

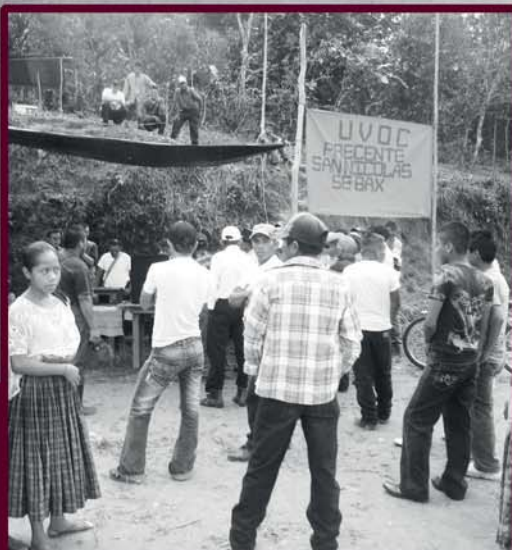
“Nos quitaron nuestras frutas,
nos cortaron nuestros troncos,
quemaron nuestras ramas
pero no podían matar nuestras
raíces”

Pueblo Maya Quiché



Petén: Women weaving a new society

Pag 2-5



**Rights behind bars?
When Defending
Territory Becomes a
Crime**

Pag 6-9



**Women and defenders of territory:
a double struggle**

Pag 10-12

Petén: Women weaving a new society



Landscape from Petén department.

Photo: PBI 2014

Petén is the largest department of Guatemala and occupies almost a third of the country. This is a strategic area in northern Guatemala which has been in dispute for several years over possession of the natural resources it contains. In this area of the country there is a concentration of areas sought after for mining and oil exploration and, given that the livelihood of most people living in rural areas is based on agriculture, it is clear that, in this context, “territory” is a very strong element causing disputes and conflicts¹.

The existence of a number of actors that come together creating different networks is currently building a scenario of violence, vested interests and circumstances which positions the poorest and most excluded sectors of the population in a very unfavourable and unequal place. This is exacerbated by the geo-strategic position of Petén and Guatemala in general in which private sector interests and obtaining economic gains outweigh any restriction and qualms². When talking about the female sector in Petén, both

this situation and malicious network mark and largely determine the lives of women who currently live and survive in this territory³.

The history of Petén is a history of displacement, of failed state-projects, of land conflicts, transnational corporations, private security, trafficking of objects and human beings, as well as drugdealing⁴. It is ultimately the common story of many border areas in Latin America. However, it is also the story of women, displaced women, indigenous and non-indigenous women, poor women, women victims, resilient women. It is the story of women who survive in a land shaped by violence and imposed handicaps, where all the hatred and violence of a permanent patriarchal system inherent to the country of Guatemala is vented on them and feeds power networks formed by men who legally or illegally dominate the socioeconomic system of the region⁵.

In a country like Guatemala, holder of the highest rates of inequality in Latin America, this global inequality falls parti-

1. Waxenecker, H., *Disputa por los recursos estratégicos: la interacción de poderes fácticos en el caso de Guatemala*. La Otra Cooperativa. Guatemala, 2013.

2. UDEFEGUA, *Protegiéndonos contra las amenazas del siglo XXI*. Guatemala, 2009.

3. The Departmental Network of Women's Organisations of Petén (REDMUPETEN, by its spanish acronym)- *Caracterización de la violencia contra las mujeres en el departamento de Petén*. Guatemala, 2014.

4. *Ibíd.*

5. REDMUPETEN, *Diagnóstico sobre la situación y posición de las mujeres en Petén*. Guatemala, 2011.

cularly heavily on indigenous people who swell the list of poverty and extreme poverty in the country⁶. This poverty and inequality is exacerbated in a country with stark differences and inequalities in access to and ownership of land, thus preventing the most impoverished and vulnerable groups from coming out of this situation of lack of opportunities, and ultimately locking them into the inequality trap⁷.

The coexistence of the above-mentioned factors present in Petén along with the inequality rates of Guatemala and taking into account that the application of the legislation to combat gender inequalities remains slow and uneven in this and other Latin American countries⁸, the outcome is a dangerous and cruel regional outlook for the women of Petén. They end up becoming victims and survivors of a system and a region that suffocates their chances of social mobility and ultimately to seek a better life for themselves and their families. In addition, one should consider the limitations that

exist in the public records of the competent organizations in the country and in the department to systematize and account the attacks received by women and their situation related to their fundamental rights; resulting in the risk that these and other women are victims of double discrimination by the public administration: the lack of visibility of their problems and the denial of the possibility of being reflected in studies and research due to the incomplete data provided by the state administration in charge of monitoring, tracking and reporting human rights violations⁹.

Among the direct causes that women themselves in the region identified as worsening and key factors in the situation they face as women and which define their feminist struggles, we can distinguish between two types. Namely, those that are common to virtually all women in the world and those that are more characteristic of Petén (although they can be similar to other parts of the country and the world).

General causes:

- The patriarchal imaginary on violence and women.
- The importance of the model of romantic love on lives of women.
- The situation of social and economic exclusion of women.

Specific causes that occur in the Petén:

- The widespread violence throughout the department that also translates into violence against women both inside and outside the family.
- Geographic isolation caused by an absence of state institutions in the department as well as a decline in the ability of women to move around and take their complaints and revindications to state institutions.
- The socioeconomic situation of poverty exacerbated by the continual inequality in the country, hinders women's access to basic goods and services as well as access to productive resources to ensure their survival and that of their families.
- The weakness and corruption of the institutions responsible for administering justice grants invisibility to violence suffered by women.
- Drug trafficking, with its patriarchal structures and dynamics harms women who are often forced to work on this activity by adopting sexist and androcentric rules that worsen their subjugation and inequality and puts them at risk of sexual abuse and violence.
- The geographical position of Petén as borderland often leads to illegal activities where women and girls are objectified and used for human trafficking and economic activities based on the use and abuse of their bodies (such as prostitution...)¹⁰.

6. Oxfam, "Romper el Silencio en Guatemala", september 2011.

http://www.oxfamblogs.org/lac/wp-content/uploads/2011/09/RaisingHerVoice_Guatemala_ES.pdf

7. Oxfam, Iguales, Acabemos con la desigualdad extrema. Es hora de cambiar las reglas. Oxfam International, 2014.

8. Amnesty International, Report 2014/2015. La Situación de los Derechos Humanos en el Mundo, Madrid, 2015.

9. IDHUSAC, Derechos Humanos de las Mujeres en Guatemala. Diagnóstico. USAC, Guatemala, 2006.

10. REDMUPETEN, Op. Cit.

These causes are clearly linked to the current existent social spaces available for women and men. We are referring to spaces reserved for the almost exclusive access of men which increases the differentiation between the sexes and a false superiority of men over women. We refer for example to the bars; churches “especially some fundamentalist churches where they say women have to stay at home”¹¹; soccer fields; stores which have televisions in communities where there is no electricity or farms where “we women are not considered as subjects of law, as people, but as objects from which they are always going to get profit”¹².

Despite this, women in Petén (like those in other regions of the country) have not been and are not passive before the whole panorama of discrimination we have mentioned. Thus, in 2009, various women’s organisations in Petén formed the Red Departamental de Organizaciones de Mujeres de Petén (REDMUPETEN, Departmental Network of Women’s Organisations of Petén) with two key objectives: “to seek greater pressure on government and state entities, for women and men to have the same opportunities and so that their proposals are heard”¹³; and “to foster joint strategies for the promotion and defense of women rights (...) prioritizing political participation, combating violence against women and providing training spaces”¹⁴.

This coordination between organizations is not only in charge of commemorating special dates such as International Women’s Day (March 8), but among its activities it has also achieved some major successes, such as the opening of the Centros de Apoyo Integral para Mujeres Sobrevivientes de Violencia (CAIMUS, Centres of Integral Support for Women Survivors of Violence) and the opening of the Fiscalía de la Mujer (Special Public Prosecutors Office for Women) in November 2013. Although the latter only covers six of the 14 municipalities in Petén, it is considered by the women we interviewed for this article as a step forward.

During a monitoring and observation mission carried out by Peace Brigades International Guatemala in December 2014, we met and talked with three of the organizations that make up this network:

- *La Asociación Nacional de Mujeres Guatemaltecas Ixmucané* (National Association of Guatemalan Women Ixmucané¹⁵), an organization founded by women returned from exile in Mexico in 1993, currently working in 8 communities located among Petén and Alta Verapaz.

- *La Asociación de Mujeres de Petén Ixqik* (the Women’s Association of Petén Ixqik) founded in 1990 within the Women’s Forum.

- *El Grupo de Mujeres Dejando Huella* (Women’s Group “Leaving Prints”) working in the spheres related to popular education and social, economic and cultural rights of women.

The overall mission of these three, and other organizations that make up the network, is to provide answers to the problems women face in the region through working in different fields and from varying perspectives in order to try to overcome the problems faced by women due to the simple fact of being women: discrimination is learned, reproduced and taught to men within a patriarchal society and culture, where a model of hegemonic masculinity is imposed in different social spaces.



Petén: mural from the headquarters from the Ixqik Women’s Association, Santa Elena, Petén

11. Peace Brigades International - Guatemala, “Dejando Huella”, January 2015.

http://www.peacebrigades.org/fileadmin/user_files/projects/guatemala/files/spanish/150113_Entrevista_DejandoHuella.pdf

12. REDMUPETEN, Op. Cit. p. 80-90.

13. Mérida, “Organizaciones de mujeres en Petén”, June 2006.

<http://asociacionixqik.blogspot.com/2011/06/organizaciones-de-mujeres-en-peten.html>

14. REDMUPETEN, Op. Cit. p. 13.

15. The Departmental Network of Women’s Organisations of Petén (REDMUPETEN) was born in 2009 and it also comprises la Cooperativa Integral Agrícola Agua Viva (Holistic Agricultural Cooperative Agua Viva) and the women groups from the municipalities of Las Cruces and Dolores.

The formation of this network and the struggle that comes coupled with it has not been an easy process for women working in Petén, causing them to suffer a massive devaluation (“and when we demand our rights we are not so beautiful and sweet, they only want us to serve coffee... and when we become empowered it bothers them!”¹⁶). Despite these obstacles and the invisibility that sexist Petén and Guatemalan society has imposed on them, their struggle has not faded. As was noted by Floridalma Adeli, member of the Women’s Group *Dejando Huella*:

“Despite all this we are still here. We have not let them frighten us, despite the risks we take, regardless of what we face to reach a community in the early hours of the morning, we’re aware that one day something could happen to us, because the context in Petén is terrible, but despite all this, here we are, in Making Tracks we have not let ourselves be afraid, we have not disappeared”¹⁷.

The specific areas of work of these organizations are diverse with different approaches and areas of action. Thus, the Women’s Group *Dejando Huella* provides training in different communities in Petén to “deliver training workshops to women in the communities and talk about the importance of the rights of women”¹⁸; encourages self-management of productive projects of women’s groups to boost their economic independence from their husbands; supports the empowerment of women through leadership workshops and education focusing on self-care and sexual and reproductive health. The National Association of Guatemalan Women *Ixmucané* also works to strengthen women’s empowerment, organises health campaigns and promoting the self-knowledge of young women and their bodies in the communities. Finally, the Women’s Group *Dejando Huella* manages the only CAIMUS in Petén, which offers comprehensive care and support (psychological, social, legal, medical and coaching to women and their closest relatives) to women who have suffered gender violence. A centre, as they themselves state, was and is “a dream, a struggle”¹⁹.



Photo: PBI 2014

Interview with Floridalma Adelí Martínez Ramírez, El Grupo de Mujeres Dejando Huella (Women’s Group “Leaving Prints”), Nuevo Horizonte Cooperative, Petén.

16. Interview to women from the Ixqik organisation held in December 2014.

17. Peace Brigades International - Guatemala, Op. Cit. p. 2.

18. *Ibídem* p. 1.

19. Interview to women from the Ixqik organisation held in December 2014.

Rights behind bars?

When Defending Territory Becomes a Crime

In 2013, Peace Brigades International expressed their concern¹ at the growing number of human rights defenders persecuted and prosecuted for their work in peaceful activism, and the serious impacts of what has become known as “criminalisation”. The term “criminalisation” is used to describe interference with the work and lives of human rights defenders and includes smear campaigns, defamation and stigmatisation in the media, and even the initiation of judicial proceedings.

Unfortunately the criminalisation of human rights activists is nothing new in Guatemala. In 2006, the Inter American Commission on Human Rights (IACHR) reported that on the American continent “human rights defenders are often harassed by law suits initiated by the State aimed to restrain the freedom of defending legitimate interests”². In 2011, as a result of accusations, without concrete evidence, from workers on mega-projects, it was confirmed that authorities in charge of the investigations of these cases often proceed to press criminal charges against the communities whose land (and other) rights are affected³.

The UN Special Rapporteur on the Rights of Indigenous Peoples has commented that most affected are indigenous and grass-root organisations defending collective rights, who often experience discrimination and other unfair treatment in the justice system⁴.

The current situation in Guatemala

So far this year many organisations have sought to draw attention to the vulnerability of human rights activists. The World Organisation Against Torture (OMCT) and the In-

ternational Federation for Human Rights (FIDH) have identified that “land right defenders, those who seek to protect natural resources, environmental activists, and those seeking recognition of community consultations” are the most vulnerable groups⁵. According to Rafael Maldonado from the Centre for Environmental and Social Legal Action (CALAS), during the current Guatemalan President Otto Perez Molina’s term, criminalisation and unjustified detention of community leaders has been the primary government strategy in dealing with those who oppose the construction and operation of mega projects frequently financed by transnational companies.

This “has resulted in a breakdown of social structures in some communities and irregularities in the justice sectors against those criminalised”⁶. In the case of the Peaceful Resistance of La Puya (La Resistencia Pacífica de La Puya), following the dismissal of a case brought against four members of the resistance⁷, the authorities were ordered by the court to investigate the possible falsification of two pieces of evidence presented by the investigators⁸. Those four resistance members acquitted had been through judicial proceedings lasting 18 months.

In March 2015, the International Network for Economic, Social and Cultural Rights (ESCR-Net) informed the Guatemalan President of their concerns regarding the “criminalisation of community leaders who work to promote and protect human rights in disputed territories home to hydroelectric and mineral extraction projects in Huehuetenango; and the growing militarisation of indigenous territories”⁹.

1. PBI, “The ongoing criminalisation of social protest. Criminal proceedings against human rights defenders: worrying trends, patterns and their impacts”, Bulletin 30, 2013.
2. CIDH, Cap.V. en Informe sobre la situación de las defensoras y defensores de los derechos humanos en las Américas. <http://www.cidh.org/countryrep/Defensores/defensorescap5.htm>
3. CIDH, Segundo informe sobre la situación de las defensoras y los defensores de derechos humanos en las Américas., 2011.
4. Various Organisations, Criminalización de los y las defensores de derechos humanos en América Latina. Una aproximación desde organizaciones internacionales y redes europeas., June 2012.
5. El Observatorio GUATEMALA, “Más pequeños que David”: La lucha de los defensores y defensoras de derechos humanos, February 2015.
6. Manuel Rodríguez, La hora, “Calas denuncia una política de criminalización de comunitarios”, 02.05.2015. <http://lahora.gt/calas-denuncia-una-politica-de-criminalizacion-de-comunitarios/>
7. Nelton Rivera, Prensa Comunitaria, “La Puya: ¿qué hay detrás de los juicios en contra de la resistencia pacífica?”, 01.03.2015. <https://comunitariapress.wordpress.com/2015/03/01/la-puya-que-hay-detras-de-los-juicios-en-contra-de-la-resistencia-pacifica/>
8. Claudia Palacios, La hora, “Piden investigar a fiscales por pruebas falsas en caso la puya”, 14.03.2015. <http://lahora.gt/piden-investigar-Ascales-por-pruebas-falsas-en-caso-la-puya/>
9. Red-DESC Carta al Presidente de la República de Guatemala, 23.03.2015.

Legal Proceedings

On 26th of February 2015, three community leaders from Santa Cruz Barillas, Huehuetenango, were taken into custody upon attending their hearing; on 24th of March, Rigoberto Juárez and Domingo Baltazar, representatives of the indigenous “Plurinational Qánjobál government”, were taken prisoners under suspicion of organising a revolt in 2013. Rigoberto and Domingo waited three days for their first hearing, violating article 87 of the Guatemalan Penal Code, which specifies that the first hearing must be held no later than 24 hours after detention¹⁰. The judge ruled they be placed under house arrest; notwithstanding, they were again taken into custody on fresh charges upon leaving the court room¹¹.

Photo: PBI 2014

Jorge Luis Morales Cifuentes, the lawyer of the Verapaz Union of Campesino Organizations (Unión Verapacense de Organizaciones Campesinas, UVOC), has reported many irregularities and violations of due process. Hearings are regularly suspended or are arbitrarily allotted very short time slots; notifications often do not arrive in good time, leaving insufficient time to prepare an adequate defence. This all leads to a wearing down of both the lawyer’s and the accused’s will and ability to defend themselves, taking its financial and psychological tolls. In addition, indigenous people often experience discrimination in court facilities; despite the fact that the majority of campesinos he defends are indigenous, translators are often not provided¹².



UVOC’s lawyer presents the developments in the court cases in one of the communities they accompany. San Nicolas Sebax, AV, 02.07.14.

PBI also has knowledge of other cases where due process has not been respected. The operation of the Escobal silver mine located in San Rafael Las Flores, Santa Rosa - run by Tahoe Resources - has led to the detention of over 90 people since 2012. Many spent months in prison before being acquitted¹³. In October 2014, Oscar Morales, member of the Committee in Defence of Life and Peace of San Rafael Las Flores, who oppose the mining project, faced a fourth round of accusations from the mining company¹⁴.

Arrests and Detentions

Carlos Morales, coordinator of UVOC, accompanied by PBI since 2005, reports that in the last three years UVOC members, most of which are indigenous farmers, have fallen victims of a strategy of criminalisation; this while there has been a rise in military presence in the region and in state institutions: “Before the government repressed social movements with forced evictions, now we are menaced by legal proceedings and detentions”¹⁵. In the last year, PBI Guatemala has registered 15 arrests of members of social movements, including members of organisations accompanied by PBI.

An aggravating factor is the way in which human rights defenders are arrested. In the case of Bárbara Días Surín from Cruz Blanca in San Juan Sacatepéquez, Front Line Defenders denounced in a press release¹⁶ an excessive use of force at the time of the arrest and a failure to communicate the reason for it¹⁷. In addition, according to the Mesoamerican Initiative for Women

10. Penal Procedural Code. Art 87. “If the accused has been apprehended, the judge responsible for his case will be notified immediately, so that the accused might give his declaration in front of the judge, within 24 hours of his arrest.”

11. Juan Pablo Muñoz (Ceppas-CMI), “Presos políticos en Guatemala”, 07.04.2015 <http://cmigate.org/presos-politicos-en-guatemala/>

12. According to the “Agreement of the Identity of Indigenous Peoples” of 1995, the government should “train judges in indigenous languages and train court interpreters in indigenous languages”; in addition the Government Decree 19-2003 “Law of national languages” formally recognised the Mayan, Garifuna and Xinka languages and obliges the state to facilitate access to justice for indigenous populations through making information available in their languages and for services to be available in those languages (Art. 15). According to article 90 of the Guatemalan Penal Code a translator should also be provided.

13. MiningWatch Canada “Antecedentes: Tahoe Resources, Goldcorp y ConÁictos Mineros en Guatemala”, 18.06.2014 www.miningwatch.ca/es/articulo/antecedentes-tahoe-resources-goldcorp-y-conflictos-mineros-en-guatemala.

14. Nelton Rivera, Prensa Comunitaria, “Oscar acusado cuatro veces por la transnacional Tahoe Resources Inc.”, 08.05.2015 <https://comunitariapress.wordpress.com/2015/05/08/oscar-acusado-cuatro-veces-por-la-transnacional-tahoe-resources-inc/>

15. PBI Interview with Carlos Morales, coordinator of UVOC, 06.05.2015.

16. Front Line Defenders, “Guatemala: Criminalización de la defensora de derechos humanos Bárbara Días Surín”, 11.11.2014

17. Article 7, Chapter II, Title II of the Guatemalan Constitution, “Notification on information relating to the arrest. Every arrested person should be notified immediately verbally and in writing on the reason for their arrest, informed of the authority which ordered the detention, and where they are to be held. The same notification should also be sent as soon as possible to a person of the detainee’s choosing. The authority responsible for the detention shall ensure the relevant notifications are received.”

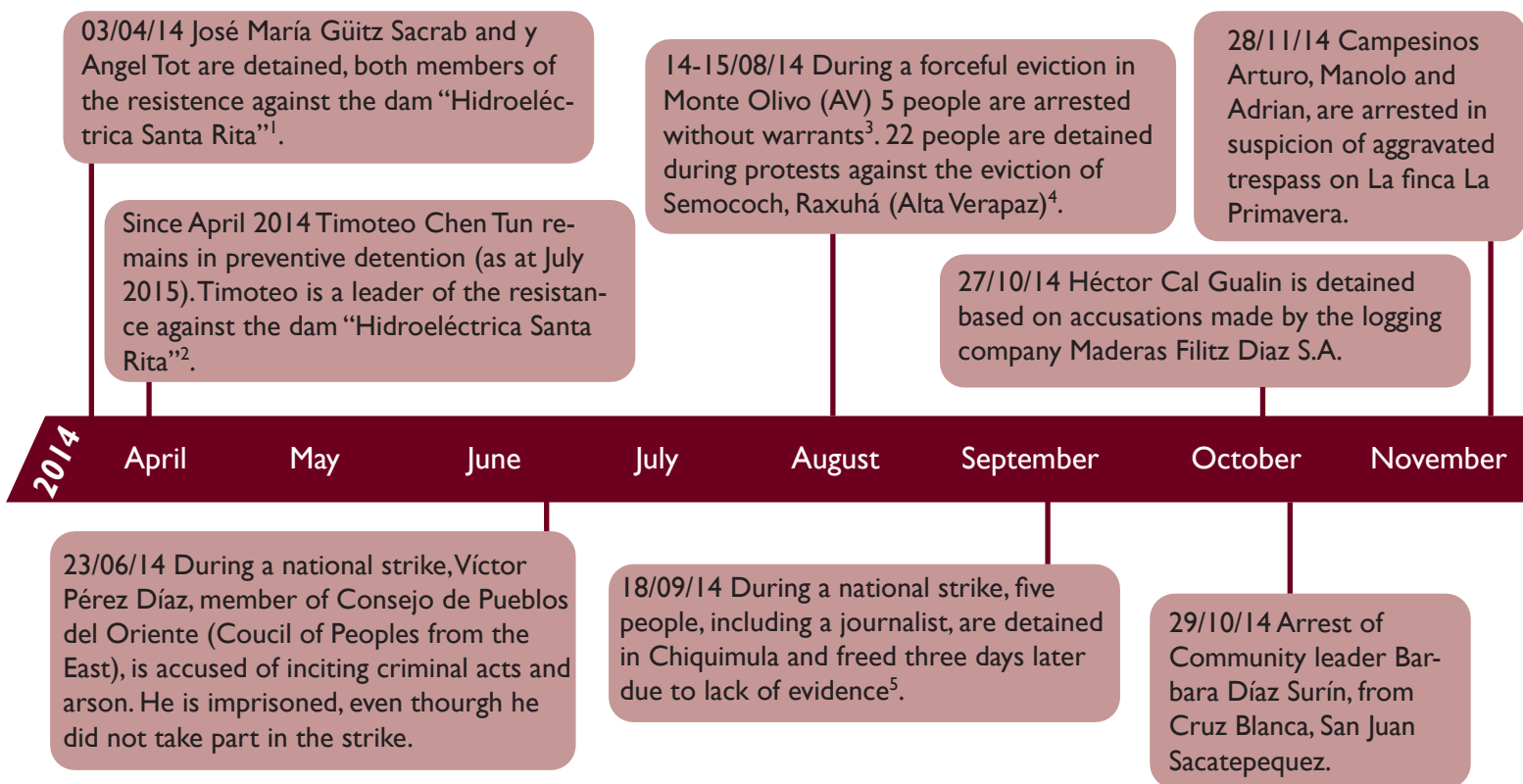
Human Rights Defenders (“IM-Defenders”), Bárbara Días suffered cruel inhuman and degrading treatment and gender discrimination, and had to wait more than 24 hours before having her first hearing; additionally, an interpreter was not provided¹⁸.

During Hector Cal Gualin’s arrest (a campesino farmer from La Primavera in San Cristóbal, Alta Verapaz¹⁹), his pregnant wife was attacked by the police. As a consequence, she was hospitalised, and prematurely gave birth to a baby that had to be transferred to intensive care in the capital to receive specialised treatment²⁰. As of June 2015, six people from the same community have been arrested while the case is being negotiated with the Ministry of Agrarian Affairs. Hector Cal Gualin was held in custody for nine days. Upon being incarcerated, he was asked to pay a bribe, or “talacha”, of 1,000Q to ensure he was not beaten or raped.

The hearing in his case was suspended twice, the first one because the accusing parties did not present themselves in

person, and the second one because the prison services were unable to transfer him to the court house as they ran out of petrol. Eventually, Hector was released on bail. His trial hearing, which was heard in conjunction with another six cases of campesinos from the same area, was set for April 2015. This was suspended and rescheduled for January 2016. During the period before the trial the accused must register every two weeks at the San Cristobal tribunal.

When we asked Adrian Cal Gualin, a community leader from La Primavera, how they deal with the costs associated with defending these claims he told us that communities simply pool their resources to help: this is how they paid for the eight lots of bail for fellow criminalised community members which amounted to a total of 16,000 Quetzales. In addition to this, lawyers usually charge 4,000 Quetzales per trial. However, as UVOC provides legal advice to the communities it accompanies, these fees are not charged. The costs of disbursements such as travel expenses and court



18. Iniciativa Mesoamericana de Mujeres Defensoras de Derechos Humanos (IM-Defensoras), Comunicado, 04.11.2014.

19. PBI, “Interview with Jorge Luis Morales, lawyer of UVOC: The case of the finca La Primavera, San Cristóbal, Alta Verapaz”, Bulletin 30, 2013.

20. Cit. PBI Interview with Carlos Morales, (UVOC), 06.05.2015.

1. <http://cpr-urbana.blogspot.com/2014/03/alerta-detienen-dos-comunitarios-de.html>

2. <http://cmiguate.org/timoteo-chen-presos-politico/>

3. <https://comunitariapress.wordpress.com/2014/08/14/monte-olivo-otra-vez-bajo-represion-y-balas/>

4. http://www.prensalibre.com/alta_verapaz/alta_verapaz-bloqueos-carreteras-chise-desalojo-campesinos-codeca_0_1194480567.html

5. Informe del Alto Comisionado de las Naciones Unidas para los Derechos Humanos sobre las actividades de su oficina en Guatemala 2014.

fees still have to be met. Considering that the average monthly salary of a campesino is a mere 1,000 Quetzales, these expenses can be crippling.

The duration of arrest warrants

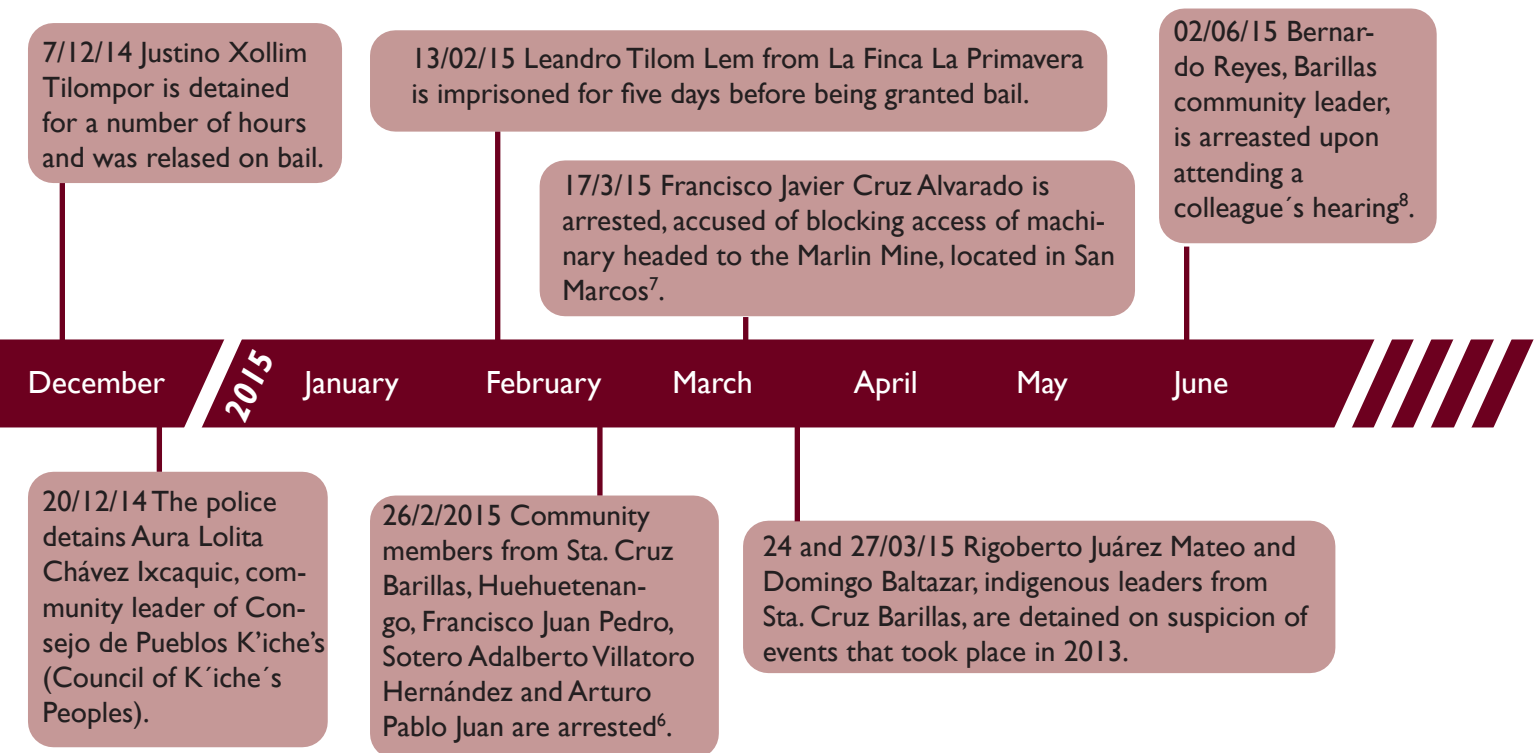
Another problem, which we identified back in 2013, that human rights defenders continue to face is the time period arrest warrants are valid for. There have been over 48 arrests warrants for aggravated trespass in relation to members of La Primavera community. However, most of those accused of the offence were in fact born in the territory they have been accused of trespassing on. According to UVOC's lawyer, the inclusion of the offence of "aggravated trespass" in the Guatemalan Penal Code has resulted in the criminalisation of people who in fact have an historic and legal claim to the territory they are occupying. Unfortunately they lack the documentation that proves their claim²¹.

Adrian told PBI that when they found out about the arrest warrants they were "extremely worried: it meant we couldn't leave the community for fear of being taken to prison.

We couldn't sell our products, we couldn't go out to buy necessities, we felt trapped"²².

He had no choice but to go into hiding, taking refuge in the mountains every night for three months, leaving his family behind. He had to quit his job and was financially ruined as a result. He was not able to afford schooling for his children during a period of three years due to lack of funds and concerns over their safety.

Carlos Morales sees this as a way of "keeping the community subdued, stopping them from organising themselves and speaking out in public, keeping them from taking part in UVOC's meetings and protests, as well as talks and negotiations with the Ministry of Agricultural Affairs. This infringes their right to freedom of expression"²³. Criminalisation has also split communities; "there have been occasions where the church has said that those targeted with criminalisation are atoning for their sins, which weakens support for their cause". As of June 2015, the aforementioned arrest warrants are still in force despite the fact that in December 2014 an agreement on the redistribution of the land has been reached with the logging company Maderas Filitz Diaz.



21. Cit., PBI, Bulletin 30, 2013.

22. PBI interview with Adrian Cal Gualin, 06.05.2015.

23. Cit. Interview with Carlos Morales (UVOC), 06.05.2015.

6. <https://comunitariapress.wordpress.com/2015/03/23/barillas-rechazamos-rotundamente-el-encarcelamiento-injusto-de-tres-lideres-comunitarios/>

7. <http://www.prensalibre.com/guatemala/quetzaltenango/ligan-a-proceso-a-sindicado-de-instigar-disturbios>

8. <http://cmiguate.org/prision-politica-para-otro-lider-de-barillas-huehuetenango/>

Women and defenders of territory: a double struggle

The Central Campesina Ch'ortí Nuevo Día (CCCND, Central Campesina Ch'orti New Day) is part of the Agrarian Platform and works in several municipalities in the department of Chiquimula, in the eastern part of the country. It realises formative and informative projects with rural communities on issues of campesino economy, environment, rights, and territory. It is an organisation that joins together members from different communities including several indigenous communities that recently have been officially recognised as such. CCCND primarily works in the following areas: production economy, community organisation, advocacy alliances, and the rights of Maya Ch'ortí indigenous communities.

This year we provided accompaniment at celebrations in several communities (with whom the CCCND works) that have succeeded at becoming registered as indigenous communities. This was the result of a long administrative process and, in many cases, the right to recognition was constantly delayed. In this framework, there are many international legal instruments that state indigenous communities deserve

recognition, respect, and preservation¹. A clear example is Convention 169 of the International Labour Organisation (ILO) which was ratified by Guatemala and whose fundamental principles are: non-discrimination of indigenous peoples; adoption of special measures for safe-guarding these peoples; recognition and valuing of their culture; respect for the right to decide on their own development; as well as the right to prior, free, and informed participation in development processes and in the formulation of policies that impact them. Compliance with these principles should be guaranteed by the State of Guatemala.

In spite of this, these communities have had to work hard and walk a difficult path to achieve recognition as Maya Ch'ortí indigenous communities. The key to obtaining recognition has been the communities' own organisation along with the work of CCCND. Given this, we were interested to engage with these communities and especially with the women who are organised and who fight for the rights of their people, in particular for the right to natural assets.



Photo: PBI 2015

Celebration of the Matasano community, Jocotán, Chiquimula, to commemorate its inscription and registration as indigenous community. 17.05.2015

1. Universal Declaration of Human Rights; United Nations Declaration on the Rights of Indigenous Peoples; Convention 169 of the International Labour Organisation (ILO) on Indigenous and Tribal Peoples in Independent Countries; ILO resolution on action concerning Indigenous and Tribal Peoples.



We interviewed four women, three of them from the community of Las Flores (one of the first indigenous communities in the municipality to obtain recognition in 2014²) and members of its Indigenous Council: Norma Carina, María Esperanza and Brenda Trinidad. The fourth woman interviewed was Marta Elena from CCCND who has done work on gender issues in several communities where the organisation works.

How do you see the participation of women from, and in the communities where CCCND works?

M.El.: There has been a very favourable evolution in the participation of women from 2012 to today seeing that back then only 2 or 3 women actively participated while now there are many more. Moreover, they are much more aware of their rights and their fundamental role in vindication of those rights. This participation of women in the communities has jumped to the public realm, and more and more they participate in statements to the media with articulate and insightful discourse about the struggles in their communities, as well as playing an important role in marches and demonstrations.

Currently, participation of women, as mentioned previously, has improved and there is now a group of approximately 200 women defenders active at a community level, as well as a group of 30 leaders at a coordination level.

How can this participation continue to increase?

M.El.: For this to happen, it is necessary for the women of

the communities to make themselves more visible as human rights (HR) defenders and to assume this “identity”. This can happen in the communities where CCCND works by encouraging the women to speak out in the community assemblies since, on occasions, there is resistance to listening to them because they are women. Therefore, work on gender issues is essential both with the women of the communities as with their male partners. Given this, CCCND currently is working to incorporate a Strategic Gender Plan within its work in the communities, recognizing the importance of participation of women HR defenders and their unique needs both as women and as defenders.

When was the Indigenous Council of Las Flores formed and how many women are currently in the Council?

N.C., M.E. and B.T.: The Council was formed two years ago (2013) to address different social issues affecting the communities such as organising the community to deal with the problems facing them, especially in defence of territory. In addition, in order to strengthen the Council, a lawyer talked to us about the Constitution and laws so that we would know our rights; for example in a march or in carrying out

2. Central Campesina Ch'ortí Nuevo Día: Comunicado “Reconocimiento Legítimo de la comunidad indígena. Ch'ortí”. Guatemala, august 2014.

our work to register the community as an indigenous community. Currently there are eight women between the ages of 17 and 55 and 20 men in the Council. When it started, the Council did not have so many women.

What is the situation of women defenders in the communities where they work?

M.El.: Women HR defenders in the communities are not visible and, on many occasions, this leaves them in a more vulnerable situation compared to their male counterparts who are more visible. This vulnerability of women defenders occurs on two levels: at the family level because their spouses often react with clear resistance to their participation, impeding them in direct, indirect or, at times, “invisible” ways; at the political and/or governmental level because women who defend HR actively in the communities are insulted by the authorities.

Once, I personally was referred to pejoratively by some local authorities as “the one instigating the women”, and what is more, have been viewed in a negative way because of my involvement with gender workshops with community women.

How does being part of the Community Council affect your daily lives? Is your participation affected by the fact that you are women? What do your families think about this?

N.C., M.E., and B.T.: We no longer go to school and that’s why our participation in the Council does not affect our schedule. Also, we only meet once a month and that does not take too much time from home.

However, people from varied companies criticize and threaten us and we are afraid, for instance, when people film us while we are speaking. These people are looking for excuses to accuse us and our colleagues because of our community work; but we now know the laws, our rights as well as our obligations. There is still discrimination towards us for being women, though less than before. Nevertheless, participation is still easier for men than for us.

M.E. With regard to my family, they are proud that I am learning the laws, and my dad and grandfather are part of the Council as well, so they understand and support my participation there.

N.C.: My mother gives me room to learn more. She also says that I can be a leader when I am older. I am the only one in the family who participates in the Council.

B.T.: My dad supports me, but other members of my family criticise me and say that I shouldn’t participate, that it’s no big deal, that it’s not important.

What are the most critical needs of women defenders in the communities?

M.El.: The critical needs, from a CCCND viewpoint, though they are a little less visible, are those that must be met in order for the women to participate and for their participation to be optimal. For example, we understand that women are limited in their participation because of their responsibilities at home and with their children, so this responsibility impedes, on occasion, their ability to attend activities and events outside of their communities.

Moreover, the women do not have as many networks as the men in the communities in which to participate and so, it is more difficult for them to come up with the money for travel than it is for the men. At times, this results in them not being present in important decision-making moments. In addition to this, it must be taken into consideration that it is very dangerous in this country for women to travel long distances alone so this is another limitation to their participation.

To me what is important to know is that these limitations clearly are linked to the fact of being a woman and, moreover, a defender of territory.

What are the greatest challenges facing you in your work with the Council?

N.C., M.E., and B.T.: There are big challenges and external difficulties, but the community is united. There is the large problem which is the company. The members don’t do bad things in their work with the Council, but the company looks for excuses to implicate them and send them directly to jail.

Despite this, we would like to be able to continue working in the Council in order to continue learning about the context, the problems against which we struggle and why we struggle against them. We see that our leaders in the Council are making progress and becoming more aware and so one learns as well, especially from the older people.

What is the future for women in the Indigenous Council of Las Flores?

N.C., M.E., and B.T.: If we continue to learn and strengthen ourselves there will be more women in the future! We want to continue in order to win the fight!

Information about our work

The work of the Guatemalan Peace Brigades International (PBI) project focuses on three main themes, that form three dimensions of reality and summarize the three levels of structural violence in the country, as well as the peaceful resistances in the defense of human rights: the fight against impunity, the problems of access to land, and the negative effects of globalisation on human rights. One of the fundamental tools of our work consists in meeting with relevant actors from the international community, Guatemalan authorities and organisations which are part of the social movement. During the first semester of 2015, we have continued doing this key part of our accompaniment job. The objective of these meetings has been to show our concern for the growing deterioration of human rights in the country and to inform about the situation of the organisations, communities and persons that we accompany.



Photo: PBI 2014

Observation of an exhumation accompanying CONAVIGUA, Chimaltenango. 24.05.2014.

The fight against impunity

Within the framework of our accompaniment to the Bufete Jurídico de Derechos Humanos (BDH, Human Rights Law Office), during this semester we have observed various hearings. Amongst these, the hearing of the Genocide case, that was suspended the day of its reopening, the 5th of January. The case of the Burning of the Spanish Embassy, that concluded in January with the conviction of Pedro García Arredondo, ex-chief of the 6th command of the now-extinct National Police, to 90 years prison for murder, attempted murder and crimes against humanity. The case of the killing of Patricia Samayoa (social activist murdered in August 2014). As well as various hearings for accusations against members of the Peaceful Resistance la Puya, who were finally released and declared free of charge after having been accused of coercion, illegal detention and threat by the Public Prosecution and by mine workers.

Within this focus we also continued to accompany the Coordinadora Nacional de Viudas de Guatemala (CONAVIGUA, National Coordination of Widows of Guatemala).

The problems of access to land

Within the framework of our accompaniment to the Unión Verapacense de Organizaciones Campesinas (UVOC, Union of Campesino Organizations of Verapaz), we have followed the case of the Primavera farmstead that addresses the problem of *mozos colonos*. We have observed various hearings for this case and some of the meetings that UVOC, together with the inhabitants of this farmstead, had with the Secretariat of Agrarian Affairs (SAA), where a dialogue takes place to resolve the conflict around the access to land. Also, we have maintained regular physical presence in the office of UVOC in Santa Cruz, Alta Verapaz and we have accompanied Jorge Luís Morales, lawyer of the organisation, in various activities related to his work.

The negative effects of globalisation on human rights

In this third focus we would like to highlight some of the most important information:

In the wake of the State of Prevention in September 2014 and the context generated by this situation, we had many difficulties maintaining our communication with the members of the resistance of the 12 Kakchiquel communities of San Juan Sacatepéquez. The lack of information of the current situation in the region, together with the fact that we no longer received requests for accompaniment, made it impossible for us to continue our work. For this reason, in January 2015, our global accompaniment was switched to a monitoring phase. In the month of April, given the continued absence of communication and after a detailed analysis, we acknowledged the impossibility of carrying out this monitoring job, based on which we decided to end the accompaniment.

-Central Campesina Ch'ortí Nuevo Día (CCCND, The Central Campesino Chorti New Day):

We would like to highlight our accompaniment to the organisation on its work in supporting community processes aiming to obtain the recognition of their identity as Maya Ch'ortí. Some of the activities that we accompanied in this framework are: the hearing about a motion filed against the recognition of the community Las Flores, Jocotan, Chiquimula; the demonstration of 6 communities of CCCND in front of the municipality of Jocotan to demand progress in the resolution of the request for recognition as indigenous

communities; and finally the celebrations of the recognition as indigenous communities of Guareruche, Pelillo Negro and Matzano.

-Asociación de Mujeres Indígenas de Santa María Xalapán, Jalapa (AMISMAXAJ, The Association of Indigenous Women of Santa Maria Xalapán):

During this period, we have intensified our work with the young women of the organisation. The 16th of April we accompanied the organization during the celebration of the Third Regional Meeting for Buen Vivir (Good Living) of the women and the peoples, in the mountain of Xalapán.

-Consejo de Comunidades de Cunén (CCC, The Council of Communities from Cunén):

The 26th of February we observed one of their meetings, in which various communities from the municipalities of Cunén, Uspantán, Sacapulas, Chajul and Nebaj participated. The meeting was held with the objective of discussing the electric cabling and various planned mega-projects in the region. The 20th of May we accompanied them in the Public Forum "Defending Life, Peace and Good Governance in the department of Quiché", where approximately 800 people joined from various communities of Quiché, Barillas, Petén and Costa Sur. Various congressmen were also invited, but they did not attend the meeting.



Photo: PBI 2015

Public Forum "Defending Life, Peace and Good Governance in the department of Quiché", Cunén, Quiché. 20.05.2015.



Photo: PBI 2015

First anniversary of the violent eviction of the Resistencia Pacifica La Puya, San Pedro Ayampuc, Guatemala. 17.05.2015

-La Resistencia Pacífica de La Puya (The Peaceful Resistance of la Puya):

In January, we observed an exacerbation of conflictive situations during our accompaniment in the election of a member of the COCODE (Community Development Council) in the village La Choleña, San José del Golfo. The activity was interrupted by violent acts that impeded its completion. The 24th of February we observed the presence of a high number of elements of riot police in reaction to the blockade of the mine entrance, to prevent the passage of machinery. The 10th of March we again observed a strong police presence in reaction to the blocking of the passage of a truck to the mine entrance to prevent the entrance of materials and machinery. Eventually, after a dialogue, the blockade ended and the protest camp permitted the passage of the trucks. The 1st of March we were present during the celebration of the third anniversary of the Resistance. The 23rd of March we also observed the celebration of the anniversary of the violent eviction of the Resistance that was commemorated with a peaceful blockade of the entrance of vehicles to the mine, which they decided to maintain for a couple of days. Thus, the 25th of March we were present again, responding to a fear of eviction amongst the partici-

pants, and the 26th of May early in the morning we were alerted about a strong presence of PNC and riot police at the Resistance, for which reason we were present to observe the situation. The members of the Resistance are still waiting for the response to their request for a national dialogue at a high level, to address the presence of the mine in their territory and the consequences of this for their villages.

-Process of the Defense of the Macizo del Merendón (Zacapa) (Merendon Mountains):

In April we accompanied Lutheran reverend José Pilar Álvarez Cabrera and various people of the community La Trementina (Zacapa) as they verified the damage done in this community by the destruction of the water tubes. This fact is profoundly concerning since between April and August 2014 the water tubes have been destroyed 16 times. On the 4th of May the Water Committee of La Trementina together with people from neighboring communities repaired the damage, restoring it to its function, thereby also restoring the right to water for more than 1.000 families affected by the destruction.

-Consejo de los Pueblos K'iche' (CPK, The Council of K'iches Peoples):

The 14th of March we observed the march to commemorate the third anniversary of the popular consult in Chinique. As of May, in communication with various members of the Council, we decided to suspend the accompaniment due to the postulation as candidate for the elections of one of their members, with the support of the Council. This interruption of the accompaniment responds to one of the basic principles of the PBI mandate, non-partisanship, that forms, together with nonviolence and non-interference, the fundamental basis of our work.

Visit to Petén

Although we do not accompany in this department, every six months we undertake a visit as a way of following up on the situation over there. We have had meetings with different social actors, which helped us in our lobby work about various problematic issues:

- Protected Areas (PA's): evictions, agrarian conflicts, illegal detentions, restricted freedom of movement
- Militarization
- Women rights
- Megaprojects (tourist and business projects)
- Palm oil



PEACE BRIGADES INTERNATIONAL GUATEMALA PROJECT

PBI is an international non-governmental organization (NGO) which protects human rights and promotes non-violent transformation of conflicts. At the request of threatened social organizations, it provides international accompaniment and observation. The presence of international volunteers backed by a support network helps to deter violence. In this way, **PBI** creates space for local activists to work for social justice and human rights.

Mission

Contribute to improve the human rights situation in Guatemala and, therefore, to the democratizing process of the country through an international presence that works to maintain open political space for human rights defenders, lawyers, union members, campesino and indigenous organizations, and civil society groups that are suffering repression due to their work supporting human rights.

PBI en 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.

In the early nineties, Peace Brigades International accompanied some organisations of displaced population, Comunidades de Población en Resistencia (CPR, Communities of Peoples in Resistance) and refugee population returns coming from Mexico. During the internal armed conflict, one and a half million people were displaced. According to the report of the Commission for Historical Clarification the massive displacement that took place during the first years of the eighties was a direct consequence of the military operations that the army carried out to regain the control over the civil population in the conflict areas.



Photo: PBI

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