

Guatemala Project

The trend towards criminalising environmental protests

The armed conflict in Guatemala was marked by the closing of democratic spaces and the open repression against people demanding their economic, social and cultural rights. With the signing of the peace agreements in 1996 the possibility to express and make demands openly was recognised as a citizen's right. Nevertheless, serious cases of the criminalisation of social protest through judicial procedures against social and popular leaders have been reported. According to the lawyer Edgar Pérez, *this criminalisation usually occurs when the protests are against the state or against political-economical sectors of the country*¹.

(...continued on page 2)



A social protest, part of a mural at San Carlos University (USAC), Guatemala. Photo: PBI

Population movement and Human Rights 4



In the last few months the Guatemalan press has published a series of articles about the high numbers of Guatemalans deported from the United States. We take a look at this worrying situation.

Interview with the Association Grupo CEIBA 6

Marco Castillo and Julio Coyoy of Association Grupo CEIBA share with us the history of the youth prevention programmes they offer in area El Limón, Brisas De San Pedro, San Kian Comalpa and Lomas de Santa Faz.



2007 Elections 8



The panorama for this year's election is constantly changing. The difficulty in getting access to polling stations could hinder participation in rural areas.

An update on the project's activities 10

In January the biennial project meeting took place. PBI Guatemala is concerned about the violence against human rights organisations that have marked this beginning of this year.



The trend towards criminalising environmental protests

Criminalisation of social protest has been noted in various areas, such as the access to land, justice, education or labour and ecological rights. In the case of land demands, human rights organisations report government policies of criminalisation, as in cases of the legal persecution of peasant leaders. Aggression and threats towards them have increased alarmingly². Amnesty International points out that with the present government of Oscar Berger, eviction orders have become common practice to resolve land conflicts, which blatantly favour landowners. This international organisation has reported excessive force used during the evictions and notes that they often coincide with arrest warrants for peasant leaders³. This has meant more work during this government's term in office for the Public Prosecutor's Office (MP) which is in charge of judicial investigations. Edgar Pérez explains that in conflicts between campesinos and landowners *it often happens that after having judicially agreed to compensate the campesinos with land, which is never handed over, the people exercise their legitimate right to take the land. Nevertheless this action is treated as a crime of misappropriation even though a judicial resolution brought in by a competent judge exists*⁴.

Lately, ecological organisations have been worried about being forced into legal procedures. Such is the case, for example, of the Association of Friends of Lake Izabal (ASALI) which has been accompanied by Peace Brigades International since 2004. Following the violent evictions between November 2006 and January 2007 in the municipalities

of El Estor, Izabal and Panzós, Alta Verapaz, the legal representative of the association, Eloyda Mejía, received two lawsuits against her for misappropriation of land. Both were presented by the managers of the Guatemalan Nickel Company (CGN) to the Public Prosecutor's Office (MP). This activist thinks that the lawsuits (...) *are nothing less than intimidatory actions with the intention of closing the spaces where communities can find information*. Furthermore she affirms that ASALI educates about the value of natural resources in the region which has nothing to do with land occupation⁵. According to María Eugenia Solís, the Madre Selva Collective's lawyer, this case demonstrates how quickly and efficiently the judicial system can work in order to criminalise social claims, whilst other demands remain forgotten in the Public Prosecutor's Office archives⁶.



Public Prosecutor's Office at La Tinta, Alta Verapaz. Photo: PBI

At a press conference in January 2007, Vicepresident Eduardo Stein emphasised that the government sees organised crime and the environmental movement amongst the main sources of ingovernability.

Thus, the government considers resistance to dam construction as representing an important source of conflict, especially in regards to the controversial hydroelectric projects in Xalala and Serchil in the departments of Quiché and Alta Verapaz⁷. The Madre Selva Collective reacted with great consternation to these declarations given that, according to Magalí Rey Rosa, a Collective member, (...) *they represent a threat to the integrity of we who fight to preserve the natural wealth of Guatemala*⁸.

A recent example involving the environmental movement, was concerning a scientific study of the contamination of the River Tzalá which is near the mine operated by Montana Exploradora of Guatemala S.A. in Sipakapa, San Marcos. The study was carried out by the biologist Flaviano Bianchini, who works as a volunteer for the Madre Selva Collective and confirmed the presence of contaminants in water samples taken close to the mining activity in the area⁹. Because of this, the Collective presented an official complaint to the Public Prosecutor's Office, the Executive Body and the Human Rights Ombudsman, against the Montana Exploradora mining company, in December 2006, charging them with industrial contamination and damage to health and the environment¹⁰. The Minister of Energy and Mines response to this was immediate, according to Solís, the Collective's lawyer, accusing Bianchini of being a "fraudster" and giving the contents of the study a criminal element, before even presenting scientific data to refute the results¹¹. Another case illustrating this



Press Conference with members of Colectivo Madre Selva y ASALI, January 2007.
Photo: Madre Selva

criminalisation of social demands, was the protest in September 2004 by the communities affected by the Chixoy dam. This hydro-electric project (1975-1985), financed by the World Bank and the Inter-American Development Bank, bears some relation to the 1982 massacre of around 400 people in the Rio Negro community in Baja Verapaz by the Guatemalan army and the Civil Patrols (PAC), which also left thousands displaced and homeless. In 2004 the communities held peaceful protests over lack of reparation and compensation for the violations of human rights and economic loss suffered during the dam's construction. This protest was resolved peacefully with the signing of an agreement by the National Electricity Institute (INDE), other government authorities and observers from the Human Rights Ombudsman's office. However, a few days later the INDE representatives presented an official complaint to the Public Prosecutor's Office against the leaders of the Co-ordinating Committee of Communities Affected by the

Chixoy Dam, accusing them of *threats, assaults and attacks against the nation's internal security*¹². Edgar Pérez confirms that in this case, *the State, through the Public Prosecutor's Office, started a legal persecution when the existing evidence was totally inadequate for a court action*. The lawyer also thinks that the Chixoy case could be an example of how to resolve this sort of situation, now that political negotiation rounds, whose roots come from the protest, have made important advances up to now¹³.

The beginning of 2007 has been particularly violent for environment defenders with the murder attempt on two members of the organisation Trópico Verde, Carlos Albacete and Piedad Espinosa, on the 10th of January. When they were returning to their house from the airport, in the evening, they drove into an ambush of 4 men dressed in black, with black baseball caps and bullet-proof jackets, who fired at their taxi. The taxi managed to keep going and Carlos and Piedad were

unharmed¹⁴. This murder attempt comes within a series of threats towards Trópico Verde since they presented complaints for the illegal usurping of land inside the protected national park Biosphere Maya. This last attack has forced them to leave the country¹⁵. In spite of the threats and criminalisation, the activists continue with their work defending human rights. Eloyda Mejía thinks that *these State actions are neither more nor less than intimidations in order to silence a latent reality in the country. Even though we [the organisations] keep quiet and don't complain, the people will do it for themselves, because it is their land, their water and their way of life that is threatened*¹⁶.

1 Interview with Edgar Pérez, February 6, 2007.

2 Several human rights organisations: *Informe al Señor Philip Alston, Relator de Ejecuciones Extrajudiciales de la ONU*, August 2006.

3 Amnesty Internacional, *Guatemala: Land of injustice?*, 2006.

4 Idem, interview.

5 Interview with Eloyda Mejía, February 5, 2007.

6 Interview with María Eugenia Solís, February 7, 2007.

7 Prensa Libre, January 11, 2007.

8 Magalí Rey Rosa, Prensa Libre, January 19, 2007.

9 Flaviano Bianchini: *Estudio Técnico. Calidad de agua del Río Tzalá (municipio de Sipakapa: departamento de San Marcos)*, 2006.

10 Press Release of Madre Selva, January 10, 2007.

11 Idem, interview.

12 Rights Action, January 20, 2005.

13 Idem, interview.

14 Formal complaint 1-2007, Unidad de Protección de Defensoras y Defensores de Derechos Humanos, MNDH.

15 Magalí Rey Rosa, Prensa Libre, January 19, 2007.

16 Idem, interview.

Human Rights and Population Movement: Migrants Return

Central-Americans who as illegal immigrants, have travelled across the border from Guatemala to Mexico since the end of the seventies, are in a situation which is very worrying to Human Rights and social organisations in the area. The main problems are the circumstances under which they are deported and the suffering that they undergo on the way, as well as the conditions in their communities of origin which motivate them to emigrate¹.

Throughout December last year, we read in the newspapers, day after day, about more and more Guatemalans being deported from the United States (U.S.). Bush's government policy came down hard on them, and continues to do so. In January 2007, according to statistics published by the press, one third of the population of Guatemala survives on the money sent by members of their families working in the U.S., which acts as palliative for the high poverty rate, especially in rural areas. In spite of the importance of the Guatemalan labour force in the U.S., and of their financial contribution to the national economy, both nations' governments refuse to improve conditions for this sector of the U.S. population, where they are exploited at work and persecuted like criminals, according to pro-migrant human rights activists².

Last year Guatemala received 3,609 million U.S. dollars through family remittances, 20.6% more than the 2,992 million dollars received in 2005, according to the Bank of Guatemala (Banguat). Around 1.3 million Guatemalans live in the U.S., some 60% of those are undocumented, and the money they send benefits 3.6 million compatriots, according to the International Organisation for

Money earned from transfers in 2006, in millions of American dollars:

Western Union:	1.563
Moneygram:	99
King Express:	331
Banrural:	141
Vigo:	71
Bancafé:	59
Agromercantil:	29
G&T Continental:	25
Banco Industrial:	19
El Correo:	14
Intercapitales:	8
Banquetzal:	1
Otros:	317
NS/NR:	80
Frequent Traveller:	74
Total:	3.425

IOM: Survey on money transfers 2006: Health and Education investments

Migration (IOM). The 2006 figures for family remittances represent 9% of the Gross Domestic Product (GDP) in Guatemala. This income helps to cushion the effects of poverty from which 80% of the 13 million inhabitants of Guatemala suffer.

These American dollars sent to Guatemalan families come in third place in the figures for foreign income in Guatemala, after private investments (11,654 million dollars) and traditional and non-traditional exports (3,813 million dollars)³. Another sector which benefits from these "illegal workers", are the companies who actually transfer the money, who charge a commission for the remittances.

Record number of deportations of Guatemalans from the U.S. in 2006

Some 18,305 Guatemalan immigrants were deported from the U.S. in 2006; a new record in repatriation from this country to Guatemala, say diplomatic sources. The Foreign Office minister, Gert Rosenthal, told journalists that this year an average of 1,500

Guatemalans per month have been deported from the U.S. due to their toughening immigration policy. The deportees have accused U.S. authorities of mistreatment on being captured, claiming that they were chained-up like criminals. The number of deportations in 2006 topped that of 2005, when 11,512 Guatemalans were repatriated from the U.S., whilst in 2004 there were 7,094. According to the Chancellor, he is distressed by the detentions registered in the U.S., and the Human Rights Ombudsman, Sergio Morales, has warned that these deportations are going to increase levels of violence and unemployment. According to official statistics 1.3 million Guatemalans reside in the U.S. and 60% are considered illegal immigrants⁴.

This year's figures show no change in US policy

On the 17th of January 2007 a new group of 48 Guatemalans arrived in the country, off a flight coming from the U.S.; three of them were women. *I've lived in Los Angeles, California for 18 years, what they've done really hurts me. They've separated me from my family*, said deported immigrant, Arnoldo Tun Álvarez. In the first 17 days of this year, the U.S. authorities have repatriated 952 people in 13 flights; 788 men, 120 women, and 35 minors including 9 young girls.

The president of the Guatemalan Episcopal Conference, Bishop Alvaro Ramazzini, has asked the Mexican government to grant free passage to the Central American migrants and complained about the massive deportations from the U.S.. Ramazzini, Bishop of San Marcos, Guatemala, pleaded with the Mexican Executive to allow these migrants to pass through Mexico.

They haven't come to do any damage, nor to stay in Mexico; their destination is the United States, just like the thousands of Mexicans who want to go, he said in a statement from the South of Mexico. He also complained about the U.S. decision to expel hundreds of illegal Guatemalan immigrants. He affirmed that as long as poverty persisted in Central America, there would be no slowing down of illegal immigration.

On the 11th of January 2007 a group of 91 illegal immigrants arrived in Guatemala from Arizona, U.S.. They were joined by about 12 Central American migrants who had apparently been beaten up and kidnapped by the local police in Ixtepec, Oaxaca, Mexico on the night of Tuesday the 9th of January, according to the complaint laid by a group of illegal migrants who were detained there⁵.

Lobbying for Guatemalan immigrants in the U.S.

On the 25th of January 2007, nine immigrant leaders presented a bill (to the American Congress in the White House, Washington, U.S.); it is a reform on integrated immigration on behalf of the 70% of Guatemalan illegal immigrants, pleading the case to stop deportations. The compatriots arrived from many cities and visited seven offices to gain approval for the bill. They said that the lobbying will increase in the next few months, until Congress debates the proposed reform on integrated immigration in favour of the 70% of temporary workers who do have legal guarantees, and furthermore to ask for a legal exit for those who seek political asylum due to internal armed conflict. U.S. authorities declined to make a statement, saying that they were not authorized to make promises or raise expectations on controversial issues⁶.

The illegal immigrants suffer from discrimination but the reality is that without them, American citizens

would not have enough to eat. They do the work that "gringos" do not want to do, like harvesting tomatoes under temperatures of 40 degrees centigrade and packing meat products in refrigerated plants. On the 12th of December 2006, FBI agents raided the Swift meat-packing plant in Greeley U.S., and arrested more than 300 workers, and more than 1200 in several other plants belonging to the same company throughout the U.S.. The authorities said that the object of the raids was to capture individuals who were using stolen identifications, that these workers were criminals who robbed people's identities and were causing problems. According to the organisation Upside Down World, the reality for those who arrive there is a little different.

Every day thousands of immigrants cross the border and the only way that they can get work is by using fake documents. This is nothing new. A huge number of these illegal immigrants use a fake Social Security number, or somehow get hold of a real one. Some of them buy or "borrow" a number. Since all the illegal immigrants use a fake social security number of one type or another, it means that thousands of people are paying into the system and they will never ever have the right to benefit from it. The most likely reason for these raids is to intimidate people. There have been marches and organised actions; the Latinos are starting to shout and demand their rights. These raids will certainly intimidate illegal workers all over the country, and make them very scared of taking part in collective actions. It does not matter one bit to Swift and other companies who hire "illegals." They benefit from a docile and intimidated workforce who put up with abusive conditions and keep quiet. And, of course, Swift pretends it is unaware that a great part of its workforce is working illegally⁷.

A MIGRANTS POEM

Although I don't want to
I'm going North.
I take nothing with me.
I just take my roots
that were wrenched from the land
that God gave me.
I leave my wife ,
my two children, my parents
and my friends... I leave
my people, my culture
my homeland.
That doesn't leave me much...
they even stole my rucksack...
but I still have faith,
hope, and the dream
of arriving in the North,
and a heart full of sadness.
Thus I dream,
like all the other migrants,
of going back to my family
and living as God wills
all human beings to live.

1 Catholic Relief Services (CSF), Pastoral de Movilidad Humana San Marcos, Misioneros de San Carlos, y varios autores. *Para los que no llegaron... un sueño hecho cenizas: Migrantes y deportados en la frontera Guatemala- México.*

2 CERIGUA, February 15, 2007.

3 Reuters, January 11, 2007.

4 EFE Agency, December 31, 2006.

5 Guatemala Human Rights Commission, January 18, 2007

6 Prensa Libre, January 26, 2007

7 Chris Carlson, Upsidedownworld.org, December 19, 2006.

Interview with Marco Castillo y Julio Coyoy of the association Grupo CEIBA

How was Grupo CEIBA founded?

MA: Grupo CEIBA began as an initiative of an Italian priest called Pedro Nota, who felt a strong need for a youth programme especially for young people living or working in the streets. In Turin, Italy there is an organisation that is called Grupo Abel. Grupo Abel offered father Pedro a group of researchers to do a field study, in order to develop a proposal completely adapted to the needs of these street youth. This study began identifying the needs, especially in the neighbourhood of El Limon in the capital. These researchers identified four recurrent themes which were at the root of these problems: frustration, violence, desperation and alienation. After this field study Grupo CEIBA was founded. The idea was to establish an open space where answers and a method of intervention could arise, especially for "street" youths. From this proposal various initiatives arose, such as organised sports, art, recreational and cultural activities. All of these in the physical space of the community giving these young people options and opportunities. Another aspect was that these adolescents started to develop activities on their own. For example, we had environmental clean-up campaigns and campaigns for peace. These things started changing the way adults viewed them and actually started gaining the adult's appreciation.

How have the projects you offer evolved through time?

MA: CEIBA is based on prevention. In other words, everything you see around you, all of CEIBA's projects, revolve around the concept of prevention. Specifically in the areas of drug prevention and youth violence prevention, that is our modus operandi. When young people find themselves in a more positive situation, we have found that many of them want to continue studying. From this need we offered an educational



Marco Castillo and Julio Coyoy, directors of the association. Photo: PBI

programme that originally was not systemised at all. It was really just showing up at the school and offering some sort of educational reinforcement. Yet as time passed we realised that this was not enough. So we started thinking of our own educational programme. At first it was only attended by young people who were too old for primary school, between the ages of 9 and 15 because no primary schools would accept this age group. After this other ideas arose, in particular a programme for abandoned children between the ages of 2 and 6 years old. These were children of single mothers, dysfunctional homes and some were victims of violence. Following that, arose a programme that met the needs of those at the secondary school level and today we even have pre-university educational programmes. We also have what we call the "street university" programmes, which are essentially community libraries that were set up with the objective of democratising the whole information system. The last educational component that was developed was a youth entrepreneurship programme.

The point of this program was to try and develop a proposal for a youth business which offered job prospects and had a social impact. We decided to put a high emphasis in the area of technology. Today we have developed programmes which offer basic language training in English and software use, all the way to the point where we have youth that can design and develop robotics projects.

How has the phenomenon of "social cleansing" and "mano dura" politics affected the work Grupo CEIBA?

JC: The greatest affect is above all one of public opinion. It affects possible collaborators. It provides organisations, private and governmental, with a reason not to support us. All of this, the media, the campaigns...they cause us to be stigmatized by the community and also for us to stigmatize the very communities which we serve. If the truth be told, its affects us terribly because we are constantly giving explanations that we aren't a nest for delinquents or thieves, that is not what we do. What we do is serve youth at risk, and what we are searching for is

a just process. Furthermore it directs public opinion to justify the murder of many young people. If a youth dies, the very fact that s/he was a young person is perceived as justification for the murder. They say *surely s/he was part of a gang, surely s/he was extorting and blackmailing people... and that is why they killed him/her.*

How do you deal with this reality?

JC: To be honest we are not looking for a fight with the security forces and those of the government. We constantly try to maintain good communication, for example with the vice-minister of Community Support. We have supported them in trainings and orientations on youth violence and its genesis, and also supported them with our experience. This is all part of the obligation we have to the State and to the whole country. We also look for alliances, finding people and groups that help us in our analysis of the situation and that can help us diffuse these reflections and analysis to the greatest number of people.

Have various youth participants of Grupo CEIBA suffered persecution of some sort?

JC: Yes, there is persecution. It has been a historical persecution that has existed throughout the existence of CEIBA. We have had situations of youth that are targeted; each time the police see them they are taken away even though they haven't done anything wrong. There have been many instances where members of the police force are blackmailing youth saying *give me your money, give me drugs or else I am taking you in.* Youth that have been brought to various police stations say that they have been soaked with water, electrocuted and beaten. From our side of things we have given trainings to members of the police force, in basic computer skills and other things. In some cases we have given them opportunities to study, and in certain occasions we have opened the door to sharing our experience in the realm of prevention, giving them a chance to be better officers.

What happened with the police? What is your relationship with them now?

JC: Unfortunately the events of 2006 culminated with an invasion of our organisation's space by members of the police with guns in hand. This exposed many of our young people to a dangerous situation. A stray bullet could have been fired, hurting or even killing someone. This invasion of our property was done under the pretext that they were after a certain youth, they had no warrant, nor did they even have his name. It simply it occurred to them *lets take him in.* Later on when we filed our report, the response that the police gave us was that we had retained them in our offices, that we had locked them in, that we had prevented their apprehension of the youth! None of this happened. From their own violent acts they found themselves locked in a space that had an electronic lock, which can only be opened by someone who knows how to. In their desperation the three policemen found themselves in a space that isn't public, and furthermore is an educational space. They should be careful not to chase someone who is not even armed with weapons drawn, thus exposing everybody to danger. Our whole relationship with the local police was terribly weakened by these events.



Young people in activities at the Association Grupo CEIBA. Photo: PBI

What happened afterwards?

JC: We filed a report with the Office of the Human Rights Ombudsman. Also we had a visit from the police's Professional Conduct Office. They did their investigation, took note of our opinion on the events, but we haven't heard anything. The last that we saw was a form that said we had detained the policemen. We don't have the capacity, economic or legal to follow up this situation. We would really like to clarify that it is the police who need to explain their actions. We were exposed and offended.

What are the biggest challenges that the organisation is facing now?

JC: We need to structure a programme or a project that would assist our clientele in two areas of work: prevention and legal representation to deal with arrests and things like that. In Guatemala the cost for the latter is extremely high, so we are working towards that slowly. Many people come to us and share their problems and often we can't help them because it is a legal issue. We really are in need of a well-trained legal team that understands these people's situation.

Why is the work of Grupo CEIBA important or pertinent?

JC: We have faith in what we do here as Grupo CEIBA. We see the work of Grupo CEIBA like a sign of hope, or sign of faith. We are proof that "yes" you can work with this sector of the population. You work with respect and with responsibility while developing programming that is relevant to the realities these people are living. Guatemala needs programmes and projects that generate community participation without the prominence of one person; projects that search to develop processes that will allow communities and teams of people to support and help their community move forward. Really that is what is at the root of Grupo CEIBA's motto: *the world is not changed by those who lament the bad that exists, but rather by those who fight to make it better.*

2007 Elections. Electoral procedure and political scene

It is highly probable that with the general elections coming this year, Guatemala will live a frenetic year related to political struggle and disputes to reach power. The countdown to the Guatemalan elections is on; the sixth within this democratic era which started 20 years ago, in which the people decide who will direct the country's future in the next government period. According to the last Electoral Supreme Court's (TSE) official count, 5.3 million people are eligible to vote.

According to the Royal Academy of the Spanish Language, democracy is perceived as:

1. Political Doctrine that allows the intervention by the people in matters of government.
2. Predominance of the people in the political government of a State.

It seems clear that it is the idea of the people which prevails in the concept of democracy and that these same people intervene in government. Thus, it is a general thought that there are stronger and weaker democracies depending on the representatives, and the opportunity to alter such representatives by the citizens of so-called democratic states.

At this point, to enter into Guatemalan reality, it may help to show some statistic data to give an idea of where Guatemala stands democratically speaking. According to the Spanish Embassies' 2005 data, Guatemala has 12.9 million inhabitants, add to that the annual growth rate of 2.6%, we arrive at the figure of 13.3 million, of whom 5.300.750 are eligible to vote, according to the TSE's statistics of September 2006. These figures



Polling stations are few and far between, which hinders participation in rural areas. Foto: PBI

reveal that 40% of the Guatemalan population has the right to vote (bearing in mind that 49% of the population is under 18 years of age).

The data provided by the Guatemalan TSE related to the attendance rate in the previous elections, show that in the first round of 5.073.282 eligible voters, 57.89% voted, which is the equivalent to 3 million Guatemalans; whereas in the second round attendance was only of 46.77%, which corresponds to 2.372.000 Guatemalans who used their right to elect their representatives. Although, in terms of population the number of women (51.1%) is higher than the number of men (48%), 44.40% of women have the right to vote compared to 56.60% of the men. Only 42.85% of the eligible women voted in the previous elections, compared to 57.15% of the men

who had the right to vote. Other relevant data are the indices of literacy and poverty. The first one reflects that of the 5.3 million people documented, 3.810.271 are literate whereas 1.490.479 are illiterate (TSE statistics). Concerning the rate of poverty, the Annual Human Development Report (UNDP, 2005) highlights that 57% of the population is living in a state of poverty, and of these, 21% lives in the category of extreme poverty. According to the Human Development Indicator 41% of the population of Guatemala is indigenous. In the last elections, in 2003, only 9.49% of the nation's Congress was indigenous.

Electoral procedure

Who, how, and for how long, will the Guatemalans decide on who will represent them by voting on September 2nd 2007:

The president and vice-president

are elected directly for a term of four years without the possibility of re-election. If none of the candidates obtains the absolute majority (50% +1 vote) a second round takes place (October 28th 2007) amongst the candidates with the most votes.

There are 158 places in the Congress and 331 in the mayor's office. There are 23 electoral districts from which 127 congressmen are selected. The representation quota is of 1 representative for each 80.000 inhabitants in each electoral district. This means that when the electoral district is very small the proportional representation system does not work out. So the Guatemalan system is characterized by a structural malfunction.

Moreover, the mathematical formula to calculate the distribution of parliamentary seats per political party, accentuates the disproportionality in favour of the parties which get more votes and to the detriment of those which get less votes. Furthermore, 31 members of parliament are elected from the national list (which are 25% of those from the regional list).

It is relevant to mention the problems incurred by many Guatemalans in order to vote. First, the distance they have to travel to the polling station and also, the loss of a day's work, bearing in mind the indices of poverty and extreme poverty (many cannot afford that). As far as the distance of polling stations is concerned, the TSE has set the goal to increase the number of stations by 31% since the previous elections (in 2003 there were 8.885 stations and 13.000 are wanted this year). The Vice-president of this government has already stated that this will be impossible for economic reasons and insufficient infrastructure. Regarding the second issue, the enormous quantity of population

living in poverty, there will have to be a general policy to try, if not to eliminate poverty, to at least improve the situation.



Electoral Supreme Court.
Photo: PBI

Political parties

According to a study by the Latin America Faculty of Social Sciences (FLACSO), "charismatic" personalities predominate in the type of political institution that has become established in Guatemalan society, thus enabling *the creation of patrimonial societies in which the leader has the capacity to generate personal support and great power to alter the political balance.*³ Thus a common aspect between the different political parties in Guatemala would seem to be a general lack of political programmes that could lead the people towards one project or another, since the great majority bases its electoral strength on its candidates personal attributes.

The same study by FLACSO tells us: *the most patent peculiarity of Guatemalan democratisation is that, since the transition started in 1986, not one political force*

which has governed the country, has managed to capitalise its time in government, on the contrary the political force has obtained a vote of sanction that has translated in practice into the disappearance of the politico-electoral field. So Guatemalans become disillusioned with each government in turn, and have never returned the same political party to govern the country twice.

Another important point is the political funding. According to Luís Fernando Mack, the fear is that political parties are being funded illicitly, from drug-trafficking and clandestine parallel powers. As for political balance in Congress it is worth mentioning the representation of the left-wing political parties (8 congressmen out of 158 and 9 mayor's office out of 331) compared with the right-wing (129 congressmen out of 158 and 240 mayor's office out of 331). Another particular characteristic of Guatemalan politics is related to its elevated rate of Party fragmentation which is among the highest in all Latin America.

The elections are close, and following the perspectives of various sectors of Guatemalan society, the power will stay in the hands of one of the three parties that share almost 75% of the votes (in this election there are 19 political parties). There is no expectation of a structural change which could allow not only in politics in general but also in the social model anything which could augur an improvement in society for those sectors who, whilst being the majority, are scarcely represented at all.

¹ Report from D.Carlos Merino Troncoso, consejero económico y comercial (oficina económica y comercial de España)

² PNUD, 2005

³ Prensa Libre, January 16, 2006

⁴ www.albedrío.org, January 1, 2007

News from the PBI Guatemala Project

Team Work

This year has started with a wave of attacks against human rights defenders. According to the National Human Rights Movement's report in 2004, 127 attacks against human rights defenders were recorded, in 2005 there were 224 and in 2006 they added up to 278. For PBI, it has meant that we have received more requests for accompaniment. PBI has shown solidarity to several threatened human rights organisations: the Community Studies and Psychosocial Action Team (ECAP) whose members have been suffering persecutions and threats since June 2006, the Center for Human Rights Legal Action (CALDH) whose team have received death threats and had one activist kidnapped at the end of January 2007, the National Human Rights Movement (MNDH), the Human Rights Defenders Protection Unit and the Comunicarte Association, whose offices were broken into on the 5th of February 2007.

Accompaniments

In Guatemala City, we continue accompanying Erwin Orrego of FENVEMEGUA who has been threatened and watched by the authorities, the Women's Sector, CONAVIGUA, OASIS, the Madre Selva Group and CONAPAMG. Outside the capital, we are accompanying: ASALI and Eloyda Mejia (the Guatemalan Nickel Company accused Eloyda of illegal occupation of their land), Julio Cesar Archila of MTC who has to sign in front of the judge every two weeks because there is an arrest warrant for him, and the Verapacenses Union of Campesino Organisations (UVOC).

Observation

As international observers, on the 7th of February, we went to an event organised by the Human Rights Legal Action Centre (CALDH)



Referendum at Sochel, Concepción Tutuapa, San Marcos, February 2007.

to deliver a demand for the investigation of the crimes of genocide committed by Ríos Montt. On the 13th of February we attended the referendum in Concepción Tutuapa, in the department of San Marcos, also as international observers. The people who took part in this referendum, said "No to the mining industry" and rejected the exploration and exploitation licenses granted by government to Montana SA, in that department.

Committee work from Eva Scarfe's point of view:

Eva Scarfe worked as a volunteer in the PBI Salvador and Colombia Projects. She has also worked for many years in the Communities of Populations in Resistance in Ixcán, Guatemala. In 2001 she joined the project's exploratory committee. She has been working on the committee since then and feels really good about it. She thinks the project is still very useful and efficient. In spite of the different responsibilities of each member, the Committee's role is to keep in contact with international structures, such as the International Secretary of National Groups (ISEC) and the

National PBI groups. *Eva-" I hope the project continues to contribute in the most relevant way, and that one day the Guatemala project will be able to close down, when human rights are properly protected."*

Other activities:

Guatemala Co-ordinating Committee Meeting

In January 2007 members at the committee, the office and the team held their intensive week-long, biennial meeting. We discussed the operation of consensus within the group and also matters of communication between the team and the committee. We analysed each accompaniment and planned the work for the next 6 months. It turned out to be a great experience because it is an opportune time for all parts of the project to socialise and work together.

Convivio:

On the 21st of January PBI organised its annual Christmas get-together to celebrate moving to the new house/office and to welcome in the New Year. It was a great opportunity to welcome people with whom we work to our new premises in Zone 1 of the capital.

PBI accompaniments

PBI accompaniments are undertaken after studying petitions from organisations that are concerned with one or more of the following areas: fights against impunity, land rights and the effects of globalisation on human rights. Over the past months we have accompanied the following organisations:

- **The Coordinator of Widows of Guatemala, CONAVIGUA.** We carry out regular visits to their office and also accompany during exhumations in hidden cemeteries, and inhumations thereafter.
- **The Union of Campesino Organisations of the Verapaces, UVOC.** We accompany various leaders of the UVOC, in particular **Carlos Morales**, since the 13th of May 2005, during activities in the Verapaces and other parts of the country.
- **The Guatemalan Association of Indigenous Mayors and Authorities, AGAAI.** We have periodically accompanied organisation leader **Carlos Guarquez** since January 2005.
- **The Guatemalan National Front of Market and Informal Economy Vendors, FENVEMEGUA.** We accompany **Erwin Estuardo Orrego Borraro** since his kidnapping on the 27th of July 2006.
- **The MadreSelva Collective.** We carry out regular visits to their office and accompany them during their activities throughout the country where members are seen to be at greater risk.
- **The Association of Friends of Lake Izabal, ASALI.** We continue to accompany the association's legal representative, **Eloyda Mejía**, as well as other members of the organisation, during their activities in **El Estor, Izabal**.
- **The Movement of Campesino Workers, MTC.** We started accompanying the organisation in November 2005. We carry out regular visits to their headquarters in **San Marcos** and accompany some of the movement's leaders who have received threats because of their work.
- **Organisation to Support an Integrated Sexuality to Confront AIDS, OASIS.** Since March 2006 we accompany the organisation with regular visits to their office. In particular we accompany **Zulma**, witness to the murder of a transgender person, a crime allegedly committed by members of the National Civil Police.
- **Women's Sector.** In June 2006 we began to accompany members of the organisation working in the capital after they were victims of two unlawful entries into their office. Since then we have regularly visited their workplace and also accompanied them during activities outside of their office.
- **The National Coordination of Residents of Marginal Areas in Guatemala, CONAPAMG.** We have intensified the accompaniment of the coordinator **Roly Escobar** after the threats he received on the 10th of September, and for intimidations and constant vigilance suffered by him and the organisation.
- **Centre for Legal Action on Human Rights, CALDH.** We began accompanying **José Roberto Morales** after he received death threats in February 2007.

The latest news:

Focussing on aspects of diversity and gender as a project

In the 2005 PBI General Assembly it was decided to include in our mandate, implicitly, as an organisation, our commitment to changing unequal power relations. At the moment the Guatemala project is carrying out an evaluation on the subject of gender, racism, xenophobia, etc. in which we are being helped by **Carmen Lucia Pellecer**.

Special Bulletin on Human Rights in Petén

The team is carrying out an investigation on the human rights situation in **Petén**. **Silke**

Gatermann, ex- volunteer of the project, will be producing the special bulletin on **Petén**, after going on an exploratory trip to **Petén** at the beginning of **March**.

PBI Exchange of the 3 Latin-American projects, 24 March- 18 April

The meeting and exchange between the 3 projects is in order to compare analysis of the overall situation in each country and the experiences of accompaniment, so that we can improve and develop strategies together. It will consist of visits of a delegation of 3 people from each project (2 weeks) to get to know each other on the ground, in the country where each team works. After that

there will be a meeting in Guatemala to analyse the results and come to some relative thematic conclusion.

Life in the team

We are very well in this big house in **Zone 1**. The team has just said goodbye to 2 team members who finished their year and have welcomed 2 new volunteers, one from **Switzerland** and the other from **Portugal**. They are integrating into life in the team rapidly. We held a mini-retreat to form and strengthen ties in this new team which is well on its way to being united.

Mission

To improve the human rights situation in Guatemala and contribute to the democratising process of the country through an international presence that works to maintain the political space for human rights defenders, lawyers, union members, campesino and Indigenous organisations and civil society groups that are suffering repression due to their work in defence of human rights.

Objectives

1. To provide an international presence that contributes to the opening and protection of the political space of Guatemalan organisations that are working to end impunity for human rights abuses; and to bring about national reconciliation and compensation to the victims of human rights violations as well as the fulfillment of the commitments of the Peace Accords.

2. To keep the international community informed of the human rights situation in Guatemala through the regular communication of information, as well as frequent contact with international authorities and the diplomatic community both within and outside the country.

3. To ensure that the Guatemalan Government is informed of the attention and concern of the international community to the human rights situation in the country through the regular communication of information and frequent contact with national authorities.

4. To share with Guatemalan organisations the experience and pedagogical tools that help reach the general objective of PBI's project.

Peace Brigades International

PBI is an international non-governmental organisation (NGO) which protects human rights and promotes nonviolent transformation of conflicts.

At the request of threatened social organisations 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.

PBI in Guatemala

PBI maintained a team of volunteers in Guatemala from 1983 to 1999. During those years it carried out accompaniment work with human rights organisations, trade unions, indigenous, and campesino

organisations, refugees, and religious organisations. In 1999, after an evaluation process it was decided that, as the country had greatly advanced in the opening of space for the work of human rights organisations, the project could close. Nevertheless, PBI remained attentive to the situation in Guatemala through a follow-up committee.

In mid-2000, PBI began receiving a number of requests for international accompaniment. As a result, an investigation was carried out in the field which revealed a deterioration and in some cases a closing of the space for human rights defenders. In April of 2002 PBI decided to reopen the Guatemala Project to carry out international accompaniment and observation in coordination with other international accompaniment NGOs. The new PBI office was opened in April 2003.



The population of Concepción Tutuapa at the referendum on mining in February 2007.
Photo: PBI.

Team Office in Guatemala

3ª Avenida "A", 3-51, Zona 1
Ciudad de Guatemala
Tel/Fax: (00502) 2220-1032
Tel: (00502) 2232-2930
Correo-e: pbiguatemala@intelnett.com

Project Coordinator's Office:

C/ Romero, 9. 28720 Bustarviejo;
Madrid (Estado Español)
Tel/Fax: (0034) 918 482 496
Correo-e: pbigate@pangea.org
Web: www.peacebrigades.org

Team in March 2007

Katia Aeby (Suiza)
Mary Scott (Reino Unido)
Maripaz Gallardo (Estado Español)
Kike Riestra (Estado Español)
Owen Campbell (Canadá)
Jacques van Luytelaar (Hollanda)
Virginie Barber (Francia)
Nadia Graber (Suiza)
Vanessa Marcos (Portugal)