



El Quetzal

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Polochic: Yesterday, Today and Tomorrow

*"We went looking for solutions, and found only pain."
- A survivor of the Panzos massacre -*

The Maya Q'eqchi' communities of Guatemala's Polochic Valley have suffered a long history of threats, displacement, brutal violence, and crushing poverty. After a series of violent evictions in March 2011, over 700 families are just trying to stay alive.

In 1954, a CIA-sponsored coup cut short promising land reform efforts in Guatemala because the reform affected the economic interests of US companies operating in the country. During the military governments that ruled Guatemala throughout the three decades following the coup, powerful families (both local and foreign) gained "legal" title to the land in the Polochic Valley through a combination of fraud, confiscation, intimidation, and violence.

The Maya Q'eqchi' population was displaced, and often forced to work for slave wages on the large plantations. Tensions between the large landowners, many of German descent, and the local indigenous population increased as the communities struggled to win legal recognition of their historic claims to the land.



The lives of hundreds of indigenous men, women and children are at risk today in the Polochic Valley

On May 27, 1978 *campesinos* (subsistence farmers) of San Vicente, Panzós, went to plant corn by the banks of the Polochic River. They were met by the sons of a plantation owner who, accompanied by army troops, threatened them and told them to stop demanding land reform. Two days later, hundreds of men, women and children from different communities gathered in the central plaza of Panzós to speak with the Mayor, Walter Overdick García, seeking a solution to the land problem and an end to the constant threats and intimidation.

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Pérez Molina and Baldizón to Compete in Presidential Runoff

Presidential candidates Otto Pérez Molina and Manuel Baldizón came out on top in Guatemala's elections on September 11. The two will compete in a runoff election on November 6.

The elections concluded a long and intense campaign season marked by court battles, pre-election violence and intimidation. The elections also brought Guatemala into the international spotlight due to allegations that the candidates are linked to organized crime, corruption and human rights violations.

Pérez Molina, of the Patriot Party, received 36% of the vote. Baldizón, of the Renewed Democratic Freedom party (Lider), came in second with 23%.

Until recently, Pérez Molina's top challenger was Sandra Torres, the ex-wife of current president Alvaro Colom. However, she was not allowed on the ballot by the Guatemalan Supreme Court, despite her recent divorce from Colom, due to a law prohibiting immediate family members of the president to run for that position. The Broad Coalition (Frente Amplio), a group of progressive and left-wing parties with Rigoberta Menchú as their candidate, won 3% of the vote.

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GHRC Mission

Founded in 1982, the Guatemala Human Rights Commission/USA (GHRC) is a non-profit, nonpartisan, humanitarian organization that monitors, documents, and reports on the human rights situation in Guatemala, advocates for survivors of human rights abuses in Guatemala, and works toward positive, systemic change.

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Evictions in the Polochic Valley

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But instead of dialogue, the community members were met with bullets. Soldiers, laying in wait on the rooftops of the buildings surrounding the plaza, opened fire on the crowd. Men, women and children were savagely massacred, their bodies thrown into the town dump truck, carted like trash to the town's cemetery, and tossed into a mass grave. Others died from their wounds while fleeing the massacre. It is estimated that over 100 people were killed, and many more were injured.

Former mayor Walter Overdick Garcia recently made a shocking declaration while testifying during a court hearing in June of this year. Naming names, he publically confirmed that four wealthy landowners in the region had coordinated beforehand with high-ranking military officials to violently repress the campesino gathering.

The Commission for Historical Clarification (CEH), in their truth commission report entitled "Memory of Silence", characterizes the Panzos case as a clear example of the State's inability to protect the historic land rights of the Q'eqchi' communities. The case reveals how large landowners utilized the State to resolve land disputes in their favor, even to the point of using extreme violence against poor campesinos. It also clearly demonstrates the willingness of the elite to involve the army in agrarian conflicts. Sadly, little has changed in the 33 years since the massacre of Panzos.

In 2006, Carlos Widmann, brother-in-law of then President Oscar Berger, secured loans from the Central American Bank for Economic Integration (BCIE) for \$31 million to move his sugar cane refinery, Ingenio Guadalupe, from the Guatemala's southern coast to the Polochic Valley. The company, renamed Chabil Utzaj, eventually floundered and the lands were abandoned. Displaced Q'eqchi' communities returned to the idle lands and began to plant subsistence crops for their survival. In 2010, newspapers reported that the lands and equipment belonging to Chabil Utzaj were to be auctioned off by a Guatemalan bank.

In March 2011, however, it was announced that Grupo Pellas of Nicaragua had come to the financial "rescue" of Chabil Utzaj, investing over \$20 million in the business, under the name "Guatemala Sugar State Corporation." The Pellas family, producers of Flor de Caña

rum, is the most economically powerful family in Nicaragua. They oversee a vast empire that includes a bank, a hospital, car dealerships, insurance companies, liquor distribution companies, communication companies and many other businesses throughout the region. They are the largest exporters of sugarcane-produced ethanol in all of Central America, and have also expanded into the cultivation of African Palm for the production of palm oil and biodiesel.

With Chabil Utzaj back in business, the land had to be cleared — and that meant getting rid of the Maya Q'eqchi' farmers who had planted their crops in the idle fields.

On March 14, while certain Guatemalan government officials met with a delegation from the Polochic communities to find a negotiated solution to the urgent need for land, other government officials were preparing the logistics to forcibly remove those very same communities. It would be the largest land eviction in Guatemala's recent history.

The following day, in the early morning hours, hundreds of soldiers, national police, and private security guards employed by Chabil Utzaj gathered in the Polochic Valley. Under the direction of Carlos Widmann, they began to violently evict men, women and children from their homes. One farmer, Antonio Beb Ac, received a fatal wound to his head. Others were injured or became sick from tear gas inhalation.

Families desperately pleaded with the government and paramilitary forces to spare the crops that they had planted, but to no avail. In a brutality reminiscent of the scorched earth tactics used by the army during the internal conflict, indigenous families' homes were burned and their crops destroyed, leaving thousands without food or shelter.

Two days later, the government of President Alvaro Colom published a confrontational communiqué entitled: "It is the Duty of the Government of the Republic to Preserve Governability and Uphold the Rule of Law." The document asserted that the government has the "legal and moral obligation to stop this growing wave of illegal actions." Unfortunately, the "illegal actions" being referred to weren't the violent evictions or the assassinations of campesinos, but rather the peaceful protest of

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Elections Go to Runoff

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The months leading up to the elections saw high rates of political violence, with as many as 35 activists and mayoral and congressional candidates murdered. Many were concerned about violence on election day, access to ballot boxes, and complications due to multiple ID systems.

While the day was relatively calm, election observers, who numbered over 10,000, reported acts of voter intimidation, vote-buying, and other anomalies. Large numbers of complaints were registered in the departments of Guatemala, El Quiché, Alta Verapaz, Huehuetenango,

Photo: http://www.ourworld.com



Manuel Baldizón, left, and Pérez Molina

Quetzaltenango and San Marcos. In Chimaltenango, the Spanish-only instructions at the polls created difficulties for K'aqchikel speakers, many of whom are also illiterate. The Supreme Electoral Tribunal was criticized for long delays in publicizing results of local elections.

These issues did not, overall, deter citizens from participating. An estimated 66% came out to vote, with youth and women participating in large numbers.

Citizen security has become one of the primary issues in the presidential campaigns, as Guatemalans face increasing levels of violence from gangs and organized crime. Both Pérez Molina and Baldizón have promised to crack-down on crime through increased police and military presence.

For many Guatemalans, however, neither candidate inspires confidence. Both have discussed granting increased numbers of mining licenses for exploration and extraction – already a highly contentious issue that is opposed by indigenous communities and environmental activists

across the country. Issues of justice, transparency, and indigenous rights have been largely ignored during their campaigns. In fact, both men have had to confront allegations against them of involvement in human rights abuses and organized crime.

Pérez Molina has a long history of involvement in the armed forces and oversaw the military's scorched earth policy in the Ixil region in the early 1980's. If he wins, he will be the first military official to be president since 1986. In recent interviews, Pérez Molina denied that acts of genocide occurred against the Mayan people during the conflict, a troubling sign for indigenous communities and the paradigmatic human rights cases currently in Guatemalan courts. International human rights advocates have expressed deep concern for the impact his presidency would have on justice and accountability for human rights abuses (see Page 4).

Baldizón has been called the most powerful businessman in the Petén. According to Guatemalan media sources, he owns hotels, restaurants, land and aerial transportation services, commercial centers and media outlets, and allegedly has strong ties to organized crime. Currently there are multiple complaints registered against him in court for appropriation of public lands. He is a strong advocate of the death penalty and has even suggested public executions – an especially dangerous idea in the context of Guatemala's corrupt police and judiciary.

Both candidates have been accused by an election watchdog group, Mirador Electoral, of spending well over the legally specified limit on their campaigns. Some have suggested that only organized crime would be able to provide that much money to support a candidate.

While the presidential battle received the most media attention, the results of mayoral and congressional elections will also have strong implications for the coming years. The Patriot Party and the coalition National Unity for Hope (UNE) – Grand



Photo: Rob Mercante

An indigenous woman votes in Guatemala City.

National Alliance (GANA) each won a large percentage of seats in Congress. The Patriot Party also won large numbers of local offices. Pérez Molina and Baldizón are now working to form alliances with the losing parties and other interest groups in order to win the necessary 50% in November. The majority of the parties, including UNE-GANA, have joined with Baldizón, who also received the support of the approximately 500,000 ex Civil Defense Patrollers.

As Guatemalans prepare for another two months of political campaigning, progressives, indigenous leaders and human rights advocates already note ominous signs of a return to a Guatemala of the 1980's, including increased repression, criminalization of social movements, and a free pass for the nation's elite ruling class.

Election Stats

Registered Parties: 27
Registered Voters: 7,340,841, (population of 14.4 million)

Presidential Race Results:

- Otto Pérez Molina, Partido Patriota (PP)—36%
- Manuel Baldizón, Libertad Democrática Renovada (Lider)—23%
- Eduardo Suger, Compromiso, Renovación y Orden (Creo)—16%
- Rigoberta Menchú, Winaq/Frente Amplio—3.27%
- Juan Gutiérrez, PAN—2.76%
- Patricia de Arzú, Partido Unionista (PU)—2.17%
- Alejandro Giammatei, CASA—1.0%
- Adela Torrebiarte, ADN—43%

Organizations Call for Action Against Those Accused of War Crimes

The right to truth and justice doesn't disappear during election season. As the September 11 elections loomed, Guatemalan organizations were actively moving forward with massacre and genocide cases from the internal conflict, and international organizations have continued their work to push the US and UN to investigate allegations of military officials' participation in crimes against humanity. Meanwhile, the US government has articulated its own pro-active policy to prevent mass atrocities, which includes denial of entry to the US for persons who have participated in such acts.

Presidential candidate Otto Pérez Molina is one person who has been accused of committing crimes against humanity. Considering Guatemala's weak institutions and rampant corruption and impunity, the possible presidency of Pérez Molina, a retired General, has raised many concerns in Guatemala and the international community. Pérez Molina, who was trained as a kaibil, has been implicated in numerous human rights violations, both during his time overseeing the Quiché region during the state-sponsored genocide and as head of Guatemala's military intelligence. A case was filed against him in Guatemalan courts in March of this year for his alleged involvement in the forced disappearance and torture of Everardo Bámaca. Pérez Molina historically has had close ties to the US. He is a graduate of the School of the Americas, and an investigative piece by journalist Allan Nairn also alleged that he was on the CIA's payroll in the mid-1990s.

After learning of Pérez Molina's plans to visit Washington, DC in May, GHRC and other groups organized a large rally in front of the State Department, urging the denial of visas for war criminals. Over 70 activists gathered on May 16th and held signs stating "No Visas for Torturers, Authors of Genocide, or War Criminals," and displayed a thirty foot banner with photos of mass grave exhumations and genocide victims' families.

In July, GHRC, along with Annie Bird from Rights Action and lawyer Jennifer Harbury, followed-up with a letter to the United Nations Special Rapporteur on Torture requesting an investigation into Pérez

Molina's involvement in acts of torture and crimes against humanity during Guatemala's internal conflict.

Specifically, the letter asked the UN to investigate Pérez Molina's role in "the systematic use of torture in the Ixil triangle and other areas in the 1980s, as well as the systematic torture of all prisoners of war, especially as National Director of the intelligence division in 1992." The letter provides strong evidence to back up the request, including reports from declassified State Department documents.

GHRC's work to raise awareness about Guatemalans accused of war crimes who travel frequently to the US was reinforced by the Obama administration's recent communiqué, the Presidential Directive on Mass Atrocities, which reiterates that it is in US interest to deny entry to those who have engaged in wide-spread human rights violations and crimes against humanity. In his August 4th proclamation, Obama declared: "Universal respect for human rights and humanitarian law and the prevention of atrocities internationally promotes US values and fundamental US interests in helping secure peace, deter aggression, promote the rule of law, combat crime and

corruption, strengthen democracies, and prevent humanitarian crises around the globe."

In an accompanying memorandum, President Obama outlined the creation of an Inter-agency Atrocities Prevention Board and Corresponding Inter-agency Review. The memorandum begins, "Preventing mass atrocities and genocide is a core national security interest and a core moral responsibility of the United States."

The next step will be to ensure that the US government takes this commitment seriously when evaluating how to engage with a potential Pérez Molina administration.

View a copy of the letter and more about our campaign at www.ghrc-usa.org.



Presidential candidate Otto Pérez Molina in front of his campaign symbol "mano dura."

(Photo: <http://www.guatemalahostal.com>)



Lawyer Jennifer Harbury speaks to over 70 activists who gathered outside the US State Department to demand that the US deny visas to war criminals.

Debate over Guatemala's Military Archives Continues

By Kelsey Alford-Jones

The Guatemalan Defense Department's first public archive sits open, but empty; the face of a controversial process of declassification which concluded on June 20, 2011 when the archive was inaugurated by the presidentially-appointed Commission for the Declassification of the Military Archives.

The Commission, tasked with analyzing and organizing military files from the internal conflict, gathered documents from military bases and training centers across the country. Now, after years of denying access to military records, the Guatemalan Defense Department boasts of the declassification of their secret documents from the war, holding up the archive as a significant step forward in transparency and access to information. The collection includes 11,698 documents that are public and 589 that are partially classified. Fifty-five more remain secret, including key documents from the height of the internal conflict.

Located securely inside the complex of the Chiefs of Staff of the Defense Department (*Estado Mayor de la Defensa Nacional*), the archive is not a place many Guatemalan citizen, much less survivors of military abuses, would choose to enter. The process to request a visit, or copies of the documents, is not easy. After being open almost three months, a total of four people have visited. Few Guatemalans know the archive exists.

So far, the archive has raised more questions than it has answered. Many are skeptical of the validity of the archive's content due to the small number of documents, the ongoing secrecy surrounding key military plans, and the lack of accessibility. Were all the documents relating to military operations during the conflict really made accessible to the Commission? Why do key documents remain classified when they have been linked to human rights violations and should, by law, be public?

In August, I visited the archive to see for myself what it contained, and how accessible the documents were. After all, if the content of the archive did not fit the Commission's mandate, this was a moment for increased pressure rather than celebration.

A Long and Contentious Process

For years Guatemalans have sought military documents as part of their right to truth, and struggled to uncover the military's policies that led to the atrocities of the internal conflict. Yet the military documents remained

classified and unattainable, despite ongoing requests from civil society organizations. The release of four military plans – *Plan Sofia*, *Plan Victoria '82*, *Plan Firmeza '83* and *Operation Ixil* – became the center of the struggle when they were requested for use in a case against genocide master-mind General Efraín Ríos Montt and other high-ranking military and police officials.

The documents were also being requested in Spain (where Judge Pedraz is investigating the genocide case), and in the US, where the failure to release the military plans from the 1980s became linked to restrictions on US military funding to Guatemala.

Ríos Montt, then President of the Guatemalan Congress, claimed the documents' declassification would jeopardize national security, but the courts disagreed. In July 2007, the First Criminal Court of Appeals mandated the release of the documents, and the decision was upheld by the Constitutional Court in March of the following year.

The passage of the Freedom of Information Act in September 2008 (in effect as of March 2009) provided another tool to support public access to the records – particularly Article 24, which states that information relating to human rights violations or mass atrocities may “in no case [...] remain classified as confidential or reserved.”

Guatemalan president Alvaro Colom, meanwhile, had also ordered the declassification of military documents from the internal conflict. On February 25, 2008, the National Day of Dignity for Victims of the Armed Conflict, Colom proclaimed: “I can assure you that we are going to make public all of the Military archives.”

At the end of February 2009, after strong pressure, then Defense Minister Valenzuela finally turned over two of the four military plans to a judge, *Plan Victoria '82* and *Plan Firmeza '83*, claiming the other two could not be found. However, instead of giving them to the Prosecutor's Office, the judge simply returned them to the military.

President Colom, in early March, appointed his Declassification Commission, consisting of seven members from both military and civilian backgrounds, who were to visit Guatemala's military bases, request secret and top secret files from 1954-1996, organize them, and decide, internally, the process for declassification.

The Commission was given ten months to publish their results, but Colom granted a six month extension, leading to the official opening on June 20 of this year.

Guatemalan and international organizations immediately had serious reservations about the process of collection and analysis of the documents. In a letter to President Colom on July 19, GHRC joined with others in questioning the transparency of the process, the criteria for the continued classification of 55 documents, the collection's lack of index, and the genuineness of the archives' openness to the public.

“I can assure you that we are going to make public all of the Military archives.”

- President Colom

Unfortunately, the pomp and circumstance of the new archive seems more geared toward placating the US government than anything else. Just a month after the archive opened, the seven-member Commission flew to Washington, DC, accompanied by a member of the US military, to share details about the declassification process with representatives from the Departments of State and Defense, as well as key congressional offices. After all, Guatemalan hopes for increased military aid were tied to their show of goodwill and transparency during the declassification process.

The Commission also met with human rights organizations, including GHRC, to explain their process. During that meeting the Commission assured us that they had “had access to the entire universe of documents and only reviewed secret and top secret documents.” The small number of documents, we were also told, reflected the fact that the Commission did not collect “administrative” records – only strategy plans and operations.

General Morales, the coordinator of the Commission, extended a cordial invitation to visit their new facility, and requested our advice on how best to raise awareness about the archive. “It's great you've come all the way to Washington,” I commented to one commissioner, “but have you been to Xela? To the Q'uché? To Rabinal?” The answer was an almost sheepish “no”.

Top Secret Files Remain Classified

During my visit to the archives, I found little to support the Commission's claims. I was received by General Morales himself, and

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Massacre in Petén Leaves 27 Dead

When police arrived at Los Cocos ranch in La Libertad, El Petén, they were met with a horrific scene. Twenty-seven farm workers were lying dead, their heads strewn across a near-by field. A message written with their blood was addressed to the owner of the ranch: "What's up, Otto Salguero? I will find you and this is how I'll leave you. Sincerely, Z200."

The massacre took place on May 15. Survivors estimate that dozens of armed men murdered and decapitated the victims. Among those killed were two women and two children. Only three people survived the attack: a man, a pregnant woman, and her daughter. The workers were seasonal migrants from Izabal, who spent a few months of the year working in El Petén. There is no evidence the workers had any connection to criminal networks.

According to Guatemalan authorities, Otto Salguero had stolen a 2,000 kilo shipment of cocaine from the Zetas and was attempting to extort them to negotiate its return. The Zetas had arrived in early May to demand the drugs. On May 10, Salguero sent his niece's husband, Luis Carlos Bardales Chacón, to make a payment, but Chacón was kidnapped and assassinated. His family received a ransom call the next day, and on May 13, Chacón's father and wife left to make a payment. They were both killed en route.

Salguero is a prominent cattle rancher who had no previous official record of involvement with drug trafficking. However, neighbors commented on his shady businesses - hiring day laborers to produce cheese, milk and cattle feed for his ranch in El Petén, which, when investigators arrived at Los Cocos, didn't have a single head of cattle. He was also found to have multiple farms in strategic locations, including one near the border with Honduras and another near Mexico.



27 peasants were killed in the Petén massacre. The Zetas left a death threat written in their blood to cattle rancher Otto Salguero.

Following the attack, President Alvaro Colom declared a state of siege in the northern department of El Petén for 30 days, sending police and military to patrol the area. In Santa Elena, police had a confrontation with three suspected members of the Zetas. Two were killed in the firefight, and one, Hugo Francisco Chávez Méndez, an ex-Sergeant in the Guatemalan military, was arrested. Two days later, police also arrested Hugo Gomez Alvarez Vasquez in the neighboring department of Alta Verapaz. Many, including President Colom, have speculated that Guatemala's elite special forces, the kaibiles, were also involved in the massacre.

This gruesome show of power is the most recent evidence of the Zeta's increasing control over large areas of Guatemalan territory. Coban, Alta Verapaz has become their base of operations but they also control extensive trafficking routes in Zacapa, El Petén, as well as key border crossings.

Guatemala is an appealing location for the Zetas' expansion and a strategically

important strong-hold, as it provides access to both Atlantic and Pacific ports, proximity to the Mexican border, and weak and easily-corruptible institutions.

The Zetas, highly militarized and with extensive intelligence networks, recruit from Guatemala's elite special forces, the kaibiles, and have infiltrated many of Guatemala's local and national government offices. In some cities, the Zetas have been known to pay juicy bribes to local authorities.

The group has a military-grade arsenal of AK-47's, grenades, and even helicopters, and is known for its particularly brutal shock-and-awe tactics. Their presence in Guatemala has led to increases in violence, extortion, kidnapping, human trafficking, and conflicts between local crime networks. Local businesses are charged quotas, and those who resist are dealt with mercilessly. The Zetas were also responsible for the massacre of 72 Central American migrants in Tamaulipas, Mexico in August of 2010, and most recently, the arson attack on the Casino Royale in Monterrey that killed 52.

Volunteer or Intern with GHRC!

Interested in getting more involved with the Guatemala Human Rights Commission? Let us know! Whether it is in our DC office or from afar, there are many opportunities to help out. We are looking for translators (must be fluent in Spanish), helpers for large mailings, and passionate activists who would like to help educate or fundraise in their own community. We are also accepting applications for our 2012 Spring Internship positions.

Environmental Defender Yuri Melini Receives Death Threats

Last month, Yuri Melini received death threats due to his work in defense of human rights, specifically the right to a safe and clean environment. Melini is an environmentalist, activist, human rights defender and the director of CALAS—the Center of Legal, Environmental and Social Action. CALAS works to protect the Guatemalan environment, promote community involvement and participation, and enhance respect for indigenous rights in relation to environmental concerns.

Melini received a note on August 29 warning him to “leave the world in peace” and that he would soon “become a part of the ecosystem.” The threats are related to the dismissal of Federico Guillermo Alvarez Mencilla from his role as Executive Secretary of the National Council of Protected Areas (CONAP). In the months leading up to the threats, CALAS had been promoting a campaign against corruption and against the construction of a gas plant in Punta de Manabique, a nature reserve in northeastern Guatemala. As part of the campaign, CALAS filed a complaint with the Constitutional Court and lobbied for the dis-

missal of Mencilla, who was responsible for land management in the area.

The note, also sent to CALAS’s legal advisor, Rafael Maldonado, arrived with mug shots of 18 men and threatened that if they “keep getting who you want ar-

Melini was the victim of a violent attack in 2008 when he was shot four times. The shooting came after CALAS won a legal process in the Constitutional Court to change mining laws in Guatemala and the attack was most likely retaliation from mining interest groups. Fortunately, Yuri survived, and has continued his outspoken activism in defense of the environment and Guatemala’s protected areas.

Environmental activists and human rights defenders are frequently targeted in Guatemala for their work. UDEFEGUA reported 302 attacks against human rights defenders in the first eight months of this year, an average of 1.4 attacks daily. The great majority of the attacks (82.9%) have occurred against farmers, indigenous communities, and environmentalists. Human rights defenders are most frequently targeted with illegal detentions, persecution, and cruel and inhumane treatment; 16 have been assassinated. The department of San Marcos reported the majority of attacks, followed by Alta Verapaz and Guatemala.



(Photo: From Line Defenders)

Yuri Melini, director of CALAS, holds up an article about environmental damage in protected areas of Izabal

rested and keep up the show—we will settle the score after 14-01-2012 [the day the new president takes office]...It’s going to be a problem for those who come next and you’re going to stop making a fuss.”

Former General Arrested, Charged with Genocide

Retired army general Héctor Mario López Fuentes, 81, was arrested on June 17 on charges of genocide, forced disappearance and other crimes against humanity. López Fuentes is the highest-ranking official to be detained for human rights violations committed during Guatemala’s 36-year armed conflict.

López Fuentes was the third highest ranking official during the Rios Montt regime, and as the Armed Forces Chief of Staff, was second in command of the military. He is accused by the Public Prosecutor’s Office of “over ten thousand murders, nine thousand forcibly displaced persons, and the rape of women in the Maya Ixil region, crimes which took place between March 1982 and October 1983.”

As Rios Montt’s “right hand man”, López Fuentes oversaw the implementation of military campaigns Plan Sofia, Victoria 82 and Firmeza 83, plans that have been kept secret by the Guatemalan military despite ongoing demands for their declassification. (See “Debate over Military Archives Continues”, page 5.)

Lopez Fuentes was arraigned on June 20 and is currently detained at the Matamoros prison in Guatemala City, 12 years



after the case was first presented to the courts.

Other lower-ranking former military personnel have also been arrested recently for their alleged role in human rights violations during the same time period. Colonel Héctor Bol de la Cruz, former Director of the National Police from 1983-85, was recently charged for his command responsibility in the forced disappearance of student and trade union leader Edgar Fernando García.

Photo: "Wanted For Genocide - Héctor Mario López Fuentes: Captured" (Graham Hunt)

Labor Activism a Way of Life for Voiceless Recipient Adrian Ventura

These days, it is hard to find success stories for labor and immigrant rights issues. New Bedford community organizer and labor leader Adrian Ventura, however, has had his fair share. In the last six years, he has taken on some of the town's biggest companies to hold them accountable to labor laws and anti-discrimination policies—and won.

Adrian is an indigenous Mayan from El Quiché who fled Guatemala to avoid political persecution. He landed in New Bedford, MA, and despite many challenges has established himself as one of the immi-

“I began to think about how to prevent this [raid] at other factories. Workers were heavily discriminated against and exploited. There were no labor support centers.”

grant community's most vocal and active organizers. He is the executive director and co-founder of the Community Worker's Center (known as the CCT in Spanish), an organization that educates immigrant workers about their rights, provides legal support and interpretation for K'iche' speakers, and even works with local police to educate them about New Bedford's immigrant population.

New Bedford, located on Massachusetts' south coast, has a long, proud history as a fishing and whaling center and advertises itself as the nation's largest commercial fishing port. Today, commercial fishing is celebrated as an important cultural tradition of the town. Together with manufacturing, it is what keeps New Bedford in business.

Behind the gloss of the town's economic heritage, however, are the realities of the men and women who process the fish and work in the manufacturing plants. As in many parts of the country, those workers are immigrants, often working without a legal work permit. In New Bedford, they are, in large part, K'iche' Mayans from the Guatemalan highlands.

Many arrive with almost nothing, barely speaking Spanish, let alone English. Some

were subsistence farmers who have come seeking economic opportunity. Others were small business owners who left to escape violence from local gangs and weekly quotas charged from organized crime networks. Some arrived in New Bedford because they already have family or friends there. Still others came because they heard there are jobs. Now they spend their days working long hours for little pay in the town's fish houses or factories.

“For every 100 that come, only ten return,” estimates Adrian. “Especially these days with all the problems in Guatemala... and Otto Pérez Molina,” he adds, referring to Guatemala's presidential candidate and former military man who oversaw acts of genocide in the department of El Quiché.

New Bedford is not the most welcoming environment for undocumented labor. The town entered the national spotlight in 2007, when 300 federal immigration agents arrested 350 workers at Michael Bianco Inc. Those detained were mostly Guatemalans, and had been working under terrible conditions producing leather goods and military backpacks. Many were later deported. The owner of the company, which had received over \$100 million in Defense contracts in just five years, was indicted for knowingly hiring undocumented workers.

The raid spurred Adrian to get more involved. Then working with the Maya K'iche' Organization, he helped support the undocumented workers and their families. “I began to think about how to prevent this at other factories,” he says, “workers were heavily discriminated against and exploited; there were no labor support centers.”

He helped found the CCT, which now offers monthly workshops on labor rights, and collaborates with a legal justice organization on cases of labor violations. When the CCT learns of abuses

or discrimination, the organization employs a myriad of strategies to support workers, including dialogue with the private sector, advocacy with legislators, direct action, and public education. His organization has been extremely successful in bringing justice for victims of labor violations.

Their strategy often begins with a letter to the employer, asking for a meeting. “We meet and discuss the issues through an interpreter,” he says. “The company will meet because they don't want the allegation getting out to the media.”

When 86 workers were dismissed from their jobs at a fish house based on the E-Verify program, Adrian organized a meeting with the company and convinced them to re-hire the workers. He also used it as an opportunity to raise awareness about working conditions. “We ask them to respect our rights, our language, and that they train

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“Which way for America?” Community leader Adrian Ventura participates in a rally in New Bedford, MA

Adrian Ventura*Continued from Previous Page*

their employees to do so as well.”

In another case, he learned about violations occurring at an industrial tent rental company. The company wasn't giving workers overtime pay and was hiring minors to work up to 80 hours per week. “When we found out, we organized a protest outside the company until they decided to pay.”

“Those of us without documents have the same human rights. We are all equal.”

His organization also helped support a group of K'iche' women who were discriminated against in a textile factory.

The immigrant community in New Bedford has not been spared the negative impacts of the Secure Communities program. In one case, Maria, a Guatemalan woman whose husband was arrested and deported, was so anxious that she suffered a miscarriage. Adrian and the CCT again took action, organizing the community in response, seeking psychological support for Maria, and speaking with local authorities. “We sent letters to our congress people and our representative said he would not support the policy.”

Through his advocacy and dialogue with the police, Adrian has helped decrease implementation of the program. In the last two months, only seven people have been detained under Secure Communities.

Despite the difficulties of advocating for labor rights, he says the hardest part of his work is educating people about their rights and encouraging them to be their own advocates. The challenges won't hold him back; he has organizing in his blood, he says proudly. “Those of us without documents have the same human rights,” he explains, and then quotes from the K'iche' holy book, the Popol Vuh, “Leave no one behind, let's all walk together, men and women. We are all equal.”

The Voiceless Speak Fund provides small grants to Guatemalans in the US, thanks to a generous GHRC donor. See our website for details.

Immigration Reform Updates

Secure Communities

On August 18, after significant criticism from immigrant rights groups concerning the “Secure Communities” Program, President Obama announced a shift in deportation policy. Secure Communities is a program in which local and state police send fingerprints of anyone they arrest to Immigration and Customs Enforcement (ICE). Many people claim that, under Secure Communities, thousands have been deported who pose no threat to the US. The change in policy would allegedly stop the deportation of many students who would be eligible for permanent residency under the DREAM Act and focus US efforts on deporting those who pose a threat to “national security or public safety.”

DREAM Act

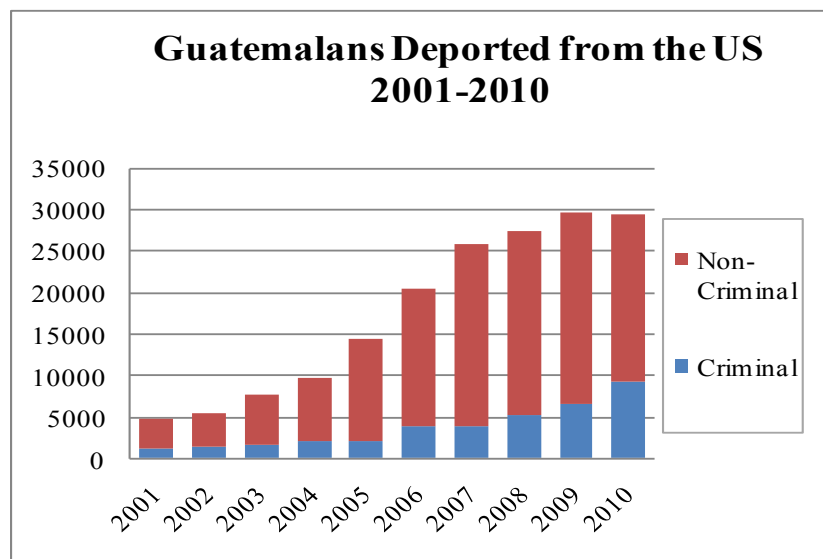
The Development, Relief, and Education for Alien Minors (DREAM) Act would qualify immigrants for permanent residency who entered the country before the age of 16 and either attend college or join the military. Originally introduced on August 1, 2001, this bill has been altered and introduced various times to both the House and the Senate. Most recently, the DREAM Act was passed in December 2010 by the House but was blocked by a filibuster in the Senate. Nonetheless, many courageous undocumented students and their supporters have continued to push for the passage of the bill, risking arrest and deportation.

E-Verify

E-Verify is a controversial program in which employers can check a current or potential employees legal employment eligibility. Many have criticized the program as inaccurate and expensive, and claim that it has been used to target minority employees. Nonetheless, the proposed Legal Workforce Verification Act would make the use of E-Verify mandatory for all employers. At the time of publication, this act was in committee in the House of Representatives.

Increased Deportations

President Obama has been the target of massive protests in recent weeks by immigrant rights activists pushing for the passage of the DREAM Act and against the “Secure Communities” Program, spurred in large part due to ongoing deportations. The number of Guatemalans deported from the US has risen steadily every year over the last decade. In the first half of 2011, US immigration authorities deported 14,478 Guatemalans, an 11.54% increase over the same period in 2010.



Source: Department of Homeland Security Yearbook of Immigration Statistics 2010

Polochic Evictions

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those human rights violations by social movement organizations. The government threatened to "immediately carry out all pending land evictions" and "freeze all dialogue" with campesino organizations.

The attacks didn't end with the evictions. On March 21, members of the Canlún community were cultivating land which they own through their cooperative. They saw three tractors excavating in a nearby field, accompanied by 18 private guards and the head of security for the Chabil Utzaj sugar company. When the farmers asked what was going on, they were told that the tractors were digging their graves. Immediately, the head of security ordered the guards to open fire. Oscar Reyes, a 34 year-old farmer, was shot dead. Three others received bullet wounds.

Then, on May 13, three private helicopters flew over the community of Aguacaliente, dropping grenades on the cornfields that had survived destruction during the evictions and intimidating the families that were trying to harvest the corn.

On June 4, María Margarita Che Chub, a 37 year-old community leader from Paraná, was shot and killed by heavily-armed men who arrived by motorcycle at her home. She was murdered in the presence of her two young children.

At midnight on August 10, 22 families were attacked by 30 paramilitary forces. The armed men, their faces covered, began firing their weapons and demanding that the community members leave the land belonging to Chabil Utzaj. The families' fragile homes were destroyed and their belongings, including their clothes and harvested corn, were set on fire. Martín Pec May was shot in the abdomen and Carlos Ical was shot in the leg. An 8-year old girl was injured when a bullet grazed her leg.

A "New" Chabil Utzaj

In June, a PR piece posing as a news article entitled "Grupo Pellas buys Sugar Refinery and Will Create 2,000 Jobs" was published in the *Siglo XXI* newspaper. It stated that the Pellas Group had assumed "total control" of the business, and that they were creating a "new Chabil Utzaj." In addition to job creation, Miguel Maldonado, the new general manager of Chabil Utzaj, promised to "provide aid, maybe help the schools and build a little hospital or support the existing health clin-

ture. The "new" Chabil Utzaj reflects a very old feudal mentality.

The Work of GHRC

Immediately following the evictions, GHRC joined with a coalition of Guatemalan and international organizations in petitioning the Inter-American Commission on Human Rights (IACHR) of the Organization of American States to approve precautionary measures for the communities.

Precautionary measures request that a State take concrete steps to "prevent irreparable harm" to persons, organization, or communities who are at risk.

On June 20, the IACHR granted precautionary measures for the 14 communities forcibly evicted in the Polochic. It states, in part:

"Between 700 and 800 families from the communities are living in precarious conditions, without access to food and water, and that State agencies have failed to provide them with shelter or nutrition solutions. [...] The

Inter-American Commission requested that the State of Guatemala adopt any necessary measures to guarantee the life and physical integrity of the members of the 14 Q'eqchi' indigenous communities; adopt any necessary measures to provide humanitarian assistance, including food and shelter, to the members of the 14 displaced communities; and come to an agreement with the beneficiaries and their representatives on the measures to be adopted."

GHRC has been working tirelessly with other human rights, campesino and indigenous organizations to ensure their implementation by the Guatemalan government. We've met constantly with the communities in an effort to define their most pressing needs in the areas of security, food,



GHRC and other petitioners in the Inter-American Commission process meet with members of displaced Polochic communities.

ics. We don't want to arrive empty-handed, we want to help the people, but for that to happen there has to be productivity."

The patronizing offer to "help the people," will provide little in the way of long-term change for communities in the Polochic Valley. Half of the proposed new jobs are temporary "high season" positions. By proposing to replace family farming with large-scale sugar production the "new" Chabil Utzaj is creating a situation of financial and food dependency, a break with existing community structures, usurpation of the role of the State in providing health and education services, and complete disregard for the fundamental cultural importance of corn within the indigenous cul-

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Polochic Evictions

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health, and shelter. We've also maintained pressure on the government to come to a consensus with the beneficiaries about how to best implement the measures.



Photo: Rob Mercatante

Ammunition and other objects recovered in Paraná after attack by paramilitary forces.

The government's response, up until now, has been disappointing, to say the least. It wasn't until a September 2 meeting between COPREDEH (the Presidential Human Rights Commission) and community representatives that the government finally took concrete steps towards complying with the precautionary measures.

One important step forward was the commitment to carry out a health and food census in the communities to determine how the government can best provide immediate health care and urgent food aid to the families. As for security, there has been a rotation of the police officers assigned to the area and an investigation of Chabil Utzaj's private security company is underway.

In the end, though, we return to the beginning: the issue of land. The government has stated repeatedly that topics of access to land and land ownership are not up for discussion. However the farmers say that it is ludicrous to talk about their food and housing needs without mentioning the need for land. "How am I going to feed my family if I can't work the land? I'm not a beggar and I don't want handouts. I'm a farmer and I want to plant," exclaimed one campesino during a meeting. Yet another

wondered: "The government talks about housing, but where are they going to build my house? In the air?"

As long as the majority of arable farmland continues to remain in the hands of a few wealthy families and transnational corporations; as long as biodiesel crops such as African palm and sugarcane continue to replace the traditional crops of corn and beans; as long as the justice system continues to serve the interests of private property instead of protecting human rights; as long as the Congress refuses to pass any law relating to rural development and as long as the government favors forced evictions instead of meaningful and productive dialogue, we can expect more of the same.

Polochic is an emblematic case of what other agrarian communities throughout Guatemala are facing. In fact, since Polochic, there have been other violent land evictions in Retalhuleu and the Petén, with tragic consequences.

The lame duck Colom administration is in the process of "closing up shop." The work of government ministries and institutions is slowly grinding to a halt. Much of the actual efforts during the remaining four months will be geared toward preparing the transition to the incoming government that takes office on January 14, 2012.

Meanwhile, the families of the Polochic and other displaced campesino communities struggle day-to-day to find a way to put food on their table.

How you can help:

(1) Sign on to GHRC's urgent action demanding government action

(2) Become a **Friend of the Polochic** by making a tax-deductible donation to GHRC; 100% of your funds will go directly to support community advocacy efforts. (Simply write "Polochic" on the memo line!)

GHRC Denounces Policy of Forced Evictions

On August 30, the Guatemala Human Rights Commission in Washington, DC joined local and international groups in expressing serious concern over the pattern of violent land evictions occurring in campesino and indigenous communities across Guatemala.

Forced evictions have been carried out by state forces with violence, extreme intimidation, and a pattern of destruction reminiscent of the scorched earth policy of the internal conflict — leaving the nation's poorest and most vulnerable populations with little or no access to food, potable water, or shelter. The communities' cries for urgent assistance and protection from threats and violence are met with silence and indifference from local and national authorities.

- **At the end of July, 138 farmers were evicted by hundreds of state forces from Soledad Cafetal farm in Retalhuleu.** One man was killed from blows to the chest and intoxication from tear gas, and the families' temporary huts were burned to the ground by workers hired by the landowner. The 250 families who had planted on the land had occupied it for the last seven months after being expelled from their jobs and land by the owner for failure to pay their quota of rent on the property. The workers complained to multiple government agencies that they had never received minimum wage, and requested access to the land to plant subsistence crops until an agreement was worked out with the government to find affordable land for the community.
- **In August, 300 people were forcibly evicted from a community in Sierra del Lacandón, El Peten,** after being accused of collaborating with drug trafficking organizations. The International Commission of Jurists said Interior Minister Carlos Menocal had used an "illegal generalization" to justify the eviction. The campesinos have publicly complained that the evictions come as part of a development plan that includes four hydroelectric dam projects, a university for the study of biodiversity, an electric train and improved

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Evictions

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tourism facilities at Mayan cultural sites that President Colom hopes will attract 12 million tourists each year. Colom has stated that to achieve the park's development, the region needs to be cleared of "invaders." The region was remilitarized during the State of Siege in May 2011 in order to "protect park lands." Meanwhile, the contract of French company PERENCO to drill oil on lands partially located on national protected areas, was extended in July 2010. The project is expected to have major environmental impacts.

The evictions have been denounced by the Office of the High Commissioner for Human Rights as a violation of international standards and basic human rights.

The very entities charged with ensuring due process and respect for human rights often accompany the eviction process as mute observers of the violence unfolding before their eyes.

The evictions have been denounced by the Office of the High Commissioner for Human Rights as a violation of international standards and basic human rights.

The Guatemalan State is responsible for ensuring the basic rights of all of its citizens, including right to food security, potable water, dignified housing, physical integrity and due process of law. Violent forced evictions create an environment of fear and militarization and do nothing to resolve deep and ongoing conflict over access to land.

While 2% of the population continues to own 70% of the land as well as the vast majority of other resources, the conflict will continue.

GHRC condemns the Guatemalan government's lack of respect for dialogue processes and a public policy that is willing to sacrifice the life and well-being of men, women and children in the single-minded defense of private property, and called for an end to the destructive and violent policy of forced evictions.

Military Archives

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escorted to the small computer lab. Under the watchful eye of a Guatemalan military staff member, I poked around the digital archive for over two hours. I was surprised when my companion informed me on multiple occasions that I wasn't supposed to take notes on what I read, and that the "information wasn't for just anyone to see." Were these documents not fully declassified, public information?

Contrary to the Commission's statement in DC, the majority of documents I saw in the archive were not labeled secret or top secret, but were instead military students' thesis papers. Some documents, it was obvious, had never been classified, such as press clippings and Congressional Decrees. Many PDFs simply didn't open.

Despite the Commission's mandate, many documents were not in fact from 1954-1996. Take, for example, a document from 1952 regulating military bands and marimba groups (typed, with no scan of the original), or a "Planning Guide" from 2011 (two colorful pages of text boxes).

Most interestingly, under the section labeled "orders, reports and plans", I didn't find a single document. The four key military plans mentioned above, of course, remain classified –although they can be requested by a Judge – ironic since at least one is already publically available on the internet (see the National Security Archive website for an authenticated copy of *Operación Sofía*).

When I asked my military accompanier about these discrepancies, she informed me that "the Commission hasn't finished scanning the documents" and that the spotty collection wasn't the fault of the Commission, that "they only have what was handed over to them."

The military is in a delicate position. Seeking to validate the archive, the government has promoted the number of declassified documents (94.78% are public!), encourages visits to the reading room, and is even considering moving the archive off the grounds of the *Estado Mayor*. Yet, as the declassified files are more closely analyzed, the military will surely confront increased public scrutiny; the material and intellectual authors of the vast and systemic crimes against humanity committed by Guatemala's armed forces will be more vulnerable to prosecutions.

In addition, if the content of the archive does not accurately reflect the full collection of

military secret and top secret documents from the conflict, or if those documents remain classified, access becomes a moot point. The decision to include a large number of files unrelated to the Commission's mandate has only served to delegitimize the archive.

Despite the Commission's mandate, many documents were not from 1954-1996. The majority were not labeled secret or top secret. Key military plans remain classified.

What are the next steps?

The Commission's process, particularly the access to –and collection of – files from regional military bases, will be difficult to re-examine, both for practical and political reasons. Neither the military nor current political leadership has interest in a public audit of their actions. For that reason, many suspect that the military's key documents may already be destroyed or safely hidden.

Ongoing pressure will be needed for Guatemalans to have true access to military records from the internal conflict.

The Defense Department and other government agencies must initiate sincere consultations with Guatemalan experts and victims' rights organizations, solicit input and recommendations from civil society, and engage in a true campaign to raise awareness. The actual number of "secret" and "top secret" documents from 1954-1996 should be made public.

In order to facilitate access to the newly declassified documents, the archive must be moved to a neutral location and be overseen by civilian staff. Documents, including classified and partially classified files, should be indexed for public record. Article 24 of the Freedom of Information Act should be interpreted in its broadest sense for purposes of declassification –and the operations that led to the scorched earth campaign of the early 1980s should be made public.

Achieving justice and accountability from the internal conflict will be a long process, and it has only just begun in earnest. This archive may prove to be an important first step toward increased transparency, but it is clear that the process must not end here.

Delegation Meets with Women Leading the Struggle Against Violence

GHRC's annual August delegation, focused on violence against women, brought together people from across the US, as well as one Romanian participant from the EU Delegation to Guatemala. This year, women leaders highlighted the historic and current impunity for sexual violence and the links between violence against women and conflict over land.

The intense week of meetings and testimony from women advocates, activists and survivors of violence began with an inspiring presentation by Lorena Cabnal, a Xinka community leader and anti-mining activist.

Lorena's leadership grew out of a personal search to define her identity as a Xinka woman, a difficult process that brought into question long-standing gender norms and power structures in her community. She began to help other women question and overcome internal oppression. Now, with the women's group AMISMAXAJ, she is developing a model of "community feminism" to break free



Delegate Chris Morales listens to testimony in the Q'eqchi' community of Lote 8.

of women's "eternal" victimization, as well as systemic racism, entrenched patriarchy, and destructive capitalist practices.

For Lorena, the struggle for women's rights is deeply tied to land rights and respect for Mother Nature. She has led her community's struggle against the mining in historic Xinka territory, known internally simply as "la montaña" – the mountain.

Petroleum deposits were discovered on the mountain in 2008, and the Guatemalan government, without consulting the Xinka communities, was quick to grant licenses for exploration and extraction. In response, Lorena and others had rallied 20,000 people in a march to the capital in 2009. Her activism, however, led to death threats and Lorena was forced to leave her community.

"Mining is destroying the Xinka people," she



GHRC delegates gather with representatives of ISMU and FUNDAESPRO in the capital.

told the delegation.

Rosa, a Q'eqchi' woman from Lote 8, and victim of sexual violence and forced eviction, has experienced that destruction in her own community.

Delegates traveled to the remote community of Lote 8, outside of El Estor, Izabal, to hear about the violent eviction suffered in 2007 by almost 100 families, part of an effort to open land for the Guatemalan Nickel Company (CGN), until August 2011 a subsidiary of Canadian mining giant HudBay Minerals.

Getting to Lote 8 was not easy. After a two-hour ride from the nearest town in the back of a pick-up truck and over rugged terrain, delegates reached the original location of the community. It was then an hour walk through the forest and cardamom crops to reach the 'new' Lote 8.

During the eviction, women in the community were gang-raped by state forces and CGN security guards. Two women who were pregnant lost their babies. Rosa herself can no longer have children. These women shared their difficult testimony with the delegation, but they did so apart from the men in the community. It has been a challenge for the women to talk about the violence they suffered, initially fearing their husbands would blame them or retaliate against them because of it.

As in 98 percent of cases in Guatemala, the men responsible for the sexual violence in Lote 8 walk free. Rosa and 10 other women from the community have brought a case against HudBay in Canada, hoping to hold the company accountable for the actions of its security personnel.

Gender inequality and discrimination has a long history in Guatemala, but much of the

brutal violence women suffer in the present day became widespread, and was even encouraged, during the internal conflict.

"Men were systematically taught to rape women," explained Luz Mendez, of the National Union of Guatemalan Women and long-time women's rights activist.

Despite over 9,000 (documented) cases of sexual violence during the internal conflict, there has not been a single case brought to court and no one has been held accountable. Delegates met with organizations working to change that. Mendez, along with women at psychosocial support organization ECAP and legal advocacy group Women Transforming the World, is working to bring the first case of sexual violence from the war to the courts this fall.

Delegates also had the unique chance to meet with one of the most forgotten groups in Guatemala—incarcerated women. In Puerto Barrios, the group visited a prison with 40 female inmates, many of whom are far from their families and children. The women receive support, workshops, and solidarity from the Artisan Collective. They shared their art, poems and music with the delegates in the prison courtyard.

Back in Guatemala City, the group heard about community health, education and advocacy projects being pioneered by two women-run groups in marginalized communities around the capital. Representatives of the Institute for Overcoming Urban Poverty (ISMU) and Strength and Prosperity Foundation (FUNDAESPRO) spoke of the challenges of improving living conditions and the lack of response by the state. While pushing for political change, they are building community and providing literacy and educational workshops to hundreds of women and youth.

The testimonies shared with the delegation throughout the week reflected women's widespread struggle to break the cycle of historic victimization and impunity, and their powerful leadership at the community and national level.

Back in the US, participants have already begun to raise awareness and build international solidarity in their own communities by sharing their delegation experience and the voices of the women they met.

GHRC leads a delegation to Guatemala every August. If you would like to join us in 2012, please contact ghrc-usa@ghrc-usa.org.

GHRC Opens Office in Guatemala, Welcomes New Staff

In May of 2011, GHRC opened its first permanent office in Guatemala City. The office coordinates with Guatemalan partners and other international organizations in the country, and oversees the Human Rights Defenders Program. This year we will not only be increasing our advocacy efforts, but will also continue providing direct support for defenders who need emergency relocation, as well as the children of community leaders who have been threatened or attacked through our education fund.

As we expand our efforts in Guatemala, we also welcome new staff. Outgoing Director Amanda Martin says farewell after three years of incredible work to build and strengthen the organization. Her vision to have staff on the ground in Guatemala led to the hiring of Rob Mercatante, who we are proud to present as GHRC's representative in Guatemala. Here he introduces himself and his long-time commitment to Guatemalan human rights and justice issues.

Letter from Outgoing Director Amanda Martin

Three years ago, I sat in a wooden booth at a restaurant in Brookland, in Northeast Washington, DC, having just accepted the position of director at GHRC. Board president Kathy Ogle told me "one of the best things about this job is that you will meet so many amazing, inspiring people who are doing courageous work." Her words rang true again and again, throughout the past three years.

Traveling to Guatemala every three months fueled my passion for the work, while allowing me to spend months at a time in the GHRC office in DC. Trips to Guatemala brought me face to face with these amazing community leaders, as I traveled to communities to hear the stories of organized resistance to megaprojects, and listened to the testimony of men and women charged with crimes that they did

not commit. The information gathered on these fact-finding trips was brought back to the US, and to GHRC supporters, via El Quetzal and email blasts.

Organizing and leading delegations from the US to Guatemala was by far my greatest joy at GHRC. Engaging with community leaders, professors, students, activists, social workers, and so many other dedicated people from across the US on week-long immersion trips opened my eyes to new perspectives. Many of you have become close friends of mine, and with each other, creating a new branch in a network of solidarity.

I intended to stay at GHRC for three years, and that time has come to a close. Working at GHRC has been incredibly fulfilling and life-changing for me. I have reconnected with Guatemala, a country and people that I learned to love 18 years ago when I first arrived there as a Peace Corps volunteer.

Now I am reconnected and will carry Guatemala with me wherever I go, in my thoughts and work.

As I move on to a new chapter in my career, working for human rights in Burma, I will bring the lessons, experiences, and inspiration of GHRC's work with me. Kelsey Alford-Jones, who worked with me for three years (as Associate Director), has taken over as director of GHRC. There is no one else who could fill this position as thoroughly and excellently as Kelsey. And, she is now working with Rob Mercatante, who runs the new GHRC office in Guatemala City.

During this transition at GHRC, your continued support and interest in our work for Guatemala is especially important, and essential, to creating positive, systemic change.

With gratitude,
Amanda Martin

Letter from Rob Mercatante, *Human Rights Defenders Program Director*

There is a brief moment of paralyzing fear when you realize that you've got a scorpion in your underwear.

I stood there, frozen in my fruit-of-the-looms, as I felt the venomous invader scurry across my backside. Immediately I dropped my drawers and began dancing around like a naked version of John Travolta in "Saturday Night Fever". (And you can bet that the song I was hearing in my head was "Staying Alive".)

Quickly I reached for my ever-handy machete and with a flick of the wrist dispatched the scorpion. I let out a huge sigh of relief. Another near miss.

I walked over to the Scorpion Scoreboard



Rob Mercatante, center, shows his pictures to community members during an exhumation

hanging on the wall of my house, and added another hashmark. Rob 81, Scorpions 0.

Ah, life in Guatemala.

I first came to Guatemala as a volunteer with Habitat for Humanity. My assignment was to help build low-cost homes in El

Rosario, a small village on Guatemala's southern coast. Living in El Rosario was like appearing on a three-year long episode of "Survivor": no electricity, no running water, no telephone, and a heat so brutal that the only time you stopped sweating was when you were dangerously dehydrated!

But it wasn't just the heat and scorpions that made life in El Rosario so difficult. For the first time in my life I understood what "living in poverty" meant; I saw how it affected the lives of my neighbors, my co-workers and my friends. I saw the inhumane working conditions in the sugarcane fields that surrounded our village. I saw the broken-down health clinic that had no permanent doctor and medicine that had gone bad because there was no refrigeration. I saw the school with empty black-

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Letter from Rob Mercatante

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boards because the teachers had no chalk. I saw army helicopters land on the stony soccer field and soldiers search house-to-house for guerillas. I saw children die from diseases that should have been prevented and could have been treated.

It may seem odd to say, then, that El Rosario is also where I fell in love with Guatemala. In the midst of poverty, in the midst of daily suffering, I witnessed the resilience and beauty of the human spirit. I saw generations of families living under the same thatched roofs, grandparents swinging newborn infants to sleep in hammocks. I saw community members working together under the unforgiving sun to help build one another's homes. I saw moments of genuine solidarity as the entire village would gather to accompany a grieving family. I saw extraordinary generosity as those who had practically nothing would invite me into their homes to share their meals with me.

As an outsider, as a white male of privilege from the "developed" world, the welcome of unconditional acceptance that I received in El Rosario can only be described as an act of grace. Those three years forever changed my life and marked the beginning of a path that I would follow, with its twists and turns, for over two decades.

This month, in fact, I will be celebrating my 22nd year working and living in Guatemala. During those years I have been witness to moments of beauty and brutality, breakthroughs and setbacks, hope and despair.

I have had the privilege of participating in pivotal moments of Guatemala's recent history: the return of the refugees from Mexico, the first overland visits to the Communities of Population in Resistance, the awarding of the Nobel Peace prize to Rigoberta Menchú, the signing of the Peace Accords, the transformation of URNG from guerilla organization to progressive political party, the forensic exhumations of mass graves from the armed conflict, the groundbreaking human rights trials against military officers responsible for the massacres of the indigenous population, etc.

Yet for all of those advances, Guatemala still faces a series of seemingly insurmountable challenges: families living in extreme poverty, a terrible vulnerability to natural disasters, a debilitated and underfunded government, a powerful oligarchy that prioritizes profits over the progress of the nation, the presence of drug cartels, organized crime and gangs, political nepotism and corruption, high indices of impunity and a barely functional judicial system, unequal land distribution and violent evictions of family farmers, the mass exodus of immigrants to the US, the proliferation of foreign-owned destructive mining projects, violence against women and femicide, racism and discrimination, continued attacks on human rights defenders, etc.

Oh... and did I mention that there is a very good chance that the next president of Guatemala will be a former Army General accused of torture, massacres and other crimes against humanity?

It shouldn't come as much of a surprise that many people question my decision to stay in such a difficult and dangerous country. Heck, I constantly question it! I have been harassed by gang members, mugged, and robbed at gunpoint—repeatedly. I have been tear-gassed, shot at, had my telephone tapped, been detained by the police, and received death threats.

But when I think of all of the amazing Guatemalan men, women and children that I have met, and all of the terrible adversities that they face day after day, the question quickly shifts from "why do I stay?" to "how could I possibly walk away?" It's not much of a choice after all. In the face of such great injustice, and such tremendous need, all but the hardest of hearts would be moved to work for peace and justice.

Which is why being hired by the Guatemala Human Rights Commission to open their new office in Guatemala City is, for me, a dream come true.

My first six months with GHRC (two in Washington, DC and four in Guate) have been exciting, exacting and exhausting. Thankfully, even in the most difficult of

times, it is easy to stay inspired. After all, I work with heroes!

I consider myself incredibly fortunate to be part of the GHRC team. Kelsey, our director, is an exceptionally talented woman: hard-working, insightful, and profoundly knowledgeable about all things Guatemalan. Our interns have a jaw-dropping array of skills and abilities that they tirelessly bring to the endless tasks at hand. Our board of directors is incredibly involved and supportive. And, as of this month, Kathryn Johnson joins our staff as Advocacy and Development Coordinator in Washington.

Even though I am the sole staff person in Guatemala City, I rarely work alone in-country. There is a network of human rights defenders here who have dedicated their lives to the struggle for social justice. Some are well-known, nationally and internationally. But the great majority of these inspiring people work quietly behind the scenes, often putting their lives at risk in ceaseless and selfless service to the poor, the marginalized, and the oppressed.

And then there's you.

You who have supported GHRC through our delegations, letter writing campaigns, donations, speaker tours, or other activities. Without you, none of this work is possible! Whenever I attend workshops, marches or protests, whenever I speak to those in power or confront injustices, whenever I accompany individuals, families, or communities at risk...I do so, not as Rob, but as the Guatemala Human Rights Commission. I speak with your voice and I act with your support.

There is a general consensus that the human rights situation in Guatemala is at its most critical point since the 1980s, the bloodiest years of the armed conflict. The challenges are formidable. Lives are at risk. I am convinced that only by all of us working together can justice and human rights prevail.

I am proud to be a part of GHRC. I promise that nothing, not even scorpions, will stop me from giving all that I have give to this important work.

Two Legends Remembered

Argentine Resistance Singer Killed in Guatemala

Facundo Cabral, an Argentine singer-songwriter and leading voice of protest against military dictatorships in Latin America, was shot to death while on tour in Guatemala in July of this year. Cabral and his promoter were on their way to the airport in Guatemala City when they were ambushed by two armed vehicles. While the true motives of the attack remain unknown, some argue that the shot was meant for his promoter while others, including Rigoberta Menchu, have stated that he was assassinated for his beliefs.

In reaction to the murder, fans throughout Guatemala held a memorial concert and President Alvaro Colom declared three national days of mourning. In early August, Guatemalan police detained a suspect in the case, a hit man with connections to organized crime groups, particularly narco-traffickers.

Born in La Plata, Argentina in 1937, Cabral was the eighth child of a poor family, but overcame his unfortunate

circumstances through a profound dedication to social justice and gift for music. After a rough adolescence and a series of menial jobs, Cabral started performing in 1959 and released his first major hit in 1970. By the mid-1970's he was firmly established in the Latin American music scene and had gained a reputation as a protest singer.

Because of his open political criticisms, Cabral was forced into exile in Mexico following the Argentine coup in 1976. Nevertheless, he continued writing and performing, and gained popularity with a wide range of audiences. When he returned to Argentina in 1984, his popularity only increased, as he performed a unique mix of spoken word, poetry, phi-



(Photo: <http://userserve-ak.last.fm/serve/252/26046893.jpg>)

losophy, and music before sold-out audiences. In 1996, the United Nations declared Cabral a 'worldwide messenger of peace' for his continued commitment to justice and freedom for the people of Central and South America.

Political Activist Alfonso Bauer Paiz Dies at 93

The noted Guatemalan political activist and human rights defender, Alfonso Bauer Paiz, affectionately referred to as "Poncho," passed away this past July 10 at the age of 93 due to heart failure.

Paiz was born in Guatemala City on April 29, 1918. He graduated from the National University Department of Legal and Social Sciences as a lawyer and notary public. In the years following the revolution of October 1944, Paiz actively participated in a number of political positions in Guatemala. Following the CIA-supported 1954 coup, Paiz went into exile in Mexico until he secretly returned to Guatemala three years later, at which time he became a professor at the University of San Carlos.

He was also elected to be a member of the commission that studied and eventually denounced illegal nickel concessions on the part of the government of Carlos Manuel Arana Osorio. Due to the open criticisms made by the commission, the government sought to eliminate its mem-

bers. Paiz was victim of an armed attack in 1970, from which he spent five months recovering in the hospital. He was the only member of the commission who survived.

Paiz traveled to Chile in 1971, but fled after the leftist leader Salvador Allende was overthrown in 1973. He lived in Cuba until 1980, supporting the Ministry of Justice. Between 1981 and 1988 he worked as a government advisor to the Sandinista Revolution in Nicaragua. In 1988, Paiz returned to Mexico to work with Guatemalan refugees who had fled the armed conflict until finally returning to Guatemala in 1995, where he continued to fight for the rights of the people.

Miguel Angel Albizu, a Guatemalan human rights activists and newspaper columnist referred to Paiz as: "Another one of



(Photo: www.mimundo-photoessays.org)

the great defenders of the rights of the people, the unbreakable Alfonso Bauer Paiz, he who defeated henchmen and served humbly the people of Guatemala, Chile, Cuba, Nicaragua, and particularly those who fled certain death in Guatemala by seeking refuge in Mexico.

Supporters and mourners filled Guatemala's streets to remember and commemorate one of the nation's heroes.

Human Rights *UPDATE*

March 23: **Colom and wife Torres file for divorce.** Soon after the divorce, Sandra Torres declared her candidacy for president.

April 18: **Resurgence of Violence in Alta Verapaz.** Two months after the state of siege was lifted there was a recurrence of violence with 7 murders in the department over the course of two weeks.

April 26: **Anniversary of Gerardi's Assassination.** Hundreds of people gathered at Bishop Juan Gerardi's grave to commemorate the 13th anniversary of his death.

May 9: **Portillo declared 'Not Guilty'.** Former president Alfonso Portillo was declared not guilty during a hearing where he was charged with laundering 15 million dollars during his presidency. The prosecution and the CICIG have since appealed the decision.

May 17: **State of siege declared in El Petén.** President Colom declared a state of siege in El Petén following the May 15 massacre of 27 in an attempt to restore peace and rule of law in the department. The region has become a center of organized crime activity.

June 1: **Spain authorizes extradition of Carlos Veilmann.** Veilmann's extradition was requested so he could face charges for the murder of 10 prisoners between the years of 2005 and 2006.

June 3: **Guatemala honors the memory of Jacobo Arbenz Guzman.** Fifty seven years after the US backed coup of President Arbenz, the nation will finally recognize him in school curriculums.

June 8: **Political party finances made public.** The Supreme Electoral Tribunal made political party finance reports available to the public, and required candidates to disclose their funding sources.

June 10: **Former police chief arrested.** Former chief of the national police, Hector Bol de la Cruz, was arrested in Guatemala for involvement in the disappearance of student activist Edgar Fernando Garcia in 1984.

June 22-23: **Secretary of State Clinton attends security conference.** Clinton attended the International Conference in Support of Central American Security Strategy, hosted by the Secretariat of Central American Integration (SICA). The objective of the conference was to coordinate collaboration between international representatives, organizations and institutions regarding a coherent regional security strategy.

July 6: **Human Rights Defenders file complaint with the United Nations Special Rapporteur on Torture.** GHRC, Rights Action, and Jennifer Harbury submitted a formal report to the UN Rapporteur on Torture with allegations against presidential candidate Otto Pérez Molina for torture and crimes against humanity during the armed conflict.

July 13: **United States departs former kaibil.** Pedro Pimentel Ríos, a former kaibil linked to the Dos Erres massacre in 1982, was deported from the United States after being denied asylum and facing charges of lying about past human rights abuses on his citizenship forms. He was handed over to Guatemalan authorities upon arrival.

August 2: **Senate confirms new US ambassador to Guatemala.** President Obama nominated Arnold Chacon as the new ambassador to Guatemala. He has thirty years of experience in the Foreign Service with positions in Ecuador, Peru, Chile, Mexico, and Honduras. He has declared that human rights will be one of his top priorities.

August 3: **Ex-kaibiles sentenced in Dos Erres case.** Daniel Martínez Méndez, Manuel Pop Zun, Carlos Antonio Carías López and Reyes Collin Gualip were sentenced to 6,060 years each for the murders and human rights violations they committed.

August 24: **Ambassador Stephen McFarland says farewell to Guatemala.** McFarland left his post to continue his work in Afghanistan. Since he began work in Guatemala 11 years ago, he has been applauded for his public commitment to human rights.

August 30: **US Presidential Commission condemns 1940's penicillin research in Guatemala.** The Presidential Commission on the Study of Bioethics condemned a US-funded study in which researchers infected hundreds of Guatemalan prisoners, psychiatric patients and sex workers with syphilis and gonorrhea, declaring that participating researchers and doctors are morally responsible. The Commission will recommend compensation for the victims in its next published report.

August 31: **Two women charged with facilitating illegal adoptions.** Alma Beatriz Valle Flores de Mejia and Enriqueta Francisca Noriega Cano have been accused of illegal association, falsification of documents, human trafficking, illegal adoption, and establishing a structure supporting illegal adoptions in Guatemala. The two women supposedly 'robbed' a young girl, Anyeli Liseth Hernandez Rodriguez and turned her over to parents in the United States.

September 15: **State of siege extended in El Petén for the second time.** President Alvaro Colom extended the state of siege for an additional thirty days hoping to restrict arms trafficking and conclude the investigation of the May 15 massacre. The first extension was announced on June 16.

September 19: **Irregularities and protests following the elections.** Acción Ciudadana has presented 165 denunciations of irregularities in election proceedings, including disturbances of order and the buying of votes. Some of the claims include evidence that citizens were intimidated. Protests demanding repeat elections have occurred in at least 40 municipalities across the country since the elections.

September 24: **Guatemala to reiterate request for TPS.** The Minister of Foreign Relations announced the request, which comes during another year of tragic natural disasters. The initial petition was submitted in June of 2010 after tropical storm Agatha caused widespread flooding, displacement and damage to infrastructure.

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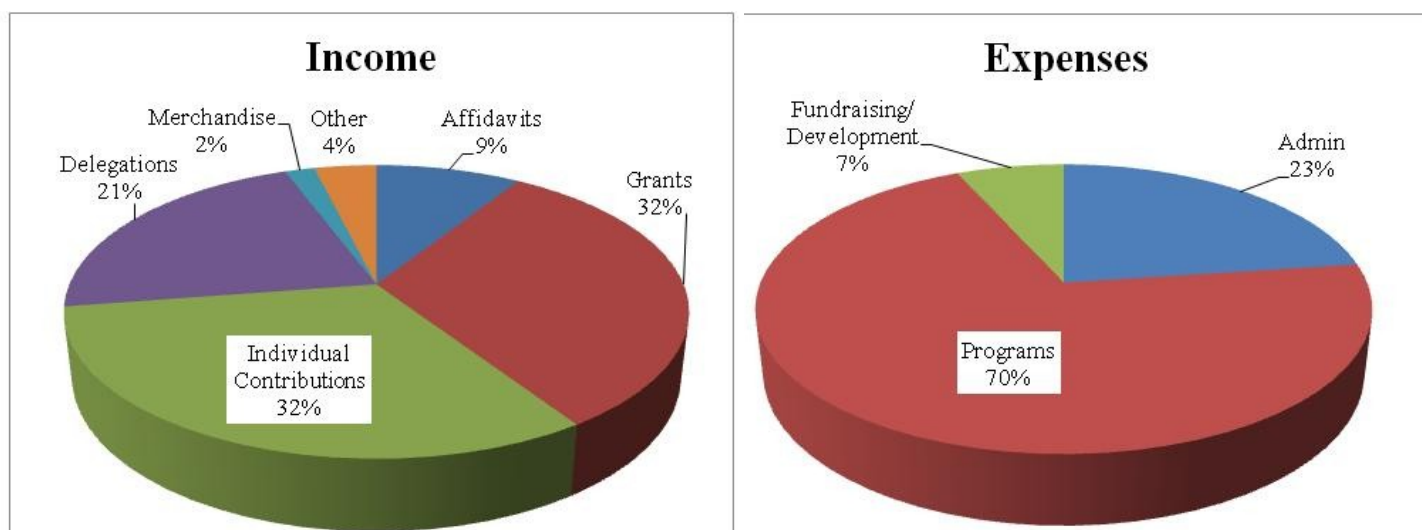
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