



Guatemala Human Rights **UPDATE**

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FUNDAMENTAL VIOLATIONS

Mayor Murdered in Jutiapa

Félix Samayoa Najarro, mayor of El Adelanto, Jutiapa, was shot to death by unknown men with assault rifles on September 18. The police report says that Samayoa Najarro was driving from his home, located in El Adelanto, towards his former high school in the central zone of Jutiapa. A spokesman for the National Civil Police said that the authorities were investigating the scene but had not yet arrested any suspects.

Mayor of Antigua Attacked

Antonio Siliézar, the mayor of Antigua, Guatemala, was attacked on October 2, while driving with his family on a highway headed towards Guatemala City. A vehicle he didn't recognize followed him and the men inside opened fire. Although three shots were fired at the car door, no one was injured. Siliézar, who was mayor of Jocotenango for two terms, is serving his first term in Antigua. He said he does not know the reasons for the attack.

UNE Representative Reports Murder Attempt

Manuel de Jesús Castillo, a congressional representative for the National Unity for Hope (UNE) party for Jaltapagua, Jutiapa, reported to the Jaltapagua criminal court on September 22 that armed men in two cars followed him on the Inter-American highway. At a crossroads, one of the vehicles pulled in front of Castillo's car and cut him off, causing a crash that sent his vehicle into a ditch. Castillo and his bodyguards ran to seek help in a nearby house. According to Castillo, traveling in one of the cars was Javier Figueroa, of the Police Health Department. Figueroa has reportedly denied the accusation.

Mayor of Escuintla Followed

The mayor of Escuintla, Juan José Alfaro Lemus, reported that a white, two-door car with tinted windows has been following him for fifteen days. The mayor, who is a representative of the National Unity for Hope (UNE), also

reported threatening phone calls to the Public Prosecutor's Office (MP) and the National Civil Police (PNC). He had previously reported being followed by people on white motorcycles.

Lawyer in Land Cases Threatened

Lawyer Romeo Monterrosa and his family have received a string of death threats, and suffered intimidation, believed to be linked to his work defending campesinos against powerful landowners. In an Amnesty International urgent action, the organization stated that it believes the family is in grave danger.

Romeo Monterrosa represents the human rights organization the Mutual Support Group (GAM), as party to the state prosecution proceedings, in charging the owner of the El Corozo farm with the murder of several campesinos who were shot dead during protests against the land owner on January 24, 2005. Police were present at the time but took no action. Families of the victims have withdrawn their charges, allegedly under pressure from the landowner. Judge José Víctor Bautista Orozco was withdrawn from the case in April 2005; he was murdered a few days later.

Romeo Monterrosa is also representing the farm workers who claim ownership of the Colonia La Catorze farm in Puerto San José. The farm was sold to a Panamanian company in 1996, despite the fact that the Constitution prohibits non-Guatemalans from owning property within 15km of the country's borders, including its coastline. The notary public who authorized the deal is now the **Solicitor General**.

On September 30, while at a meeting to discuss land rights cases in the office of the **Solicitor General (Procurador General)**, Romeo Monterrosa received a text message on his mobile saying, "you know you are a son of a bitch, and everything you have done in your...life, you are going to pay for it with what you love most." Romeo Monterrosa fears that "what you love most" refers his daughters. Two days earlier his wife had been followed to work by a pick-up truck which she could not shake off.

On the night of October 8, there was an unsuccessful attempt to rob Romeo Monterrosa's office. The lock was badly damaged but prevented the intruders from entering. GAM reported all of this to the Supreme Court on October 11, asking the authorities to order an investigation.

On 16 October, Monterrosa's wife received three text messages that appeared to come from his mobile phone in the space of an hour. The first read, "Get in touch with me, I need to talk to you urgently;" the second, "I'm trying to call you, return the call," and the last simply, "Get in touch." She contacted him but Romeo Monterrosa had not sent any messages.

Unionists Stripped, Pistol Whipped, and Robbed

On September 27, the office of the Central of Agricultural Workers (CTC), an umbrella trade union organization representing farm workers and street vendors, was broken into, in what appears to have been an attempt to intimidate the organization's leader, Miguel Angel Lucas Gómez. He is Secretary General of the CTC and is also a member of the government-appointed Minimum Wage Commission. The CTC has been at the forefront of movements to increase the minimum wage in Guatemala and to protect workers from the effects of CAFTA. Lucas has also taken legal action against a local mayor to secure permission for street vendors to trade in public areas. In March, a CTC member organization and the Q'eqchi' Defense Organization filed a formal complaint with the International Labor Organization regarding mining activity in El Estor, Izabal. He has also publicized a lack of transparency in the procurement of medicines for the main workers' medical service in Guatemala, the Guatemalan Social Security Institute. Amnesty International, which issued an Urgent Action, believes that he and his colleagues are in grave danger.

At around 12.30 on September 27, three men and a woman went to the building where the CTC has its office and forced the receptionist at gunpoint to let them in. Two armed intruders went to the office of the CTC on the ground floor, and the other two to second floor offices of a CTC member organization, the Guatemalan Market Traders' Association. In the CTC offices they ordered those present, Miguel Lucas, two CTC employees, an Italian journalist, and two indigenous men (who could not understand Spanish), to take off their clothes. They then began to search through the records in the CTC's filing cabinets. One of them put a pistol to Miguel Lucas's head

and told him to hand over the organization's valuables, "before we count three, or we will kill you." On the count of three the gunman beat him with the pistol. The group made off with a camera, personal valuables, the Italian journalists' identification documents, and the mobile phones of Miguel Lucas and another CTC employee.

In the office of the Guatemalan Market Traders' Association, the group did not search the organization's files, but stole their computer, as well as personal valuables. They threatened the staff, but did not hurt anyone. In both offices the attackers talked constantly on their mobile phones, and according to the secretary of the Guatemalan Market Traders' Association, a woman could be heard ordering them to "search everything."

This is not the first time Miguel Lucas has received threats. During July and August, Miguel Lucas had received several phone calls at his home from a man who said, "We know you are at home, we know what time you arrive and leave, we are going to be there."

Human Rights Leaders Held Hostage and Robbed

On September 13, at 11:00 A.M., four armed men broke into the office of the Group for Service, Peace, and Justice in Guatemala (SERPAJ-G). The intruders held five human rights activists hostage for one hour. Factor Méndez and Ester Caballero, of SERPAJ-G, and Manolo Duarte, Justo Soto, and José Vicente, of the Strategic Alliance for Human Rights, were gagged and their hands and feet were bound. The attackers threatened and insulted the activists. They then threatened Factor Méndez, Coordinator of SERPAJ-G, with death, saying they knew who he was and were familiar with his work. When they left the office, the men stole a computer and all the discs containing information regarding the human rights situation in Guatemala, as well as the team's work plans.

SERPAJ-G denounced the incident as another act of intimidation and harassment directed at human rights defenders, specifically at an organization recently created to work for peace and justice in the country. SERPAJ-G said in a communique, "We condemn this type of act, which has clear political overtones, we hold the government of Mr. Oscar Berger and the security forces of the State responsible, and we demand the clarification of this new attack. We also hold the government responsible for the lives and physical wellbeing of our colleagues."

CGTG Under Watch

On September 30, the General Central of Guatemalan Workers (CGTG) reported that the office was being watched by men whose appearance suggests they are bodyguards or members of the military. The CGTG office was raided in May, during a spate of break-ins targeting organizations that opposed the Central American Free Trade Agreement.

Journalist Threatened

Journalist Edwin Paxtor has received death threats and been subjected to intimidation and surveillance. He said that since publishing a piece about the July 25 assault on four youths, allegedly by members of the Criminal Investigation Service (SIC), he has been intimidated by uniformed police officers and members of the SIC. In the last few weeks, the threats have intensified. On September 11, he received a telephone call during which a male voice told him his days were numbered. Since that day, Paxtor has noticed people watching his house and he has been followed on numerous occasions. On September 23, he received an anonymous telephone call informing him that a murder had taken place and giving him directions to an isolated location. When Paxtor asked a friend to check whether such a murder had occurred, none was found to have taken place. Paxtor has informally reported the harassment to the Departmental Governor of Chiquimula on numerous occasions.

Paxtor hosts a news program on Chiquimula's local cable television station and is the regional correspondent for the national media outlets *Prensa Libre*, *Noti7*, and *Radio Cadena Sonora*. He was one of the journalists assaulted with machetes on July 11, while filming a demonstration in Chiquimula.

Indigenous Leader Threatened

Indigenous leader César Tení Maquín reported that Rigoberto Chub, Mayor of El Estor, Izabal, threatened him with death. Tení, coordinator of the Q'eqchi' Defense Organization, attributed the threat to his work for the preservation of natural resources and indigenous rights, particularly in relation to mining activity in the region. The mayor has asked the population to support mining by Jaguar Nickel and the Guatemalan Nickel Company, both subsidiaries of Canadian companies. According to Tení, Chub pays campesinos to gain their support. Although the campesinos accept the money out

of economic necessity, they continue to oppose mining activity in the region, he said.

USAC Dean Threatened

The dean of the Department of Social and Legal Sciences at the University of San Carlos (USAC), Bonerge Mejía, reported that he has been the victim of harassment, surveillance, and anonymous telephone threats. The harassment began in June, after his department reported the case of an attorney's forged title to the District Attorney's Office On Corruption. Miguel Monzón, the academic secretary of the faculty who filed the charges, has also been threatened.

The dean said he has received support from the Ministry of the Interior, the Human Rights Procurator's Office, and the judiciary.

Public Defenders Threatened

Blanca Stalling, director of the Institute for Public Criminal Defense (IDPP), reported that at least ten lawyers from the institute have been subjected to threats and intimidation this year. Stalling said that both she and her colleagues have received telephone calls warning them that they were in danger because of their role in allegedly promoting impunity by assuming the defense of criminals.

Stalling asked the public to understand that a case cannot move forward if there is no defense lawyer assigned to it. "Public defenders do not promote impunity," she said. "We make sure that all people in the trial have a lawyer who can orient them and help them so that the trial proceeds according to the guarantees outlined in the Constitution."

Congressmen Accuse Army of Threats

The Human Rights Procurator's Office has asked the Inter-American Commission on Human Rights to issue protective orders for the three members of Congress who have reported threats and acts of intimidation. Guillermo Sosa and Mario Rivera, of the Guatemalan Republican Front (FRG), as well as Obdulio Solórzano, of the National Unity for Hope (UNE), allegedly have received threats from members of the army after a congressional investigation was launched into bids for aircraft contracts.

Rivera's house was robbed, and a farm truck containing valuables was stolen and later burned in Villa Nueva. The other two representatives have received intimidating phone calls. Human Rights Procurator Sergio Morales said that

the intimidation the members of Congress have put up with is terrible, and he asked the Ministry of the Interior to provide perimeter security as well as personal security for the representatives. The head of the National Defense Chiefs of Staff maintains that the army was not involved and has promised to investigate the threats.

SOCIAL, ECONOMIC, and CULTURAL RIGHTS

Communities Denounce Politicization of Aid

Though aid distribution started shortly after the hurricane, dozens of communities in the southern and western parts of the country are still waiting for humanitarian assistance. The authorities of the National Coordinating Committee for the Reduction of Disasters (CONRED), who were heavily criticized for their inefficient reaction, recognized that they have surpassed their assistance capacity.

Indigenous representatives from Sololá arrived at the Human Rights Procurator's Office (PDH) to report that humanitarian aid was not being distributed properly in communities affected by Hurricane Stan. According to Lorenzo Castro, Santos Aloj, Carlos Soj, and Santiago Roquel, "The municipal coordinator for disaster relief has not taken the indigenous mayor's office into account when distributing the food and clothing that have been sent from the capital, and the aid is concentrated in the departmental government offices." They fear that the aid has been politicized and is only being distributed to members of the official party. The municipalities most affected by Stan were Sololá, Santiago Atitlán, San Lucas Tolimán, and Santa Catarina Palopó, but help has been scarce in some of these places due to the concentration of the supplies. The Public Prosecutor's Office (MP) said that it will investigate the matter in order to determine if mayors and governors are withholding humanitarian aid.

Communities in Chimaltenango, Quetzaltenango, Totonicapán, and San Marcos have also complained of delays in receiving aid. Mudslides and flooding continue to block roads leading to many affected communities. Throughout the country, communities report a lack of water, food, and sufficient medicine to confront respiratory and skin infections.

Even in regions that have received aid, basic necessities are scarce. In Santa Sofía, Sololá, people fought for food rations brought by US helicopters.

Guatemalan Agriculture Faces Challenges Ahead

The destruction left behind by Hurricane Stan has complicated Guatemala's efforts to expand agricultural production in order to confront the US-Central America Free Trade Agreement (DR-CAFTA) that will come into effect January 1, 2006. The Ministry of Agriculture, Livestock, and Food confirmed the destruction of up to a third of banana, coffee, and corn crops. A water supply crisis is predicted for the near future as well as an increase in the price of basic goods. Vendors have reportedly been selling water, vegetables, basic grains, and fuel at up to 200 percent of the real cost. Since receiving reports, the Human Rights Procurator's Office (PDH) has traveled to affected areas in order to monitor prices.

In order to confront the potential crisis, the head of the Institute of Agricultural Science and Technology (ICTA) promoted the use of new technology and the diversification of crops, with a focus on crops with export potential.

In addition to assistance from Cuba, Venezuela, the US, the European Union, and Spain, President Berger also asked the International Monetary Fund (IMF) and the Inter-American Development Bank to pardon Guatemalan debt.

Marchers Celebrate Day of Dignity and Resistance

On October 12, campesino organizations, union members, business committees, and indigenous organizations held a march in Salamá, Baja Verapaz in commemoration of the Day of Indigenous Dignity and Resistance. More than 100 popular leaders participated in Salamá, also taking time to honor the victims of Hurricane Stan. They delivered a memorandum to the departmental government demanding that aid reach the victims of Hurricane Stan, especially those in San Marcos.

In other regions, marches were cancelled or postponed out of respect for the recent tragedy. Rosalina Tuyuc, from the National Coordinating Committee of Guatemalan Widows (CONAVIGUA), confirmed the cancellation of a series of events in different regions. "The activities have been programmed against colonialism, which stripped us of our land and culture, and imposed a historical and structural racism on us," she said. "The events were cancelled to show our solidarity with those affected by the tragedy, which, as they have been historically, are rural, poor indigenous people," she concluded.

The Guatemalan campesino organizations also demanded an immediate count of the victims of Hurricane Stan, stating that the failure to include indigenous men and women in the official data is disrespectful to the victims.

October 12 is also the internationally recognized anniversary of Christopher Columbus' landing in the Americas.

Q'eqchi's Reject Mining Activity in Alta Verapaz

According to Rolando Chun, mayor of Cahaboncito, thousands of Q'eqchi' campesinos in Panzós, Alta Verapaz, oppose the mining operations carried out by Jaguar Nickel and the Guatemalan Nickel Company and believe that these companies operate illegally on community land. The mayor said that executives of the two mining companies deceive people by offering to build roads, schools, and wells as well as deliver work tools, in exchange for their support. According to Chun, the companies pay certain community leaders to convince other campesinos of the benefits of mining.

Through various meetings, the community representatives have decided not to support the operations, fearing that mining will destroy property and damage natural resources. The representatives of the ten affected communities in Panzós asked the government to defend the rights of indigenous people rather than the interests of transnational corporations. They hold President Óscar Berger responsible for the damages caused by mineral extraction and for any measures the communities may take.

The previous Guatemalan administration authorized mining licenses in both El Estor, Izabal, and Panzós, Alta Verapaz.

Mining Companies Look for Land Exchange

César Tení Maquí, of the Q'eqchi' Defense Organization, reported that Jaguar Nickel and the Guatemalan Nickel Company offered families in Las Nubes, El Estor, Izabal approximately forty-eight hectares of company land in exchange for 127,034 hectares of their land. According to Tení, the companies' personnel offered approximately two hectares of the business' property to each of twenty-three families. Tení said that the companies hope to use the land for mining operations, even though the local population has opposed them.

The community members fear that the nickel extraction process will contaminate water sources, as well as the soil used to grow corn, beans, cardamom, and

other basic grains and vegetables. Approximately thirty communities, with a total of 10,000 inhabitants, are affected by the mining operations.

Mining Licenses Granted in Zacapa and Chiquimula

The Ministry for the Environment and Natural Resources (MARN) has authorized thirty-two gold, iron, and copper mining licenses in the municipalities of Zacapa and Chiquimula. According to José Pilar, a representative of the Guatemalan Lutheran Church in Zacapa, the activity could endanger water sources and forests in both regions. According to investigations carried out by environmentalists and the Lutheran church, the MARN granted licenses that will affect the municipalities of La Unión, Estanzuela, Río Hondo, and Zacapa, as well as Camotán, Jocotán and Quetzaltepeque in Chiquimula.

According to an assessment carried out by the church, the mountainous region of Las Granadillas is particularly threatened by hydroelectric projects, forest fires, deforestation, and mining. These projects are being carried out even though its underground reserve is the principal source of water for thousands of residents in Zacapa and Chiquimula. The area is one of the driest regions in Central America and opponents fear that mining operations will lead to further deforestation and desertification in the area.

Residents Protest Mining in Chimaltenango

A march protesting mining and the General Water Law drew thousands of inhabitants from twenty-four communities in San Andrés Itzapa, Chimaltenango. With the consent of Mayor Marvin Ávila, the authorities hope to grant mining licenses on the mountain El Soco, a humid forest that provides water for Patzicía, Acatenango, the departmental head of Chimaltenango, San Andrés Itzapa, Parramos, and San Martín Jilotepeque. In addition to the mining licenses, the marchers were also protesting Congressman Alfredo Cojtí Chiroy's support for the General Water Law.

Those marching believe that these government policies on mining and water will solely benefit the rich, who do not care if thousands of others pay the consequences. Another leader, Celestino Guch, said a civil war is the solution, now that government is making decisions without considering the majority of the country's inhabitants.

Chemicals Destined for Marlin Project Spill

A communiqué from the Rural Workers' Movement in San Marcos announced that a truck on its way to the Marlin mine in San Marcos tipped over, spilling chemical substances. Reportedly, the chemicals were boric acid and aluminum hydroxide. Although the amount spilled is unknown, the communiqué expressed the concern that heavy rains would wash the chemicals into the Pucal River, a primary source of water for communities in the area. The communiqué urged the regional representative of the Human Rights Procurator's Office and the Ministries of Energy and Mines, the Environment, Public Health, and Social Assistance to investigate the accident and its possible effects on the population.

The Madre Selva Collective and residents of Sipacapa filed a complaint regarding the potential risks posed by the Marlin project, which was investigated by the Compliance Advisor Ombudsman (CAO). The CAO's report stated that the mine did not pose any serious risks to the local environment or population, but the report also stated that the company did not carry out sufficient consultations with the community before starting work.

Residents Demand Respect for Consultations

More than 500 people from Río Hondo, Zacapa, and from Sipacapa and Comitancillo, in San Marcos, gathered together with campesinos from Quiché on September 26 to ask the Constitutional Court to respect the results of popular referendums that have been carried out this year. Magalí Rey Rosa, of the Madre Selva Collective, said that the citizens feel that projects, such as the hydroelectric project in Río Hondo and the mining project in San Marcos, threaten natural resources as well as their own wellbeing. The CC will decide if the consultation carried out in Río Hondo is valid or not. Marta Ximenez, general director of the hydroelectric project in Río Hondo, said that her company would consider creating a round table for discussion, and added that the company will respect the court's decision.

Berger Hands Over Land Titles in Jalapa

On September 29, 2005, after more than 200 years of conflict, President Óscar Berger returned the title to a *finca* valued at more than Q3 million to the community of Santa María Xalapán in Jalapa. In front of more than three thousand people, Berger promised to continue supporting the campesinos, who have requested more land, asphalt,

and aid. Carlos Pinto, the governor of Jalapa, said that negotiators met twenty-six times over the course of more than a year to achieve the preliminary agreement.

According to the leaders of the indigenous community, the President only donated the land in Jalapa, even though the surrounding areas are the ones in dispute. Minister of Agriculture Álvaro Aguilar and Edgar Ajcip, director of the National Fund for Peace (FONAPAZ), stated they would continue negotiating for the purchase of or legal titles for the land still in dispute.

Agricultural Workers Hold Conference

The Fourth Continental Conference organized by the Coordinating Committee of Latin American Agricultural Organizations (CLOC) convened in Guatemala on October 9, with 178 delegates from eighty-eight organizations representing twenty-five different countries. During the three days of discussion and analysis, the participants reaffirmed their opposition to neoliberal capitalism and the policies imposed by the International Monetary Fund and the World Trade Organization. The leaders also pledged to continue to struggle for viable alternatives to the neoliberal model. In particular, the delegates spoke out against the focus on the agro-export industry, which encourages monocropping, and leads to the expansion of large plantations and commercial production. This, in turn, leads to the decline of subsistence agriculture, mass evictions, and the further impoverishment of campesinos. Instead, CLOC participants advocated for biodiversity, food security, and the cultivation of native plants. Other topics addressed during the conference include youth, gender, agrarian reform, human rights, militarization, migration, and solidarity.

Delegates from twenty-four countries also participated in a Mayan ceremony to honor the victims of Hurricane Stan. "We cried for their death. This represents the broadest testimony of our poverty and abandonment, but also feeds our hope for a better future for the people of Latin America," said Daniel Pascual, from the Campesino Unity Committee (CUC).

Campesinas Focus on Violence and Poverty

Campesinas from the western hemisphere met at the Third Continental Assembly of Women, organized by the Latin American Coordinating Committee of Campesino Organizations (CLOC) in Guatemala. The women

reiterated the general criticisms of neoliberal economics, poverty, globalization, violence, and the lack of effective state development programs as negatively affecting women in rural areas. In particular, the participants voiced their opposition to the economic dominance of the IMF, the World Bank, the Inter-American Development Bank, and free trade agreements. In their opinion, policies are promoted in the name of development, which only bring more poverty, hunger, displacement, and structural violence.

The representatives also expressed their concern regarding the high levels of violence and migration. Francisca Rodríguez, a representative of the National Association of Rural and Indigenous Women of Chile, said that Latin American campesinas should discuss how to bring domestic violence and violence against women to the public agenda because the eradication of the violence is essential for socioeconomic and cultural development.

Nalu Faria, coordinator of the World March of Brazilian Women, said that transnational companies use the poverty and migration of women and youth to increase their profits by employing cheap labor without benefits. According to Faria, some South American companies require sterilization or abortions. In addition, female workers often suffer from sexual harassment, abuse, and discrimination.

WOMEN'S RIGHTS

FIDH Investigates Femicide

Although the government declared a State of Emergency on October 5, the femicides have continued at astonishing rates; in the six days that followed the government's declaration, eight women were murdered. The number of femicide cases reported by the National Civil Police (PNC) this year has now reached 474.

The International Human Rights Federation, based in France, pledged to investigate femicide in Mexico and Guatemala, focusing on the impunity of the state agents responsible for investigations. In Guatemala, the organization will collaborate with the Center for Human Rights Legal Action, the Human Rights Commission, and the Group for Women's Action.

Legislators Pledge to Combat Femicide

Legislators from Guatemala, Mexico, and Spain met in Madrid on September 15 and 16 for the Third Inter-Parliamentary Dialogue on Femicide. Participants

signed the "Declaration of Madrid," in which they promised to work to raise awareness of femicide in all its forms.

The legislators also argued for the categorization of femicide on an international level in order to promote respect for women's rights, especially those related to life, security, and access to a fair justice system. The legislators promised to promote bills to prevent, punish, and eradicate violence against women.

First Female President of the CSJ Assumes Office

Judge Beatriz Ofelia de León Reyes de Barrera assumed the presidency of the judiciary and the Supreme Court of Justice on October 13. De León Reyes is the first woman to hold this position in Guatemala. She acknowledged that a lack of resources may impede the development of certain programs but pledged to prioritize the modernization of the justice system, the creation of new positions, and the security of judges.

CHILDREN'S RIGHTS

Hurricane Stan Leaves Up to 1,200 Orphans

Alejandra Vásquez, of the Movement for the Rights of Children, Adolescents, and Youth (MSDNAJG), said that children and adolescents who lost parents to Hurricane Stan are in a particularly vulnerable position and could be exposed to exploitation and human trafficking. The head of the National Attorney General's Office estimated that Hurricane Stan may have left up to 1,200 orphans throughout the country. A preliminary study by the United Nations Children's Fund (UNICEF), estimated that fifty percent of the population affected by the hurricane are minors under eighteen years of age. The majority of these children and youth are indigenous.

The mudslide in Panabaj claimed the lives of the parents of seventy-nine children, who are currently in temporary shelters while the government attempts to locate family members. If no relatives are found to care for the children, they will become wards of the state, and perhaps be considered for international adoption. Panabaj has now been declared uninhabitable and rescue missions have ceased. The final death toll in the town ranges from 400 to 1,400. Most of the bodies remain buried under the mud.

The mudslides and floods caused by the hurricane also damaged up to 772 schools in Guatemala, putting basic education at risk in affected areas.

The hurricane has also left women vulnerable to health and economic crises, especially pregnant women and widows. One woman gave birth in a hospital in Escuintla, only to lose her baby due to a lack of sufficient medical staff and the delayed distribution of medicine by aid agencies. Many women who lost their husbands are now the sole provider for their family.

IMASP Reports on Violence Against Youth

The Tribunal for the Monitoring and Support of Public Security (IMASP) carried out an investigation in June and July titled “Accounts of Crimes Committed by and Against Youth.” The investigation found that youth are most affected by violence in the municipality of Villa Nueva, the municipality with the highest number of crimes, and the urban areas of San Marcos, Sacatepéquez, Huehuetenango, and Escuintla. Within two months, the murders of sixty-eight youth between the ages of seventeen and twenty-five, were reported. Every day, armed assassins kill in public areas, on highways, and even in residences. Most of these cases were personal revenge or gang-related violence. Although eighty-eight percent of the victims were men, in Huehuetenango women were more vulnerable to the violence.

The report mentioned cultural diversity, lack of opportunities, family disintegration, high levels of gang activity, and proximity to the capital city as some of the elements that have converted Villa Nueva into a crime center.

Youth Suffer Violent Deaths

At least 372 youths under the age of seventeen- 259 males and 113 women- have died in Guatemala so far this year. Forty-eight percent of the deaths were caused by stray bullets. Others were specifically targeted, tortured, or shot in the back of the head. According to statistics of the Teaching Institute For Sustainable Development (IEPADES), only an estimated 147,000 of the million and a half weapons that circulate in the country are registered.

The data were compiled by The News Agency in Favor of Children and Adolescents (La NANA), from information published by seven different media outlets.

According to Claudia Agreda, an investigator with the agency, injuries by firearm were the number one cause of death, followed by respiratory infections and diarrhea. Agreda pointed out that the last two represent another

form of social violence manifested in the lack of basic services.

LABOR RIGHTS

Association Occupies Land to Demand Labor Rights

The Agrarian Platform declared its solidarity with a group of twenty-six members of the Movement of Agricultural Workers of San Marcos who occupied Las Delicias *finca* (plantation), located in El Tumbador, San Marcos. Members of the organization occupied the *finca* on September 27, as a means to pressure the owner to respect the workers’ labor and nutritional rights.

The workers filed a lawsuit in 2001 charging that they were unjustly fired without a severance package or other regulations ordered by law. A judge ordered the owner of Las Delicias to pay the Q1,300,000. To date, however, he has not complied. The workers have requested a dialogue with Aída María Díaz Cartens, the legal representative for the *finca*, in order to reach an agreement on the repayment of the debt owed to the twenty-six workers, as well as that promised to the Union Workers of Las Delicias.

The Agrarian Platform demanded assistance from the authorities in establishing negotiations to avoid further conflict and the possibility of a violent eviction of campesinos who are claiming their rights guaranteed by the country’s laws.

Teachers Call for National Strike

The National Teachers’ Assembly (ANM) called for a national strike after holding a meeting in Guatemala City with representatives from twenty-two departments. Salary increases and larger budgets for student lunches, supplies, scholarships, and text development figure among the teachers’ requests. When the government stated that it is unable to comply with the demands, Joviel Acevedo, head of the ANM, said that other measures would be taken.

Teachers in various departments throughout the country occupied the regional Education Department offices and held meetings to agree on further actions to pressure the government. On September 28, hundreds of teachers protested in Guatemala City, joined by trade unionists and health workers.

The Education Department’s regional offices said they would take action against those who participated in the strike, and Minister of Education Carmen Aceña warned

that those teachers who continued to strike would be fired for violating their contracts.

Organizations Protest High Cost of Living

On September 19, around 1,500 members of the Indigeneous, Campesino, Labor Union, and Popular Movement (MICSP) marched to urge the government to adopt national emergency measures to address the current economic crisis. Members of the MICSP demanded that the government maintain a public transportation subsidy and establish price limits on intercity transportation service outside of Guatemala City. In addition, the organization asked the government to regulate profits in fuel importation, distribution, and sales, as well as consider a temporary suspension of the diesel tax. A government-sponsored energy conservation program, which would include changing workers' schedules and restricting vehicle use, was also suggested. An increase in the minimum wage that would reflect the dramatic rise in basic living costs was on the agenda as well. José Pinzón, the secretary general of the General Central of Guatemalan Workers (CGTG), said the protest was only the first of many planned for the near future.

Workers Pressure for Minimum Wage Increase

After increasing pressure from labor and civil society organizations, the Coordinating Committee of Agricultural, Commercial, Industrial, and Financial Associations (CACIF) announced that they would support a minimum wage increase of between seven and ten percent for non-agricultural workers and laborers.

The labor sector countered with a proposed fifty-percent increase. CACIF argued that it supports an increase in the interest of maintaining social order and restoring workers' purchasing power. The committee maintained, however, that wage increases should not surpass increases in productivity. Although the president of CACIF has supported an increase, other members have expressed concern that an increase would lead to higher prices and job loss.

Labor organizations, on the other hand, argued that the increase proposed by CACIF would not meet basic living costs, given rising oil prices and inflation. Victoriano Zacarías, executive secretary of the CGTG, said that the difference between what nonagricultural workers earn and basic living costs is as much as 1,780.26 *quetzales* (approximately \$220) per month. For agricultural

workers the difference is as much as Q1,812.36.

IMMIGRANT RIGHTS

Guatemala Requests TPS for Immigrants

The Guatemalan government asked Washington to consider the catastrophe caused by Hurricane Stan and to grant Temporary Protected Status (TPS) to undocumented Guatemalans living in the United States. TPS, which is granted for a period six to eighteen months with the possibility of renewal, protects undocumented immigrants from deportation and grants possibilities for applying for jobs.

Groups based in the US, such as the Central American Resource Center in DC, are echoing the Guatemalan government's request. Bernardo Villela, of the Coalition of Guatemalan Immigrants, said that TPS is particularly important during this emergency given that four out of every ten Guatemalans economically depend on a family member living in the US.

The United States granted TPS to citizens of Honduras and Nicaragua, after those countries suffered the effects of Hurricane Mitch in 1998, and to El Salvador, after the earthquakes in 2001.

4,706 Guatemalans Deported in Six Months

According to the General Migration Office (DGM), 4,706 Guatemalans were deported from the United States from January to June of this year. According to organizations that support undocumented workers, this figure does not include 48,000 immigrants who were caught in Mexico before entering the US.

Every week deported immigrants arrive at the International Airport "La Aurora." Detained immigrants also arrive daily in border towns like El Carmen, San Marcos, and La Mesilla, Huehuetenango on buses from Mexico.

Seeking to curb migration to the US, the DGM announced a public awareness and prevention campaign that will be initiated with the support of the Guatemalan Tourism Institute (INGUAT).

In the wake of Hurricane Stan, the National Migration Committee in Guatemala has predicted an increase in migration from rural areas to urban areas in Guatemala and northern countries, principally the US, as a result of insufficient government aid and the lack of policies that address the socioeconomic reality in high-risk areas.

JUSTICE AND RECONCILIATION

Mudslide Unearths Clandestine Cemetery

Hurricane Stan's heavy rains and mudslides in Las Nubes, San Martín Sacatepéquez, Quetzaltenango unearthed a clandestine cemetery containing dozens of victims of the armed conflict. The regional representative of the Human Rights Procurator's Office (PDH), Rudy Castillo, confirmed the information and said that neighbors had alerted his office. Castillo reported the grave to the Public Prosecutor's Office (MP) on October 10, with the hopes that the MP will begin an investigation.

The neighbors of the Las Nubes community, fearing possible reprisals for having advised the PDH of their discovery, requested that various human rights offices continue to pressure for the investigation of this case in order to determine who is responsible for the massacre and to pay tribute to the memory of the victims.

Spain May Judge Guatemalan Abuses

Thousands of disappearances and killings committed during Guatemala's civil war may be judged in Spanish courts after Spain's highest court ruled that cases of genocide committed abroad could be judged in Spain even if no Spanish citizens were involved. In 2003, the Supreme Court narrowly rejected a request by Nobel Peace Prize winner Rigoberta Menchú, saying the alleged genocide of indigenous people by the Guatemalan regime at that time was not tied to Spanish national interests. The Constitutional Court said that ruling violated Menchú's basic legal rights and ruled that "the principle of universal jurisdiction takes precedence over the existence or not of national interests."

Exhumation Begins in Zacapa

The Guatemalan Forensic Anthropology Foundation, the Lutheran Church (ILUGUA), and the Human Rights Procurator's Office (PDH), and family members of the victims began searching for the remains of at least twenty Guatemalans who disappeared during the internal armed conflict in the village of La Trementina, Zacapa. The exhumation was held in the areas where the military base operated for twenty-five years. Reverend José Pilar of ILUGUA, held the army responsible for disappearances,

extrajudicial executions, persecution, massacres, and violence against women suffered by the local population during the early years of the armed conflict. According to Pilar, the exhumation allowed the families of the victims to begin the process of reconciliation, as one stage of the pain and suffering has finally ended.

Clandestine Cemetery Exhumed in Chimaltenango

On September 20, the Guatemalan Forensic Anthropology Foundation began an exhumation of a clandestine cemetery on Las Pilas *finca* in San Martín Jilotepeque, Chimaltenango. According to the Mutual Support Group (GAM), which offered legal aid and psychological support to the community, they are exhuming the bodies of three men killed by military commissioners in 1982.

The three victims were part of a group of fifty families that decided to turn themselves in to the army, rather than face starvation and persecution as a result of the military's counterinsurgency strategy. The families were granted amnesty in the beginning of October 1982. Most of the families stayed in the Chuatalum military base for over a month. On October 23 of the same year, Bernadino Tomás Pirir, Tomás González, and Nazario Tacén Vargas received authorization to leave the base to look for firewood. While gathering fruit on a nearby *finca*, they heard that the civil defense patrols and military commissioners had entered the *finca* and were detaining all those that crossed their path. The victims were captured and later tortured and killed.

The bodies were illegally buried on Las Pilas *finca*, without any investigation of the murders. According to GAM, the exhumation will provide evidence for a case against the former military commissioners, who are currently living in San Martín Jilotepeque.

Victims Reburied in Rabinal

Families and friends reburied the remains of sixteen victims of the internal armed conflict in Rabinal. The bodies had been in clandestine cemeteries for twenty-four years. A ceremony to honor the victims was held at the Integral Development Association for Maya Achi Victims of Violence (ADIVIMA). Pedrina Mendoza, one of the family members, buried the remains of her husband, who was assassinated by paramilitaries and soldiers on October 19, 1981. "After more than 20 years," she said, "it is good to bury him, because now we will have someplace to visit him."

The remains were found during exhumations carried out by the Guatemalan Forensic Anthropology Foundation (FAFG) and ADIVIMA in 2004. Those reburied belong to the communities of Xeabaj, Tierra Blanca, Cerro Sacacho, Ceiba, Pachalum, Paleón, and Puertezuelo Las Flores.

CASE UPDATES

Court Sentences Guatemala for Death Penalty

The Inter-American Court on Human Rights (IACHR), with headquarters in Costa Rica, handed down a sentence on October 5 in the case of Ernesto Raxcacó Reyes, who was accused of kidnapping and sentenced to death. Guatemalan authorities accused Raxcacó in 1999, based on Article 201 of the Criminal Code. The Court found that Raxcacó's sentence violates the prohibition on the arbitrary deprivation of life and the stipulation that the death penalty apply only to the most serious crimes.

The Court ordered Guatemala to reform the Article 201 without broadening the type of crimes punishable with death. While making the changes, the state must abstain from condoning the death penalty or executing those sentenced for the crime of kidnapping. The Court also ordered the state to adopt a procedure that guarantees every person sentenced to death the right to appeal and, in some cases, obtain pardon. No such procedure currently exists.

This is the second sentence condemning Guatemala for its use of the death penalty. The first was on June 20, 2005, in the case of Fermín Ramírez.

Former Mayor Acquitted in Death of Journalist

The High Impact Court in Chiquimula acquitted former Puerto Barrios Mayor David Pineda of planning the murder of journalist Mynor Alegría, citing a lack of evidence. Alegría, who had criticized on his radio program the corruption of both local and national authorities, was murdered in 2001. Pineda was linked to the murder trial in 2002, after one of the accused executioners claimed to have received money from Pineda for carrying out the crime. The trial had been delayed several times because witnesses failed to come forward.

El Corozo Case Ends

The judge in the case involving El Corozo *finca* (plantation) ordered a stay of proceedings after the families of

the six victims asked to discontinue the criminal case against *finca* owner Jorge Fernández.

On January 24, 2005, several hundred campesinos gathered at El Corozo finca in Samayac, Suchitepéquez to demand the return of a campesino who had been captured by private security forces, and who was later found dead. Finca owner Jorge Fernández was accused of murdering six campesinos and injuring five more with a firearm on that day. The Public Prosecutor's Office also charged seven campesinos with murder, illegal entry, and grave injuries, although the campesinos were not armed with guns and no one but they themselves were injured or murdered.

Judge Upholds Arrest Warrant for Portillo

Judge Víctor Hugo Herrera, of the fifth criminal court, has ordered an arrest warrant for former president Alfonso Portillo, accused of authorizing million-dollar transfers that accounted for the misappropriations in military finances in the years 2001, 2002, and 2003. Along with Portillo, ten other military officials, including the former ministers of defense Eduardo Arévalo Lacs and Lionel Méndez Estrada, are being investigated.

Herrera had rendered the arrest warrant inactuable after admitting an appeal filed by the former chief of the Army Ministry of Budget. Herrera argued that it would be imprudent to issue an arrest warrant for Portillo while the court was still considering issues of unconstitutionality filed as part of the appeal by the army. The Constitutional Court, however, decided it was not viable to leave the arrest warrant suspended and gave Herrera a deadline of forty-eight hours to resolve the matter.

OTHER INFORMATION

COPREDEH Recognizes Clandestine Groups

In a document written by the Presidential Human Rights Commission (COPREDEH), the government recognized that illegal entities and clandestine groups are responsible for attacks and threats against human rights activists. The document admits that "without any exception," human rights organizations have suffered serious abuses, ranging from office robberies and document theft, to threats, torture, and extrajudicial executions.

Fifteen Killed in Detention Centers

On September 19, 2005, gang-related violence in two separate detention centers claimed the lives of fifteen youths. At least fifteen members of Mara Salvatrucha raided the juvenile detention center in San José Pinula and attacked members of the Mara 18 with AK-47s, nine-millimeter handguns, knives, and grenades, killing twelve youths and leaving ten injured. Over 100 National Civil Police (PNC) agents and military personnel were sent to surround the center and search the area. The guards detained three of the accused attackers, while the rest fled the scene.

On the same day, a member of Mara Salvatrucha shot three members of Mara 18 in a criminal rehabilitation center in Puerto Barrios, Izabal.

In El Hoyón, Escuintla, two more men were allegedly murdered by fellow members of Mara 18 as a protest for not being allowed to receive prison visits.

Between August 15 and September 20, a total of fifty-two youths were killed and ninety-two were injured in various detention centers throughout the country. The Minister of the Interior, Carlos Vielmann, said that perimeter security for adult and juvenile detention centers would now be reinforced by the military.

GAM Urges Investigation of Recent Violence

The Mutual Support Group urged the authorities to investigate the recent prison violence. GAM and other organizations have pointed to the involvement of parallel powers that benefit from the confrontation between the two gangs. According to GAM, the de facto war between the two gangs distracts public attention and also allows organized crime members to profit from arms and munitions sales. In addition to a thorough investigation, GAM urged the government to devote more resources to social investment and programs to promote youth development.

Dismissal of Secretary of Social Welfare Requested

The Human Rights Procurator, Sergio Morales, asked President Óscar Berger to remove the Secretary of Social Welfare, Rossana Fratti de González, from office, after gang-related violence erupted in detention centers under her charge. The incident on September 19 is one of seventeen incidents reported during 2004 and 2005 in correctional facilities under her supervision: among them, two murders committed by prison officials and six reports of physical and psychological abuse. Morales

argued that youth should be placed in specific correctional facilities depending on the crime committed and should be transferred to a different facility once they reach adulthood. President Óscar Berger has stated that this was an unexpected situation and Fratti de González would not be fired. The president did, however, transfer the control, security, and administration of the juvenile correctional facilities to the Prison Director, reportedly because the Secretariat of Social Welfare does not have the armed personnel to provide security.

Vigilante Group Claims Deaths

Spokesmen of the National Civil Police (PNC) announced that an armed group calling itself the Guardians of the City has claimed responsibility for the deaths of six alleged gang members in Coatepeque, Quetzaltenango. The group also distributed pamphlets, vowing that they would not stop until all of the criminals were gone. They urged people to “form a front against the evils of society,” claiming that inefficiency prevents the police from adequately confronting the spiralling violence in the country.

According to Luis Alberto López, the regional representative of the Human Rights Procurator’s Office (PDH), a process of social cleansing has taken place in Guatemala in the last year. López said high levels of insecurity have damaged the authorities’ credibility, leading to the emergence of groups that take matters of justice into their own hands. Similar social cleansing squads have also emerged in San Lucas Tolimán.

Judiciary and Penitentiary Overwhelmed

Reports of kidnappings, murders, rapes, assaults, thefts, and similar crimes have flooded the Guatemalan judicial system this year. Statistics show that criminal cases represent eighty-two percent of the total number of cases in the system. Cases in the civil branch, such as real estate conflicts, debt, and contracts, occupy second place, amounting to only seven percent of the total. In third place are cases related to family law, including cases of domestic violence, divorce, and food subsidies.

From January to September 2, 2005, more than 131,000 cases entered the judiciary, attended by 565 courts. Experts agree that the inundation of the system is due in part to the large number of arrests made by the PNC this year.

The penitentiary system has also been completely overwhelmed by the arrests. A report by the Human

Rights Procurator's Office states that in 2004, eighty-one percent of the 45,000 defendants went free for lack of proof. Those who remain in jail face inhumane conditions. On average, each inmate has a space of 0.96 square meters. In "El Hoyón," Escuintla, where eighteen gang members were killed on August 15 of this year, each inmate has an average of 0.33 square meters.

Congress Approves Wiretapping

Congress recently approved a law that allows judges to authorize the Public Prosecutor's Office (MP) to wiretap private telephone conversations. The Law of the General Civil Intelligence Office (DIGICI) authorizes temporary tapping of telephone communications in cases where "evidence of organized criminal activity exists."

Despite the fact that opposition was anticipated, the article was approved by 108 Congressmen who were present at the time. According to Congressman Jorge Soto of the New Nation Alliance (ANN), there will not be a problem, as long as the MP follows the law in its application. "It is legislation that Congress must approve to fortify the state in its combat against organized crime," said Soto.

The creation of the DIGICI was included in the peace agreement and in various security laws analyzed in the legislature. In the law approved, the DIGICI will be assigned to the Ministry of the Interior.

Some organizations, such as the Myrna Mack Foundation, expressed concern that the DIGICI might overstep its functions.

Changes to Military Code Proposed

Various sectors of society challenged the proposed changes to the Military Code that would allow military tribunals to try cases of corruption and common crime committed by members of the army. The legislation, now in Congress, would replace the current Military Code with changes in military penitentiary law, military process law, military criminal law, and the organization and functioning of military jurisdiction

"In a country like Guatemala, decisions of that type can only be translated as impunity," said Mayra Palencia, of the Coalition for Transparency. She added that the changes would hinder the prosecution of those members of the military involved in acts of corruption, human rights violations, and organized crime. The Guatemalan National

Revolutionary Union (URNG) criticized the changes as benefiting high-ranking and retired military officials. According to Adriana Beltrán, of the Washington Office on Latin America (WOLA), the Military Code legislation would not only violate the recommendations established in the Peace Accords, but also undermine the consolidation of a democratic system in the country.

In spite of the criticisms from civil society and the president, the votes of GANA, Integrationists, and the FRG were sufficient to advance the legislation on September 21. The National Defense Commission, however, plans to further analyze the proposed changes and has assured the public that they are aware that the laws should adhere to the Constitution and the Peace Accords.

Rumsfeld Meets with Defense Ministers

Central American Defense Ministers met with Secretary of Defense Donald Rumsfeld to negotiate the creation of a regional force that would respond to natural disasters, as well as a Central American battalion trained for peace missions. The agreement would also allow national armies in the region to participate in transnational operations targeting narcotrafficking, gang activity, and human trafficking. The Pentagon has encouraged this type of regional cooperation as a means to avoid regional instability and address cross-border threats, especially after the ratification of the US-Central America Free Trade Agreement (DR-CAFTA). "Those in the business community understand the nexus between security and economic opportunity. Money is a coward. It flees uncertainty, it flees instability," said Rumsfeld to the gathering of defense ministers.

For many, the idea of a regional force is worrisome. Constitutions and peace treaties that ended bitter civil wars in the region have strict limits on the role of the armed forces in police functions. These limits were included after years of military rule in a number of Central American countries. There are also sovereign protections that currently bar joint military activities across borders.

Training Base to Open in Cobán

Next year, the Regional School for Peace Keeping Operations will open in Cobán, Alta Verapaz. The base will reportedly serve to train Central American soldiers who participate in United Nations missions. Minister of Defense Carlos Aldana said that the government of Guatemala has the support of the United States with an

initial contribution of ten million quetzales for the preparation of the base. Cobán was selected as the site for the school based on an agreement reached at the Conference of Central American Armed Forces.

Drug-Running Ex-Kaibiles Arrested in Mexico

The Mexican Secretary of Defense announced the arrest of six Guatemalans, five of them former kaibiles, an elite force trained in counterinsurgency tactics. The Guatemalans were accused of belonging to Los Zetas, a group of assassins paid by narcotraffickers. Guatemalan Minister of Defense Carlos Aldana Villanueva, confirmed that four of the six arrested were former kaibiles. José Armando León Hernández, an explosives expert, abandoned his post as a kaibil in October 2004. Selvin Camposeco Montejo deserted in June 2001, and Edin José Aragón Stwolinsky, a pilot, left the armed forces in February 2004. José Ortega, an expert in explosives, resigned in 1997. Possible connections between the other three men arrested and the Guatemalan military are under investigation.

The Mutual Support Group (GAM) asked that the authorities close the school for kaibiles and to continue to investigate members of the armed forces involved in narcotrafficking, but also in massacres, extrajudicial executions, disappearances, and acts of intimidation.

Drug Traffickers Elude Authorities

Sixty agents of the Anti-narcotic Analysis and Information Service (SAIA), supported by the US Drug Enforcement Agency, continued to search for twenty-three alleged narcotraffickers from Izabal and the Petén whose extradition has been requested by the United States. One SAIA agent said that the agency has recently eradicated acres of marijuana plants in the Petén and confiscated jets with Colombian registration.

So far this year, Guatemalan authorities have apprehended eight people under international arrest warrants for their participation in drug trafficking.

Nicaragua Ratifies DR-CAFTA

On October 10, the National Assembly in Nicaragua ratified the US-Central America Free Trade Agreement (DR-CAFTA), which also includes the Dominican Republic. The measure passed with forty-nine votes in favor from the Liberal Constitutionalist Party (PLC) and independent representatives, and thirty-seven votes against from the Sandinista National Liberation Front (FSLN). Nicaragua is

the sixth country to ratify the treaty. Costa Rica is the only country included that has yet to ratify the agreement. Alvaro Fiallos, president of the National Union of Agricultural and Farm Workers (UNAG), said that the approval of DR-CAFTA will mean “death” for national producers because they do not have the ability to compete, given US agricultural subsidies. Fiallos said that it would have been better if the Congressmen had postponed the ratification and discussed a series of laws to protect the sector.

HIV-AIDS Victims Lack Medicine

Almost 1,300 people living with HIV-AIDS and registered with the Guatemalan Social Security Institute (IGSS) are at risk of dying because they lack access to medicine. The shortage has lasted at least six months. As a result, ten children died in the Pediatric Unit in Guatemala City during the first nine months of this year. As factors in the children’s deaths, authorities of the IGSS list the failure of antiretroviral drug providers and delays in authorization, as well as weak immune systems and malnutrition. According to Cristina Calderón, Executive Director of the Foundation to Prevent AIDS, eighty percent of AIDS patients do not receive complete treatment.

Threats Against Journalists Not Prosecuted

The Special Prosecutor for Crimes Against Journalists has received 174 reports since it was created in 2001. According to attorney Mario Castañeda, only three of these cases have been successfully prosecuted. He said that the victims often discontinue the case because they are afraid or because they do not trust the justice system to resolve the matter. The attack against José Rubén Zamora, president of the newspaper El Periódico, is one of the cases that remains active.

UN Defines Enforced Disappearance

Twenty-five years after the organization Relatives of the Disappeared in Latin America began pressuring for an international convention on enforced disappearance, the Working Group on Enforced or Involuntary Disappearances of the United Nations Commission on Human Rights drafted a convention which defined enforced disappearance for the first time in a treaty.

The draft convention will be submitted to the UN Commission on Human Rights and subsequently to the UN General Assembly for approval, before being

opened for signature and ratification next year. The convention also requires states that have ratified the treaty to find the bodies of disappeared persons and return them to the families.

Deforestation Accelerates

An evaluation conducted by the Environmental Impact Institute revealed that deforestation at the Mayan Biosphere reserve is increasing. The study, entitled "Where is the Mayan Biosphere Headed?" indicated that the region lost some 2,200 hectares of forest, according to studies from 1986 to 2004. Extending two million hectares, the reserve is the largest protected area in the country. Statistics show that deforestation has accelerated in the past few years. Over 11,000 hectares were affected between 2001 and 2002. That figure rose to 18,000 hectares in 2002, and 22,000 in 2003. The principal damage has occurred in Laguna del Tigre National Park, the biotope Laguna del Tigre, and Sierra del Lacandón National Park.

Cuba Sends 535 Medics to Guatemala

With the arrival of 100 more Cuban medics sent to assist the victims of Hurricane Stan, the number of Cuban medics in Guatemala rose to 535. The recently arrived medics are from the "Henry Reeve" Contingency Specializing in Disasters and Large Epidemics, which has already sent other groups of medics to Guatemala. Juan Carlos Dupuy, chief of the Contingency, explained that the association traveled to Guatemala with the mission to save lives, above all the children and elderly affected by the hurricane.

Communities Oppose Prisons

Fearing increased violence, citizens in Sololá, Escuintla, San Marcos and Playa Grande, Ixcán have all opposed President Óscar Berger's plan to transfer imprisoned gang members to prisons or former military bases in their communities. Residents stated that the measure would only provoke discontent, insecurity and anxiety. They added that the government should instead prioritize educational and cultural projects that would address the poverty and lack of development in these regions.

OTHER RESOURCES

Amnesty International, "Guatemala: No Protection, No Justice: Killings of Women in Guatemala" (June 9, 2005).

The report examines the rise in the murders of women in Guatemala over the last three years and is available online at: <http://www.amnestyusa.org/countries/guatemala/document.do?id=280F8FE94B2826C48025701C00330145>.

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Carol Zardetto, *Con Pasión Absoluta* (Premio Centroamericano de Novela 'Mario Monteforte Toledo,' 2004). Guatemala: F & G Editores, 2005. <http://www.fygeditores.com>.

The Washington Office on Latin America's most recent edition of Cross Currents is available online at: http://www.wola.org/publications/cross_currents2005/cc_final_july_05.pdf.

ANNOUNCEMENTS

Become a human rights observer in Guatemala! The Guatemala Accompaniment Project (G.A.P.) of the Network in Solidarity with the People of Guatemala (NISGUA) is always looking for qualified candidates to be human rights accompaniers.

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Information in the Update that is not gathered directly is culled from various sources including ; the Guatemalan Human Rights Commission , Casa Alianza, Amnesty International, Associated Press, Reuters and the Guatemalan Press, including Cerigua, La Cuerda, Incidencia Democrática, Prensa Libre, La Hora, Guatemala Hoy, Siglo Veintiuno, and Patrullaje Informativo. *Dates written before the text indicate when the incidents were reported.

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Insert: Hurricane Stan Update and Relief Efforts

- Unionists Stripped, Pistol Whipped, and Robbed
- Human Rights Leaders Held Hostage and Robbed
- Guatemala Requests Temporary Protected Status for Immigrants
- Communities Denounce Politicization of Aid
- Spain May Judge Guatemala Abuses

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