

Guatemala Human Rights *UPDATE*

Guatemala Human Rights Commission/USA

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RIGHT TO LIFE AND HUMANE TREATMENT

Campesino Leader Murdered in Esquipulas

02.14.07 Vicente Ramírez López, 33, leader of the Campesino Unity Committee (CUC) in Chiquimula and representative of rural families in San José Las Lágrimas, Esquipulas, was killed by two men allegedly under order of the military. The National Coordinating Committee of Campesino Organizations (CNOC) condemned the murder. Daniel Pascual, leader of CNOC, said that the alleged perpetrators, Antonio Vázquez and Pilar Ramírez Mejía, confessed to fulfilling military orders.

Pascual added that the community of San José Las Lágrimas is currently in a land dispute with the military. Guatemalan authorities have failed to provide land for 122 families in the community. Pascual expressed concern that the community may be violently evicted.

CNOC reported that the murder of Ramírez López adds to those of Israel Carias Ortiz and his two sons, which took place on February 7 in the Department of Zacapa. In addition, campesinos in Zacapa have faced death threats, while campesinos in Izabal, Chiquimula and Alta Verapaz have been violently evicted from disputed lands.

Young Leader Killed in Jalapa

02.15.07 Alba Leticia Gómez, 17, was killed on the night of February 6 in the municipality of San Pedro Pinula, in the department of Jalapa. Gómez worked as a community youth promoter for the International Plan Project and the Human Rights Ombudsman's Office (PDH), promoting children and adolescent rights. Two perpetrators shot and killed Gómez and her mother in what was suspected to be a robbery.

Erick Villatoro, auxiliary human rights ombudsman, called on authorities to thoroughly investigate the crime so the culprits could be apprehended and punished accordingly.

Campesino Organization Office Raided

02.17.07 The Campesino Pastoral Coordination (CPC) office in Guatemala City was broken into and several legal files and documents were stolen. The assailants entered CPC's office by making an opening in the shared walls of a neighboring business. They took only the files, leaving computers and other valuables behind. This confirmed CPC's assumption that the burglary was not an act of common crime.

According to Marco Tulio Gramajo, executive director of CPC, the organization was attacked because it filed a lawsuit against agents of the Secretariat of Administrative and Security Affairs and the Secretariat of Strategic Analysis, claiming that the agents had made death threats towards CPC.

Gramajo said that the suit has so far been ignored. He added that someone also tried to kill his wife because of her support of campesinos. CPC defends campesinos and currently deals with cases involving campesinos in El Estor, Izabal.

Salvadoran Congressmen Murdered in Guatemala

02.21.07 Three Salvadoran Congressmen and their chauffeur were assassinated in Guatemala in route to attend the Central American Parliament (PARLECEN) on February 19. The bodies of Eduardo D'Aubuisson, William Pichinte and Jose Ramon González, and their driver, Gerald Napoleón Ramirez, were found on La Concha finca (plantation) in the municipality of Villa Canales.

For an unknown reason, the congressmen's Land Cruiser departed from a heavily guarded convoy traveling to Guatemala City. Perpetrators then

stopped the representatives' vehicle and kidnapped two of the congressmen, placing them in another truck. From there, the assailants drove the two vehicles to the La Concha finca located just off Km. 36 on the highway to El Salvador. The three congressmen and their chauffeur were shot and their bodies were burned. Community members from Jocotillo found the vehicle and the bodies a few hours later.

The three representatives belong to the rightist political party ARENA in El Salvador. Eduardo D'Aubuisson is son of Roberto D'Aubuisson, founder of ARENA, and organizer of the Salvadoran death squads and paramilitary groups during El Salvador's civil war from 1980 to 1992.

The following day, authorities accused six agents of the National Civil Police (PNC) of involvement in the assassinations. Luis Arturo Herrera López, head of the Organized Crime and Criminal Investigation Division (DINC), Jose Adolph Gutiérrez, Marvin Langen Escobar Méndez, and Jose Korki Lopez Arreaga were arrested for their alleged involvement, while Marvin Roberto Contreras and Geiner Barillas Recinos, the two other accused PNC officers, are still at large.

Guatemalan President Oscar Berger and Salvadoran President Antonio Saca asked the US Federal Bureau of Investigation (FBI) to lend a hand in the investigation.

Guatemalan newspaper *Prensa Libre* reported that the arrested police officers told investigators that they had been paid to intercept the vehicle and steal either a drug shipment that the congressmen were supposedly carrying or the money from its sale. President Oscar Berger also said he thinks the murders were drug related.

The kidnapping and assassination of the three Salvadoran diplomats confirmed what human rights activists have publicly reported about the DINC: that it executes individuals with total impunity. Vice President Eduardo Stein said that the episode demonstrates the need to ratify the International Commission Against Impunity in Guatemala (CICIG) and to provide more resources for the National Institute of Forensic Sciences.

Officers Accused of Killing Salvadorans Executed

02.28.07 The four police officers that were arrested for their alleged connection to the assassinations of

three Salvadoran Congressmen and their driver were summarily executed in their prison cell on February 25. Victor Soto, director of the Criminal Investigation Division (DINC) of the National Civil Police (PNC), confirmed that Marvin Langen Escobar Méndez, Luis Arturo Herrera López, Jose Korki López Arreaga, and José Adolph Gutiérrez were killed inside the maximum-security prison of El Boquerón, located in Cuilapa, Santa Rosa. A prison guard was also killed in the attack.

The murders took place just hours before the US Federal Bureau of Investigation (FBI) initiated its investigation into the assassination of the three Salvadoran diplomats. The executed police officers had been reluctant to reveal who gave the order to assassinate the three Congressmen. Nevertheless, they did say they believed that the Representatives were Colombian narcotraffickers.

Conflicting reports surround the execution of the police officers. Family members visiting inmates claimed that a band of men wearing ski masks entered El Boquerón, reached the police officers' cell by gaining clearance through eight locked doors, and murdered the officers. Other reports indicate that gang members locked up in El Boquerón killed the police officers as a way of seeking vengeance for police policies targeting gangs. Minister of Interior Carlos Vielmann stated his belief that elements of organized crime hired gang members within the prison to execute the police officers.

The director and warden of El Boquerón, Manuel Antonio Recinos and Bladimiro López, were detained for questioning, along with twenty-two of the prison's staff.

The Guatemalan Congress asked for the resignations of Carlos Vielmann, minister of the Interior, Erwin Sperisen, director of the National Civil Police (PNC), and Victor Rosales, director of the Penitentiary System for their failure to manage the situation. President Berger refused to accept the resignations.

Salvadoran President Antonio Saca demanded that the Guatemalan government carry out a thorough investigation of the deaths of the Salvadorans and the police officers. He said that the assassins' ability to bypass eight locked doors in the penitentiary is intolerable.

Campesino Leader Killed in Baja Verapaz

02.25.07 Community leader Bonifacio Lajuj Cuxum, 72, was killed at his house in the village of Xococ, in the municipality of Rabinal, Baja Verapaz. According to witnesses, Lajuj left his patio to grab clothes from his clothes line, when two strangers attacked him, grabbing him by the neck and shooting him several times. Afterwards, the assailants fled.

Lajuj was a very active community member. He participated with the National Indigenous and Campesino Coordinating Committee (CONIC), was a member of his village's Pro-land Committee and a member of an Elders' Council in Rabinal. He was also a Mayan priest and a supporter of local victims affected by the internal armed conflict.

Homicide Rate on the Rise

02.13.07 The National Civil Police (PNC) and the Justice Department (OJ) reported an increase in the homicide rate for January 2007 compared to January 2006. According to data from the Medical Forensic Service of the Justice Department, 243 persons were killed in January 2007, seventy-one more than in January 2006.

The majority of the victims were men; nevertheless, the number of female victims increased by sixteen in January 2007 in comparison to January 2006. The victims, both male and female, were between the ages of nineteen and thirty-six. The News Agency In Favor Of Children and Adolescents (La NANA) reported that sixty-five minors have been killed so far in 2007.

WOMEN'S RIGHTS

Press Underreports Cases of Femicide

02.14.07 The Center for Informative Reports on Guatemala (CERIGUA) unveiled its "Investigation of Print Media on Violence Against Women" study, which analyzes how the top five newspapers in Guatemala cover cases of femicide and violence against women.

According to the study, 527 women were killed in 2004. Of those, the media only reported 465. Similarly, the Human Rights Ombudsman's Office (PDH) reported that 665 women were murdered in 2005, yet the press only publicized 413 of the cases. The trend continued in 2006, when CERIGUA reported that 572 women were murdered, but the

monitored press only reported that 393 women were killed.

CHILDREN'S RIGHTS

Ministry of Health Denies Child Malnourishment

02.13.07 According to the Program of Food and Nutritional Security (PROSAN), twenty four percent of children below the age of five in the department of El Progreso are malnourished. Many parents are unable to afford the time and resources required to travel to the capital of each department where PROSAN programs are administered.

According to PROSAN, Ministry of Public Health authorities and other high level officials have denied or downplayed the effects of hunger in El Progreso. PROSAN stated that they were given one million quetzals (US \$130,000) for medication, 600,000 quetzals (US \$78,000) for equipment, and 500,000 quetzals (US \$65,000) for travel expenses. However, PROSAN said that the funds were not enough to cover the added expenses required to access remote regions of the department. PROSAN called on authorities to dedicate a larger portion of the budget to combat malnutrition.

The United Nations Millennium Development Goals address the problem of malnutrition. By agreeing to meet those Goals, the Guatemalan government promised to cut the number of children suffering from malnutrition in half by 2015.

LAND RIGHTS

Campesinos Dispute Land in Quetzaltenango

2.20.07 Roughly one hundred families brought together by the Organized Campesino Front (FRECO) reclaimed six *cabellerias* (626 acres) of the El León *finca* (plantation), in the municipality of Colomba, Quetzaltenango. According to the families, they are the rightful owners of the land.

German López, representative of the families, reported that on February 16 security forces served them an eviction notice signed by the First Court of Coatepeque. The families originally decided to leave the territory they had occupied since April 2006, but later decided to reoccupy the land. He stated they would remain on the land until a court ruled on the protection they filed that recognizes them as the *finca's* rightful owners.

Liliana Gómez, leader of FRECO, commented that the Real Estate Bureau of Quetzaltenango contains documents that prove the land belongs to the community members' ancestors, who were evicted during Jacobo Arbenz Guzmán's administration.

Juan Hernández, district attorney for the Public Prosecutor (MP), stated that the families' actions are illegal and that he will obtain and issue a new eviction order.

MIGRANT RIGHTS

Minister Calls for Probe into Migrant Attacks

02.13.07 The Guatemalan Foreign Affairs Vice Minister, Marta Altolaguirre, asked US authorities to investigate an alleged armed attack against migrants that occurred in Tucson, Arizona. Three migrants were killed and another was injured during the attack. Two of the deceased are suspected to be Guatemalan.

On February 8 in the desert region of Arizona, unknown assailants allegedly fired upon a vehicle transporting undocumented immigrants. The perpetrators are presumed to be kidnappers that extort family members of undocumented migrants trying to enter the US.

Migrants Targeted by the KKK

02.17.07 The Anti-Defamation League (ADL), an organization that monitors the activities of racist groups in the US, released a study that warns about the reemergence of the Ku Klux Klan (KKK), a racist group that advocates for white supremacy. Deborah Lauter, director of the ADL, said that the KKK holds Latin American immigrants responsible for national insecurity and for "stealing Americans' jobs." According to ADL, the KKK has now appeared in states where they previously had no activity, such as Pennsylvania, Iowa, Michigan, and New Jersey. ADL also commented that the KKK's association with Neo-Nazi groups has become quite visible and their hatred seems to have extended to Latin American immigrants.

The report also warns of new propaganda methods used by the KKK, including use of the Internet as a weapon to extend racism, get new recruits, and communicate with their base. In addition, an organization called "Knights of the Empire," which is dedicated to the distribution of racist propaganda, sponsors a digital radio broadcast

on the Internet called KKK Radio.

Mexican Ombudsman Condemns Migrant Abuse

02.13.07 The National Human Rights Commission of Mexico (CNDH) denounced abuses committed by Mexican migration officials against several Central American migrants arrested during a raid in Arriaga, Chiapas. Forty-four Guatemalans were among those arrested.

During the incident, Guatemalan migrant Yolanda Anita de León from Concepción Tutuapa in San Marcos lost her right foot when she jumped off a train to avoid the police checkpoint.

According to the Associated Press, the Mexican Undersecretary of Population responded to the CNDH's condemnation by stating that there is a lack of control on the border with Central America and that Mexican authorities are working to modernize migration detention centers to prevent further mistreatment.

Migrants Propose Reform to Election Law

02.17.07 Guatemalan migrant leaders living abroad proposed a reform to Guatemala's election law to allow migrants living abroad to vote for Congressional representatives and participate in elections as is customary in other countries.

Migrant leaders met with Foreign Affairs Vice Minister Marta Altolaguirre and insisted that the Guatemalan government request the US to stop the deportations of Guatemalans seeking political asylum. Moreover, participants proposed a law that would establish a National Migrant Council.

Migrants in US Fear Deportation

02.21.07 Migrant families in the US increasingly fear deportation due to a recent increase in raids on neighborhoods and businesses by federal agents looking for undocumented workers. Tens of thousands of migrants have been captured in the last several months, leaving many afraid to leave their homes, answer the door, or leave their children alone.

Since May 2006, immigration and customs agents have detained approximately 14,000 migrants who entered the US illegally. Another 4,400 have been detained under suspicion of working illegally. More than 700 employers face federal charges of hiring undocumented workers.

Presidents Demand US Immigration Reform

02.24.07 The Presidents of Mexico, Guatemala, El Salvador, Honduras, and the Vice President of Panama resolved to jointly pressure the US Congress to reform its current immigration system. The Presidents also discussed the need to modernize infrastructure and services along their borders while maintaining respect for migrant rights.

The Guatemalan Congress echoed those concerns by asking Guatemalan President Oscar Berger to pressure US President George Bush to reform immigration law and end deportations of migrants from the US. Berger would have an opportunity to discuss these sentiments with Bush during Bush's visit to Guatemala in March.

RIGHT TO JUSTICE

Call for Justice on Anniversary of CEH Report

02.25.07 Human rights organizations commemorated the National Day of Dignity of Victims on February 25 by remembering and honoring those who were massacred or disappeared during the internal armed conflict and reiterating their pleas to the Guatemalan government for justice.

Eight years ago on February 25, 1999, the Historical Clarification Commission (CEH) submitted its report "Guatemala: Memory of Silence," which documents in detail the atrocities committed during the civil war. The date has been honored since 1999 as a day to pay tribute to the more than 200,000 who died and 45,000 who disappeared during the thirty-six year war (1960-1996). Leaders expressed regret that eight years have passed since the report was issued and justice has yet to be obtained.

The Mutual Support Group (GAM), the Center for Legal Action on Human Rights (CALDH) and other groups demanded that the Constitutional Court (CC), the Supreme Court of Justice (CSJ), and the Public Prosecutor (MP) address the pending cases of genocide, despite political pressure to maintain impunity.

At the same time, the National Coordinating Committee of the Displaced of Guatemala (CONDEG) criticized the inefficiency of the National Reparations Program, which is supposed to provide reparations to the victims of the civil war. CONDEG said that promises made in December 2006 to compensate the victims' families have not

been fulfilled. Manuel Pérez Ordóñez, director of CONDEG, reiterated that economic compensation must be complemented by social action.

Police Records from Civil War Archived

02.24.07 The Human Rights Ombudsman's office is spearheading a project to digitally archive records of the former National Police that contain information on human rights violations committed during the internal armed conflict. The records document extrajudicial executions, kidnappings, and other acts of violence. To date, two million out of ten million pages have been processed. Human Rights Ombudsman Sergio Morales will issue a report on the findings in July 2007.

GAM Petitions Court to Deliver Justice

02.23.07 The Mutual Support Group (GAM) submitted twenty-three truth-seeking petitions to the Supreme Court of Justice (CSJ) as part of a program commemorating the National Day of Dignity of the Victims on February 25. Mario Polanco, director of GAM, said if the Guatemalan authorities do not investigate the cases, GAM would turn to the Inter-American Human Rights Commission (IAHCR) and then the Inter-American Human Rights Court. Polanco said GAM would ask these international bodies to pressure the Guatemalan state to administer justice.

GAM also hosted a photograph exposition in the plaza of the CSJ, which displayed pictures of victims of the internal armed conflict, including those who were disappeared and massacred.

Organizations Demand Purge of Police

02.25.07 Following the assassination of three Salvadoran diplomats and their driver by Guatemalan police, Guatemalan human rights organizations have demanded that President Berger initiate a thorough purge of the National Civil Police (PNC).

Verónica Godoy, of the Public Security Monitoring and Support Group (IMASP), stated that the PNC purification process is faulty because agents who are fired are usually reinstated under judicial order. She added that the problem affects all Guatemalan institutions, not only the PNC. "The Executive, Legislative, and Judicial branches all need to sit down and seek an urgent solution,"

Godoy said.

LEGAL CASE UPDATES

Court Rejects Appeal of Ríos Montt

02.27.07 The First Court of Appeals rejected an appeal presented by former dictator General Efraín Ríos Montt in which Ríos Montt tried to avoid prosecution by bypassing a requirement to provide an affidavit to the Spanish National Court, where he has been accused of genocide.

Magistrate Napoleón Gutiérrez stated that the request had not been granted because Ríos Montt had not exhausted all legal avenues before approaching the appellate court.

RIGHT TO A HEALTHY AND SUSTAINABLE ENVIRONMENT

Communities Demand End to Sand Extraction

02.15.07 Representatives from eight communities of Tactic, Alta Verapaz, called for congressional intervention to end a sand extraction operation, which has caused the obstruction of five water springs that provide water to the communities.

According to Walter Pop, project coordinator for the National Indigenous and Campesino Coordinating Committee (CONIC), the problem includes a water shortage, the pollution of water wells, and the destruction of farms. The affected population has demanded an immediate cancellation of the operation. Twenty feet of sand currently cover the water springs and farms.

Campesinos Clash with Mining Company

02.14.07 One hundred fifty agents of the National Civil Police (PNC) raided homes in Salitre and Salem in San Miguel Ixtahuacan, San Marcos looking for ten campesino leaders who were responsible for organizing a blockade at the entrance of the Montana Mining Company in early January.

Simultaneously, at least four hundred community members gathered in Concepción, Tulapa, San Marcos to publicly reject the exploration and exploitation of mining operations by Montana Mining Company, whose license was granted by President Oscar Berger.

Community Requests Revision of Mining Law

02.22.07 The Diocese of San Marcos and a representative of the Broad Movement of the Left (MAIZ) met with the president of the Congressional Commission on Energy and Mining, Luis Fernando Pérez, to express the need to change the government's mining law. The participants said that the law does not reflect the requirements and interests of the affected communities and organizations that have studied the issue.

Pérez responded that the effects of mining on the communities should be considered. He added that the Commission would hold public hearings about the issue to consider proposals from all sectors.

Protestors demonstrated outside the legislative building in support of the residents of San Marcos, expressing the community's concern about mining activity. Demonstrators pointed out that, in spite of the Ministry of Energy and Mining's promise to suspend approvals of new mining licenses, a license was granted to the Montana Mining Company in September 2006 for mining operations covering a fifteen-kilometer area.

Collapse of Drainage System Causes Sinkhole

02.24.07 Water accumulation in the drainage system in Guatemala City caused a large sinkhole to appear in Zone 6, resulting in three deaths, five destroyed houses, and the evacuation of 720 residents. The sinkhole was 330 feet deep.

Neighbors had reported rumblings for some time, prompting them in December to send a letter to the Institute of Seismology, Vulcanology, Meteorology and Hydrology (INSIVUMEH) and to the National Coordinator for the Reduction of Disasters, asking that the area be investigated. The community presented the petition two weeks prior to the disaster.

Director of INSIVUMEH, Eddy Sanchez, said that they had conducted an investigation several months ago and detected that the quakes were not geological in origin. He said that they had requested a robotic camera to monitor the area, but that none was provided.

Congresswoman Ana Lucrecia Marroquín de Palomo blamed the disaster on authority negligence and demanded that an investigation be carried out.

80% of Hurricane Victims Still Without Shelter

02.26.07 Sixteen months after Hurricane Stan ripped through Guatemala, the government has still failed to provide homes for 7,911 families who have been without permanent shelter since the tragedy. Eighty percent of these families continue to live in overcrowded temporary shelters without potable water and electricity. Other families were forced to move in with relatives or to find homes to rent, according to Citizen Action (AC), an organization working on the National Reconstruction Plan.

According to the Executive Coordinator of the Presidency, the government has purchased forty-eight parcels of land, which are intended to house 4,535 families. Human Rights Ombudsman Sergio Morales asked authorities to speed up the construction of houses, saying that a continued lack of shelter is a human rights violation that must be immediately addressed.

Community Rejects Mining Proposal

02.28.07 The community of San Pedro Necta in Huehuetenango plans to reject a proposed open-sky mining operation via a popular referendum to be held on March 30. Lorenzo Jeronimo Carrillo, president of the community rights committee, stated that the community is upset that municipal authorities often grant mining licenses without endorsement from the community.

Resident Efraín Aguilar said that mining has been environmentally detrimental to other areas, causing river contamination and deforestation. He said that San Pedro Necta wants to avoid this type of devastation.

OTHER INFORMATION

UN Representative Denied Government Meeting

02.17.07 Special Representative of the UN Secretary General for Human Rights, Jila Hilani, attempted to meet with the Guatemalan government to discuss the human rights situation, but was told at the last minute that the government would not be ready to receive her until 2008. Hilani noted that the human rights situation in Guatemala is very complicated and showed particular concern over the harassment of environmental activists.

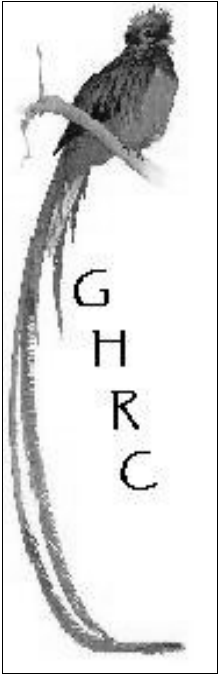
Universities Hold Security and Justice Forum

02.20.07 Four Guatemalan universities teamed with the daily newspaper *Prensa Libre* to hold a forum on security and justice in the country. The forum discussed the transfer of military intelligence to civilian control, the need to combat citizen insecurity, the regulation of private security companies (who have more agents than the National Civil Police and the army), and the inefficiency of legal professionals.

Conference on Exhumations Held in Guatemala

02.21.07 The First Congress of Psycho-Social Work was held in Guatemala with a focus on exhumations and forced disappearances. The two-day meeting created a place for discussion and reflection on the subject of exhumations and developed a program to provide psychological support to victims of the internal armed conflict. The overall objective was to create a worldwide network to share information about exhumations and psychological healing.

Participating organizations included the Human Rights Ombudsman's office, the National Reparations Commission, and the UN High Commissioner for Human Rights. Delegates from around the world participated. The UN Development Program sponsored the conference. Guatemala was chosen to host the conference due to the high number of exhumations carried out in the Central American nation. Approximately 750 exhumations have been carried out since the end of the armed conflict.



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

Information in the UPDATE that is not gathered directly is culled from various sources, including the Comisión de Derechos Humanos de Guatemala, Casa Alianza, Albedrío, Amnesty International, Associated Press, Reuters, and Guatemalan news sources, such as Cerigua, Centro de Estudios de Guatemala, Incidencia Democrática, Prensa Libre, El Periódico, La Hora, and Siglo Veintiuno.

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