year, 192 were disputes over rights to land, 20 cases are pending regularized land titles of farms that have been occupied, eight cases have been considered land invasions, and six border disputes. Rural Affairs Secretary, Elmer Lopez, emphasized that this year the SAA has resolved 248 conflicts. However, he agreed that the number does not represent a significant decrease because most complaints require structural solutions that are time consuming. In 64% of agrarian disputes the stem from "farms whose workers have occupied the land for nearly 100 years, but live in an area that is not theirs," said Lopez. He revealed that the demand for land reaches half a million families in the country: "More or less there is a demand of 500,000 families requested land, of which, in the past 15 years, 20,000 have resolved the problem" he said. At the same time he said the deficit of resolutions to this problem is the reason that such conflicts do not decrease, and considers that the solution for this type of land conflict will be achieved in the long term, because it depends on will of the owners deciding to sell the farm. In July its statistical report, the SAA recorded 1214 consolidated, accumulated cases of unresolved agrarian conflict. As part of these conflicts, 1,000,055 thousand peasants rights claims, 338,935 hectares of land in the 22 departments of the country in the 330 conflicts recorded Quiché, Alta Verapaz 199, 151 Petén, Huehuetenango 132, and Izabal 115.

NEGATIVE EFFECTS OF GLOBALISATION

A book of FLACSO alleges violation of human rights in the context of extractive megaprojects

Guatemala, 09.06.2012 (SV). - According to the book "The extractive industry in Guatemala: Public Policy, human rights and processes of popular resistance in the period 2003-2011", respect for consultations in good faith and human rights of citizenship and the democratic process have been violated in the country because of weak and contradictory legislation in the mining sector. It is one of the conclusions of this study, which presents the actions that successive governments in the country have taken in the last eight years in favor of profit from mining companies at the expense of the rights of communities. Research shows that from 2005 to 2011 58 consultations in good faith were conducted in eight departments, involving more than a million and a half people who expressed dissatisfaction with the installation of mining projects in their communities. None of these consultations has been binding. "(...) The State is the one who has to promote community consultations, but doesn't even seem to react to the disagreement of over a million people," says Simon Yagenova, a researcher at the Latin American Faculty of Social Sciences (FLACSO) and one of the authors of the book. According to the report, the passivity of the state in this sense caused around 4685 protests by rural communities. Among the communities mentioned in the report are those of the municipalities of San José del Golfo (Guatemala), San Miguel (San Marcos), San Rafael Las Flores (Santa Rosa) and Cerro Blanco (Jutiapa). The FLACSO expert adds that the real issue to be discussed concerns the economic model that the country needs, "what you see is the extractive, and if so, citizens have the right to issue an opinion on whether they want or do not want; ¿could it be that this State, in terms of institutional weakness, has the ability to ensure the potential consequences of this model?" poses Yagenova.

Social organizations denounce attacks against the population that resists a mining project in San Rafael Las Flores

Guatemala, 09.21.2012 (AC). - Social organizations reported in a press release, violence, repression and threats from security forces and public security personnel Empresa Minera San Rafael against people of different municipalities in the department of Santa Rosa. The incident occurred during the local protests demanding the right to hold a referendum, prior to the operation of the mining project. On September 17, members of the National Civil Police (PNC), the military and private security guards of the company, equipped with riot weapons, grenade launchers and rifles, arrived in the village Morales, in the municipality of Mataquescuintla (Jalapa), to connect high voltage line for the company. The security officers left after neighbors requested their removal as a petition process had already begun with government authorities to conduct a community consultation prior to the installation relating to the mining operation. Representatives of the Human Rights Ombudsman (PDH), the Presidential Human Rights Commission (COPREDEH), Justice of the Peace and the mayors of New Santa Rosa and Casillas, met to draft a report which shall record the withdrawal process as peaceful, but it interrupted by strangers who stoned the place and dispersed the demonstrators. The villagers organized a new mobilization and Morales left the village to San Rafael Las Flores, Santa Rosa, where the mine is located, to express their dissatisfaction with the actions of the company and the authorities. The statement said that the neighbors do not interrupt the installation of the company, contrary to what was published national media. The group was evicted by private security elements, PNC officers and soldiers fired tear gas and rubber bullets from inside the mine. The population observed

the presence of army helicopters, which flew over the area of the company. Organizations and environmental groups maintain that the population has organized peaceful movements, while the authorities have joined public with private security forces to attack citizens who demand the respective consultation. Civil society demanded that state institutions investigate the facts, to stop armed attacks against civilians, to definitively cancel mining exploration license and refrain from approving new operating licenses. They called on the international community to remain vigilant of the process, for the PDH to observe and document any violation of fundamental guarantees, and for other social movements to express their solidarity and support. The Committee for Life and Against Mining in San Rafael las Flores, the Diocesan Council for the Protection of Nature in Santa Rosa (CODIDENA) Xinka Parliament and the Madre Selva, are some of the organizations that signed the statement.

Organizations demand freedom of 10 people captured in Santa Cruz Barillas, Huehuetenango

Guatemala, 24.09.2012 (EP, SV). - Six organizations demanded the release of the 10 people captured in Santa Cruz Barillas, Huehuetenango, during the riots on May 1st over the construction of a hydroelectric plant. The request was made three days after the Court of Santa Eulalia ordered the opening of the trial, only two days after the initial hearing was held at the Public Ministry (MP) "They sent the majority opinion with one statement in the record, that was made until August 14, meaning that for the first 3 months there was no evidence but the accused nonetheless remained detained. It violated the right of defense and the presumption of innocence," said Carlos Bezares, counsel. Their clients, he said, were captured on May 2 by unidentified civilians and then handed over to the police, and that the record began two days later. For this reason he feels that the captured should have been released in the first three days because "there was no means of investigation."

Sources: Agencia Cerigua (AC), Prensa Libre (PL), Siglo Veintiuno (SV), El Periódico (EP), Plaza Pública (PP)

2. PBI-GUATEMALA ACTIVITIES: IN GUATEMALA

Team: Ilaria Tosello (Italy), Phil Murwill (United Kingdom), Christa Hijkoop (Netherlands), Lucía Gorosito Guajardo (Argentina/Spain), Claudia Molina (Argentina), Aline Herrera (Switzerland/México), Kristel Best (Perú), Valdivia Moutawali (Netherlands), Raquel Rojo Diez (Spain) y Johannes Stiebitz (Germany).

2.1. MEETINGS WITH DIPLOMATIC CORPS AND GUATEMALAN AUTHORITIES

Meetings with national and international authorities are an important tool for PBI's efforts to make our objectives and the nature of our work known. Through these meetings, in cases where it is necessary, and with a reserved manner, we express our concerns about critical situations that we have come to know first-hand from the work we carry out across the country.

Guatemalan Authorities:

- Jacobo Gramajo, Auxiliar Officer of the Central Region, Presidential Human Rights Commission (COPREDEH), Guatemala.
- Erick de León, Óscar Escobar y Alan Burbano, Director, Subdirector, and Head of Operations, respectively, Directorate General of Security and Protection Vial (PROVIAL), Ciudad de Guatemala.
- Enrique Pérez, Assistant, Human Rights Ombudsman (PDH), Nebaj, El Quiché.
- Paulina de León, Assistant Delegate Ixil, COPREDEH, Nebaj, El Quiché.
- Clemente Ordóñez, Indigenous Mayor of the Community Chiul, Chajul, El Quiché.

2.2 MEETINGS WITH CIVIL SOCIETY ORGANISATIONS

The team in the field meets periodically with civil society organisations to follow up on the situation of human rights defenders, to inform one another about the work being done, and to gather information that contributes to the processes of contextual analysis on specific issues in Guatemala.

Guatemalan Civil Society:

- Carmela Curup, Lawyer, Association of Mayan Lawyers and Notaries, San Juan Sacatepéquez, Guatemala.
- Lolita Chávez, member of the Council of Peoples K'iché (CPK), Santa Cruz del Quiche, Quiche.
- Domingo Tum, a member of the Coordinating Sacapulas Communities in Resistance and Defense of Natural Resources and Environment, Sacapulas, El Quiché.
- Father Juan Antonio, Sacapulas Parish, El Quiché.
- Members of the Centre for Legal Action in Human Rights (CALDH), Nebaj, El Quiché.
- Class Members Ecologist Madre Selva, Guatemala City.
- *Sector Women Delegates, Guatemala City.*

International Organisations and Agencies:

- Forum of International Non-Governmental Organizations, Guatemala City.
- Julie Dubé-Gagnon, chief of mission, Avocats Sans Frontières (ASF) Canada in Guatemala, Guatemala City.
- Coordination of International Accompaniment in Guatemala (ACOGUATE), Guatemala City.

2.3 ACCOMPANIMENT

National Coordinator of Guatemalan Widows, CONAVIGUA

In the month of September we have maintained regular contact with the members of CONAVIGUA through phone calls and frequent visits to the office.

Background: CONAVIGUA carries out exhumations and inhumations in different departments throughout Guatemala, above all in Quiché, Chimaltenango, and the Verapaces, as part of its work towards the recuperation of the collective memory of Guatemala's recent troubled history. These processes provoke very tense situations in rural communities where victims and perpetrators live side by side, occasionally culminating in threats aimed at stopping the work of the women of CONAVIGUA. Due to increasing requests from the communities in which CONAVIGUA works, the organisation has expanded its work offering legal and organisational advice to communities in the process of organising themselves. In 2010, CONAVIGUA accompanied this process in San Juan Sacatepéquez and in Uspantán, where CONAVIGUA supported the preparation of a "good faith" community consultation on extractive industry projects. We have periodically accompanied the association since August 2003 with visits to its office and during its members' journeys around the country. Various members of the organisation were subjected to grave death threats in 2010, due to the work that they were carrying out.

Association for the Protection of the Mountain Las Granadillas, APMG.

Throughout this month we've maintained regular contact with APMG and their membership through telephone calls. September 19th we accompanied an APMG member during their visit to a gathering of the Association of Social Actors in Flores, Jocotan (Chiquimula). APMG continues promoting the declaration of the Protected Area of the Mountain Las Granadillas.

Background: APMG was created in 2003 in Zacapa to protect the ecosystem of Las Granadillas Mountain (the principal source of water and natural diversity in the region) due to diverse threats identified by the local population: illegal logging, monoculture, deforestation, large-scale cattle farming and the diversion of water sources. The organisation is supported by the Lutheran Church in Guatemala (ILUGUA), led in the region by Reverend José Pilar Álvarez Cabrera, and the Madre Selva Collective. One of APMG's goals is to have the mountain designated a protected area. However, existing economic interests in the land have made APMG's work dangerous, and its members have faced diverse types of persecution and threats since they denounced the illegal logging trade and started, with the population of the La Trementina community, a permanent social monitoring process of licences granted and logging carried out on the mountain's private estates. We have accompanied APMG since August 2008 and, since then, have observed the spaces for dialogues in which the Association has participated with public authorities and private actors. At the beginning of 2009 and the end of 2010, the permanent conflicts between the owners of private estates on the mountain and the population of La Trementina and the APMG led to criminal accusations against members of the Association and the community, based on complaints lodged by, among others, Mr Juan José Olaverrueth, owner of the Tachoró Estate. In both cases, the accusations were linked to APMG's work promoting the protection of the mountain. Also, in both cases, the cases were thrown out in the first court hearing before the judge. In total nine people have been affected by unfounded criminal accusations (three in 2009 and eight in 2010). José Pilar Álvarez Cabrera has been the target of death threats and defamation in the local media during these conflicts.

Association of Indigenous Women of Santa María Xalapán, AMISMAXAJ.

In the month of September we've maintained regular contact with members of AMISMAXAJ with telephone calls and a meeting in their Mixco office (Guatemala). Following up with the 8 cases of physical and psychological violence against women, the organization presented their formal complaint to the Attorney General Claudia Paz Paz. Furthermore, they completed the fifth module of the Feminist School, whose agenda included various topics related to defense of the body and terror.

Background: AMISMAXAJ was founded in February 2004 as an association of women workers and became part of the Women's Sector in June of the same year. AMISMAXAJ is made up of 75 women leaders representing 15 Xinka communities from the Santa María Xalapán Mountain (Jalapa). They work at the local, departmental and national levels in opposition to all forms of patriarchal, neo-liberal, racist, homophobic and lesbophobic oppression, and have established strategic territorial and national alliances to promote their political actions. The association works actively in the region of Jalapa, promoting women's rights, the revitalisation of the Xinka ethnicity and the defence of land and territory. In particular, it is actively working to defend natural resources and to monitor and raise awareness about plans for mining and oil extraction in the region. We have accompanied AMISMAXAJ since July 2009. Various members of the organisation were subjected to grave death threats in 2009 and 2010, due to the work that they carry out.

'New Day' Chortí Campesino Central Coordinator.

In the month of September we maintained regular telephonic contact with the members of CCCND. We observed an assembly in

the Las Flores community, in Jocotan (Chiquimula), during which a consultation was held regarding the measurement of land. At the end of the consultation, all participants signed an act in favor of communal measurement of the land, rather than individual plots. CCCND members remain concerned about threats and attacks reported this month. Community members with whom we have met consider themselves linked to this area and support the process of measuring lands in a communal manner.

Background: "New Day" Chortí Campesino Central Coordinator is part of the Agrarian Platform, working in the municipalities of Camotán, Jocotán, Olopa and San Juan Hermita in the department of Chiquimula. It trains and informs rural communities on issues relating to the rural economy, the environment, rights and land, in coordination with other local organisations. In 2006 New Day became aware of construction projects for three hydroelectric plants in two of the Department's municipalities: the projects El Puente and El Orégano in Jocotán and the project Caparjá, in Camotán. They form part of the largest project of the Electrical Interconnection System for Central American Countries (SIEPAC). As part of its work, the organisation has shared this information with communities in the area, enabling the evaluation and analysis of the environmental effects and impact on local economies that this, and other development projects planned for the region, may have. They carried out this work in relation to the project known as the "Technological Corridor", that is intended to link the Atlantic coast with the Pacific Coast in Guatemala, which in turn forms part of the biggest plan produced under the Mesoamerican Project (successor of the Plan Puebla-Panama, PPP). Members of New Day say the lack of information and consultation of Chiquimula's communities by public institutions is a constant source of conflict. PBI has accompanied New Day since 2009. Several members of the association have been threatened and attacked due to their work with the communities. In 2010, members of the organisation denounced death threats and intimidation by unknown armed persons. Also, a number of national and local media outlets carried statements from local authorities accusing members of New Day and the Camoteca Campesino Association as being linked to social protests demanding improved information regarding the construction of the Technological Corridor, due to affect the region.

Q'a molo Q'i San Juan– People of San Juan Unite.

This month we have continued to accompany the organization and had regular contact with its members. We were present in Santa Fe Ocaña during their weekly meetings. We went to the Court of Mixco, where the trial for the murder of Pío Turuy Chajún, neighbor Cruz de Ayapán (Guatemala) was sustained. There are two people accused of cover-up, and Felipe José Tecatic Patzan, and await trial in custody since January 2012. The members of San Q'a molo Q'i informed us that the two previous hearings were suspended. We also accompanied members of the communities of San Juan Sacatepequez to the filing of a habeas corpus petition before the Supreme Court of Justice (CSJ) in Guatemala city and watched the press conference related to this activity.

Background: Q'a molo Q'i San Juan-People of San Juan Unite is an organisation that brings together neighbours from diverse communities in the municipality of San Juan Sacatepéquez, that participate in the struggle to defend territory and natural resources in the region. Since 2006, the Guatemalan company Cementos Progreso S.A. has been working on "project San Juan", which includes the construction of a factory and a quarry in the San Gabriel Buena Vista estate and the villages of San Jose Ocaña and San Antonio Las Trojes I and II. Cementos Progreso has an 80% share in the project, while the remaining 20% belongs to the Swiss multinational company Holcim. On 13 May 2007, without the support of the municipality, the communities of San Juan Sacatepéquez carried out a community consultation on the factory's installation. 8,950 people participated, of which 8,946 voted against and four in favour of the factory. Although the mayor and the municipal council agreed to take into account the results of the consultation prior to the authorisation of any licence for construction, the construction work continued. During more than three years, the residents of San Juan Sacatepéquez have made numerous complaints about human rights abuses and a criminalisation campaign against them. The dialogue process in which various Guatemalan public authorities and institutions have participated has ended without reaching a resolution or transformation of the conflict.¹ PBI has accompanied Q'a molo Q'i San Juan since December 2009, following a request from the organisation due to threats and persecution against several of its members and the communities it represents.

Council of Cunén Communities.

In September we have met with various members of the Council in El Quiché, who shared their concern about the complicated relationship between community members and local authorities. The organization joined the Movement for Social Justice Cunense, a regional alliance of various social movements.

Background: The Council was established at the first communities' assembly in San Siguán. It consists of 22 directly elected members from eight micro-regions of Cunén. One of the main focuses of the Council's work is the defence of their land and natural resources. In October 2009 they organised a community consultation on mining exploitation and on the construction of hydroelectric plants, among other mega-projects, planned for the Municipality. PBI observed part of the preparation process as well as the consultation itself, in which approximately 19,000 people from 71 communities voted against the aforementioned projects. We began our accompaniment of the Council in February 2010, due to the security risks faced by persons actively promoting the right to land, territory and natural resources in the region.

Guatemalan Human Rights Defenders Protection Unit (UDEFEQUA).

¹ Further background information in the PBI Special Report published in 2010:
http://www.pbiguatemala.org/fileadmin/user_files/projects/guatemala/files/english/Mujeres_Completo_ING.pdf

During the month of September we made several visits to the office UDEFEGUA in Guatemala City and met frequently with its members. On September 13, we attended the presentation of two books published by the UDEFEGUA: "Life Stories of Guatemalan Women Human Rights Defenders" and "Tools for the Protection of Human Rights Defenders".

Background: The Human Rights Defenders Protection Unit (UDEFEGUA) was founded in 2004 to promote the security of human rights defenders in Guatemala and helps protect the political space in which they work. The Unit's programmes support threatened human rights defenders and their organisations and advise them about preventing and responding to threats and attacks, through information, training, monitoring and psychological support. UDEFEGUA also lobbies for the protection of human rights defenders by government institutions and the international community. For many years PBI has maintained a close collaborative relationship with UDEFEGUA and in 2007 provided the Unit with international accompaniment during a period of threats. We recommenced our accompaniment following further threats received during May 2009, which the Unit denounced to the Public Prosecutor's Office. Several international organisations have expressed their concerns about what they describe as a "serious pattern of persecution". We intensified the accompaniment again in March 2010 following break-ins to the home and vehicle respectively of Erenia Vanegas and Claudia Samayoa, increasing our visits to UDEFEGUA's office, carrying out periodic meetings with its staff and accompanying them during their movements to the interior of the country during their investigation and verification of reports of attacks against human rights defenders.

Verapaz Union of Campesino Organisations, UVOC.

In September we maintained regular contact with members of UVOC through phone calls and meetings. We also maintained a presence in the region: we visited the headquarters of the organization in Santa Cruz (Alta Verapaz) and the community of La Primavera. During meetings, the members of the community shared their concerns about the threats and attacks that are currently receiving.

Background: UVOC is a campesino organisation based in the departments of Alta and Baja Verapaz and that works principally to defend and promote access to land for the campesino population, as well as advising communities about the legalisation of their lands. UVOC also offers training and support to member communities in the management of development projects. We have accompanied Carlos Morales, leader of the UVOC, since May 2005 because he has been the victim of death threats, intimidation, and persecution by unidentified individuals. We also continue to observe the delicate situation of communities that are part of the organisation that are struggling for access to land.

Human rights lawyer Edgar Pérez Archila.

In September we have maintained regular contact with Mr. Edgar Perez Archila, through phone calls and frequent visits to his office in Guatemala City.

Background: In August 2010 we began the accompaniment of lawyer and human rights defender Edgar Pérez Archila in his work defending justice and battling impunity. He works on legal proceedings relating to massacres committed during the internal armed conflict and other cases of past and current human rights violations. We have specifically accompanied him during his work on criminal prosecutions relating to the following: the forced disappearance, torture and extrajudicial execution of the guerrilla commander Efraín Bámaca Velásquez in 1992; the massacre of the community Las Dos Erres in 1982; the massacre of the community of Río Negro in 1982; and the prosecution for genocide that has been pending before a number of Guatemalan tribunals since 2000.

National Police Historical Archive, AHPN.

We have maintained frequent contact with staff of AHPN this month via phone calls, regular visits and meetings. We also accompanied the religious act that AHPN organized in memory of two victims of the internal armed conflict. In quantitative terms, until September 30, 2012, the AHPN has digitized more than 15 million documents, received 7,000 requests for information and documents provided evidence for 53 prosecutions.

Currently, the file still exist concerns about the pressing economic difficulties in which he is to perform his duties. by chance in 2005, by staff of the Human Rights Ombudsman's Office (PDH), when they carried out preventative procedures relating to the storage of explosives in Guatemalan public security force buildings. In a building in Zone 6 of the capital (built during the internal armed conflict to house the National Police (PN) hospital, although never used as such), 80 million documents were discovered, abandoned, piled up and poorly conserved. This is the historical-administrative documentation of the PN, from its creation in 1881 to its closure in 1997. The institution's participation in the commission of human rights violations during the internal armed conflict was documented by the Historical Clarification Commission (CEH). In its report "Guatemala: Memory of Silence", CEH affirms that the PN was an operative body for army intelligence, serving as the facade of the G-2, and acted on its orders in the majority of cases. During the CEH investigation, various state bodies, including the Interior Ministry and the PN itself, repeatedly denied the existence of archives or documentary materials that would assist an investigation into human rights violations. Following the first phase of work headed by the PDH to recover the documentation and then create the conditions necessary to allow public access to it, work since 2010 has centred on the institutionalisation of the Archive, the search for political, legal and administrative certainty, the technical

stabilisation of the resource and the initiation of procedures to ensure permanent, public access to its contents. Today the AHPN forms part of the General Archive of Central America, its title and control is the responsibility of the Guatemalan Ministry of Culture, and it functions exclusively on the basis of donations and funds from international cooperation. The Archive is also a member of the International Coalition of Sites of Conscience, as the building which houses it was used as a clandestine detention centre by the PN during the armed conflict. Well-known Guatemalan human rights activists participate in the direction, coordination and documentation recovery work, and also promote public access to the information it holds. 150 people work on the tasks of conservation, organisation and archival description. As of 31 March 2011 more than 12 million documents have been digitalised, including more than 19,000 books. To that date they had received 4,503 requests for information, to which they have responded with the provision of 45,020 documents (1,001 to victims' relatives and 1,298 to the Public Prosecutor's Office (98% of these to its Human Rights Office).

2.4 FOLLOW-UP

We regularly receive requests for accompaniment from social organisations and human rights defenders who are being, or who feel threatened. Through international accompaniment, we seek to reduce the threats they receive and to open up a more secure space within which they can carry out their work. Once the level of risk, the threats, and security incidents suffered by the accompanied organisations and individuals have diminished, we continue the accompaniment in the "follow up" phase. This means that we reduce the physical accompaniment but continue to maintain contact with them through visits and/or phone calls to their workplaces and offices. At the same time, we remain available to respond should they have specific requests for international presence.

We currently are providing follow-up accompaniment to the following social organisation:

Camoteca Campesina Association.

In September we maintained regular telephone contact with members of ACC and met in the capital. During these meetings, member shared their concern about the presence and planning of megaprojects and the privatization of schools in the region. They also expressed concerns about the lack of recognition of indigenous and peasant organizations by the authorities.

Background: The Camoteca Campesina Association was founded in 1988, made up of the then health promoters and midwives of Camotán (Chiquimula). Now the association is an active member of the Coordinator of Popular Indigenous Unions and Eastern Campesinos (COPISCO) Its primary objective is defending life and natural resources and its ultimate aim is well being of the people and the land they live on. It is now made up of 718 associates who monitor whether laws are complied with and follow up violations of human rights in the eastern part of the country. They have a long-term relationship of cooperation and alliance with the 'New Day' Chortí Campesina Central Coordinator, especially with regards to community information about the land, agriculture and protecting the environment. When the association heard of the plans to build hydroelectric plants El Puente, El Orégano and Caparí (see background to the accompaniment of 'New Day' Chortí) and the Technological Corridor project which affected several towns in the department, they started work informing the communities about the effects of these megaprojects on the environment and the economic situation.

PBI has accompanied the association since 2009. Two of its members were detained in November 2010, accused of crimes against internal security and illegal meetings and demonstrations, for participating in a public gathering carried out more than 6 months previously (30 March 2010), in which more than 70 persons demonstrated their opposition to the plans and projects for interconnecting electricity provision in the region. On 2 March we observed the second judicial hearing in Chiquimula in which the two accused persons were examined. The judge refused to impose a penal sanction and instead imposed a fine of 1,000 Quetzales respectively and prohibited the promotion or participation in illicit demonstration activities.

2.5 OBSERVATION

PBI in Guatemala provides international observation of those public events in which Guatemalan social organisations require it, in order to demonstrate international attention and interest and to be able to communicate what we observe outside the country.

During the month of September, we observed several activities. We were present as international observers at the presentation of evidence in the case against Sebastian Perez Toma, held in the Court of High Risk B in Guatemala City. Sebastian Perez Toma is accused of participation in illegal detention of Cotzal Takes Rodriguez, who finally was extrajudicially executed by lynching after 10 hours. The incident occurred on November 1, 2009. At the end of the hearing, the judge ruled two months of detention for the accused, during which time they will hold an investigation for the presentation of evidence to be held on November 26, 2012.

We observed the Festival for life, body and women's territory, "We are All Barrillas" in Yalambojoch, Huehuetenango, a community of returnees from Mexico as a result of forced exile by the military dictatorship. The festival brought together nearly 200 mayan women chuj, kanjobal, kakchiquel, mam, ixil, quiche, and mestizo, from Latin America and Europe. The focus of the festival was the visibility of the link between neoliberal economic projects, the military occupation of the territories, land dispossession and violence on the bodies and lives of people, particularly women.

Below, we present a moment of this activity (in the main square in Huhuetenango):



3. PBI-GUATEMALA ACTIVITIES – OUTSIDE GUATEMALA

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. These meetings result in the development and strengthening of the project's "Support Network", an essential tool in the international presence provided by PBI in Guatemala.

The project's European representatives met on September 6 in Bonn with Mrs Friederike Juliane Osterhaus and Brinkmeier, and advisory director respectively of Governance and Human Rights Department in the German Association for International Cooperation (GIZ, for their German acronym).

On September 13, we met in The Hague, along with members of PBI Holland and Exploratory Committee PBI project in Honduras (HPEC, for its acronym in English), the Central Coordinator of the Ministry of Foreign Affairs of the Netherlands Netherlands, Mr. Nicolaas de Regt.

We also participated on 26 September in Brussels at a meeting of the Human Rights and Democracy Network (HRDN) with the new Special Representative of the European Union for Human Rights, Mr. Stavros Lambrinidis.

4. NON-GOVERNMENTAL ORGANISATIONS

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

El Movimiento Por la Justicia Social Cunense



Ante la población de Cunén manifiesta lo siguiente:

Un fraternal saludo a los Alcaldes Comunitarios, COCODES, líderes civiles y religiosos, trabajadores, trabajadoras, artesanos, amas de casa, estudiantes y población en general del área rural y urbana del municipio de Cunén del departamento de El Quiché, que constantemente padecen y libran intensas luchas por trabajar la sagrada tierra velando por llevar el pan de cada día a sus familias y por otro lado trabajando arduamente por el desarrollo de sus comunidades y del municipio en general.

Este Movimiento esta conformado por diferentes organizaciones e instituciones vigentes en el municipio y surgen como resultado de las diferentes injusticias como: amenazas, criminalización, intimidaciones, confrontaciones, desinformaciones, manipulaciones y abuso de autoridad hacia los vecinos, instituciones y organizaciones sociales del municipio, violando flagrantemente las leyes que rigen el estado de derecho de cada ciudadano; lo anterior manifestado se viene dando desde el inicio de la actual administración municipal, específicamente por parte del señor alcalde Leonardo Sarat Oxlej.

Este movimiento no persigue interés político partidista alguno, incitar para confrontar a la población, ni provocando la desestabilización de la presente administración municipal.

La lucha del Movimiento tiene por objeto exigir que se respeten nuestros derechos laborales, sindicales, institucionales y organizacionales que atentan contra la dignidad humana; situación que vulnera nuestra integridad física, mental, moral y espiritual de todos nosotros las hermanas y hermanos cunenenses.

Por tal razón ante ustedes enumeramos algunas de las ilegalidades cometidas por el señor alcalde Leonardo Sarat Oxlej:

1. Es ilegal que el Alcalde Municipal haya obligado a los ancianos y ancianas mayores de 65 años a pagar un ornato por el valor de Q. 20.00, cuando la Ley de Ornato dice que ellos ya no deben pagarlo, como tampoco lo justifica que sea un requisito para obtener un quintal de abono. Señoras y señores ¿Será que los ancianos no tienen derecho a comer y sembrar sus tierras?
2. También es ilegal el aumento al valor del ornato a Q. 20.00 a todos los agricultores sin ninguna consideración y consulta y no tomar en cuenta la pobreza y el alto costo de la vida.
3. Violó el Reglamento de Transparencia politizando la comisión y entrega de abono, discriminando al COMUDE y a los Agricultores como responsables de controlar que dicho beneficio llegara a todas las comunidades.
4. Se ha aprovechado de su puesto para abusar de la buena fe y la humildad de los señores Alcaldes Comunitarios, COCODES, Consejos Educativos de Padres de Familia y personas particulares, manipulándolos para sus propios intereses y caprichos, amenazándolos que si no cumplen con sus ordenes no habrán proyectos y otros beneficios para las comunidades.
5. El señor Alcalde hizo el convenio y autorizó el derecho de paso del Proyecto de Electrificación Rural PER, violando la voluntad y derechos de los propietarios de los terrenos y vecinos de las comunidades afectadas, obligándolos a entregar sus documentos de sus terrenos y haciendo el traspaso a nombre del PER para toda la vida; haciendo mas ricos a los empresarios, valorando en un quetzal con cuarenta centavos (Q. 1.40) el metro cuadrado de terreno.
6. El señor Alcalde cuando tiene problemas con algunas Instituciones y organizaciones como: El Magisterio cunenense, Trabajadores Municipales, Transportistas, Bomberos Municipales, Institutos por Cooperativa y otras; convoca y consulta a los Alcaldes Comunitarios, COCODES y Consejo de Padres de Familia para pedirle el apoyo en contra de ellos y porqué el señor Alcalde Municipal no convocó ni consultó a todas las autoridades comunitarias para ponerse el sueldo de dieciocho mil quetzales Q. 18,000.00 más gastos de representación, pago de hotel para vivir en el municipio y pagando innecesariamente cuatro guarda espaldas, pudiendo invertir ese dinero en pago del día de los Alcaldes Comunitarios y COCODES cada vez que se reúnen con el Alcalde Municipal ya que esto esta regulado en el Código Municipal en su artículo 35, inciso p. que dice: "La fijación de sueldo y gastos de representación del Alcalde; las dietas por asistencia o sesiones del Consejo Municipal; y, cuando corresponda, las remuneraciones a los Alcaldes Comunitarios o Alcaldes Auxiliares".
7. En cuanto al origen del problema con los maestros el Alcalde violó el artículo de la Ley de Educación Nacional artículo 100 que dice así: "Protección a las Comunidades Educativas. El Ministerio de Educación velará porque en las Comunidades Educativas no exista intervención político-partidista, militar o de cualquier otra índole que altere el proceso educativo". Quitando y poniendo a un Coordinador Técnico Administrativo (Distrito Escolar 14-10-14) usurpando una de las funciones que le competen al MINEDUC a través del director Departamental de Educación, manifestando su abuso de autoridad, desvió de competencia como alcalde.

Vecinos y vecinas de las comunidades y área urbana de Cunén, ya no es hora ni tiempo que sigamos permitiendo que sigan violando nuestros derechos constitucionales a través del abuso y prepotencia del Alcalde Municipal.

"EN UN ESTADO DE DERECHO NADIE ES SUPERIOR A LA LEY"

- PBI GUATEMALA PROJECT-

Team Office in Guatemala

3ª Avenida "A", 3-51, Zona 1, Ciudad de Guatemala
Telephone/fax: (+502) 2220 1032
E Mail: equipo@pbi-guatemala.org
Web site: www.pbi-guatemala.org

Project Coordination Office

Rúa Mercado, 6, 4ªA
15001 A Coruña, Galiza (Estado español)
Telephone: (+34) 881 874 772
E Mail: coordinacion@pbi-guatemala.org