

Guatemala Human Rights **UPDATE**

Guatemala Human Rights Commission/USA

Vol 19 No 05 / March 1 - 14, 2007

RIGHT TO LIFE AND HUMANE TREATMENT

Police Attack Union Demonstrators

03.02.07 Placido Romeo, a member of the Municipal Workers Union of San Agustín Acasaguastlán, El Progreso, was arrested and detained with allegedly no evidence that he committed a crime. Demonstrators protested the arrest and demanded his release. With approval from Mayor Erick Rolando Paiz, the police forces of Zacapa and Cobán attacked the protestors with tear gas and set fire to a house. Among the many injured were women, children and senior citizens.

Four Suffer Hit-And-Run in Baja Verapaz

03.09.07 Three young girls were hit by a car in Salamá, Baja Verapaz by a man who some claim is the son of the municipal governor. Santiago Keej is accused of running over the girls on March 1, leaving two dead and one in a coma. Also hit by the car was one of the girl's fathers, who has permanently lost the use of his legs.

Students, teachers, and family members from the girls' school organized a demonstration to demand the capture of the culprit, who is allegedly receiving protection from Governor Elias Prera Ventura.

Alert Defends Guatemalan Journalists

03.06.07 The Network for the International Exchange of Freedom of Expression circulated a worldwide alert expressing solidarity with Guatemalan journalists who have received death threats for covering the February murders of Salvadoran congressmen to the Central American Parliament, their driver, and the four police officers

allegedly behind their assassinations.

The alert stated that Haroldo Sánchez, director of the *Guatevisión* News Department, and Samanta Guerrero of *Radio Punto* were threatened on February 28 for continuing to cover the story.

Organizations Call for Unity Against Violence

03.01.07 Representatives from nine social organizations called on Guatemalans to unite against the wave of violence that has recently afflicted the country. Activists demanded that the government "investigate and dismantle organized crime structures that work under the protection of authorities." Expressing concern over the condition of state institutions, the organizations declared that the "situation requires Guatemalans from all sectors and conditions to join in an effort to fight organized crime and clandestine power structures." They proposed the strengthening of criminal investigation institutions, the creation of a special prosecutor's office, improved audits of political parties, a thorough public investigation of political candidates, and a purge of the National Civil Police (PNC).

Inmates Suffer Severe Human Rights Abuses

03.06.07 More than 900,000 inmates in Argentina, Chile, El Salvador, Guatemala, Peru and Venezuela currently suffer human rights abuses, according to the Latin American Observatory of Prisons (OLAP). OLAP reported before the Inter-American Commission on Human Rights (IACHR) that the Latin American penitentiary system suffers from procedural delays, cruel and degrading treatment, and violations of the right to life, health, and education. Prisons are also overcrowded by an average of 40%. In Guatemala, twenty-five people are on death row waiting to be executed.

OLAP requested that the IACHR visit prisons throughout Latin America to verify the situation and then make a formal analysis of the penitentiary system. OLAP also requested that the IACHR urge its member states to put a stop to threats against defenders of inmate rights.

RIGHT TO JUSTICE

Investigations of Salvadoran Murders Continue

03.13.07 Investigations continue into the assassinations of the three Salvadoran congressmen who were murdered along with their driver in Guatemala on February 19, 2007, as well as into the murders of the four implicated police officers who were killed in their jail cells several days later. The Guatemalan Human Rights Ombudsman's office is investigating the possibility that the National Civil Police (PNC) and other state institutions may have been involved in the murders. Salvadoran President Tony Saca stressed the urgency of bringing those responsible to justice. Saca also implied that high-ranking Guatemalan authorities are involved and that he has no doubt that "something is being covered up."

The Guatemalan Ministry of the Interior said that slain Salvadoran congressman William Pichinte might have been involved in drug trafficking. Ministry of the Interior investigators suggested that the murders were drug related.

Several public figures have been implicated thus far by the Public Prosecutor's office. Among them is Édgar Enrique Córdón Sagastume, a chemical biologist who has been accused of producing a phosphorus compound that was used to burn the victims. Córdón allegedly left Guatemala on March 11, and headed for El Salvador.

Also implicated is PNC agent Carlos Humberto Orellana Aroche, an investigator from the Criminal Investigations Division (DINC), who may have participated in the murders. Jeiner Barillas, also accused, was allegedly the contact between the murderers and a group of drug

traffickers who may have paid to have the congressmen killed. To date Barillas is still at large.

Marvin Roberto Contreras Natareno, another DINC agent of the PNC, turned himself in to the authorities after a warrant for his arrest was issued. The First Penal Court prohibited fellow DINC agent Victor Hugo Soto from leaving the country.

The Court of First Penal Instance issued an arrest warrant for several staff members of the maximum-security prison *El Boquerón*, in Cuilapa, Santa Rosa, including director Manuel Antonio Recinos Aguirre, warden Bladimiro López, and twenty-two guards. The prison workers have been charged with murder, concealment, and breach of duty in the killing of the four Guatemalan police officers. Colonel Luis Juárez, chief of security of the penitentiary system, was dismissed for his failure to control gang members within the prison where the police were murdered and for not informing the authorities about the murders in a timely matter.

Vice President Eduardo Stein said that the government has considered the possibility of dissolving the PNC and turning over its duties to a military institution. Frank La Rue, of the Presidential Human Rights Commission, expressed concern over the suggestion, insisting that such decisions regarding public security must be made by civil society.

Victims of the Armed Conflict Demand Action

03.08.07 A group of victims of the internal armed conflict met with Congressman Victor Manuel Sales Ortiz from the Guatemalan National Revolutionary Union (URNG) to discuss the government's delay in providing reparations to war victims. Representative Sales Ortiz, who leads the Commission for Peace and Landmine Deactivation, said that over half a million victims have not been duly compensated, many of whom live in poverty.

WOMEN'S RIGHTS

Women Protest on International Women's Day

03.09.07 A group of nude women painted their bodies red and violet with the phrase "This is my body" outside the Supreme Court of Justice to

demand justice and an end to violence against women. The protest was in honor of International Women's Day, celebrated annually on March 8. This year's motto was "One more year of struggle for our rights, our bodies, and full citizenship."

Among the demands was an end to violence, discrimination, and inequality. Participants reported that thousands of underage girls are exploited on a daily basis, and that women also suffer from a high rate of illiteracy and maternal mortality. They also condemned President George W. Bush's visit to Guatemala.

Among the participating organizations were Tierra Viva, Coordinadora March 8, the Center for the Attention of Housewives, the Council of Christian Women, the Women's Sector, the National Union of Guatemalan Women, and the Survivors Foundation.

Campaign Calls for Equality in Politics

03.02.07 The National Union of Guatemalan Women (UNAMG) and the Woman's Institute of the University of San Carlos (USAC) introduced a campaign to promote the equal participation of men and women in electoral politics. Called "I decide! More Women in Public Positions," the campaign focuses on local, municipal, and national elections. The campaign will also combat sexist publicity and promote awareness among women of the importance of voting.

Women Victims of Unfair Working Conditions

03.07.07 The World Union Federation denounced poor working conditions for women in the current era of neoliberal globalization, saying that women are often denied social security. The organization noted that most of the people in extreme poverty in the world are women, and that women's salaries are on average 35% lower than their male counterparts.

Gender Equality Lagging Behind

03.07.07 Kemal Dervis, representative of the UN Development Program, recommended that signatory countries of the UN Millennium Development Goals evaluate their accomplishments thus far in achieving gender equality with regard to those Goals. Signatory

countries have recently surpassed the half way point for meeting the Goals by 2015.

Dervis said that violence against women jeopardizes the Millennium Development Goals. He also stated that poverty and a lack of access to education and health services must also be addressed. Dervis added that sexual exploitation of women and young girls, rape as a tool of war, the spread of HIV, forced marriage, and domestic violence are additional problems that governments have been unable or unwilling to fully resolve.

CHILDREN'S RIGHTS

Government Attempts to Regulate Adoptions

03.02.07 Vice President Eduardo Stein introduced a manual describing adequate practices for national and international adoptions in Guatemala. According to Stein, the document responds to the need to preserve and promote children's rights. He also said that the manual was created to address the many irregularities in the adoption process and that its purpose is to guarantee transparency in the adoption system.

Program Created to Protect Minors

03.02.07 The Guatemalan Minister of Foreign Affairs has begun an informational campaign to prevent children from migrating and becoming victims of sexual and commercial exploitation along the border. The program is being coordinated in conjunction with the Guatemalan Embassy in Tapachula, the location to which the largest number of children migrate in search of work.

INDIGENOUS RIGHTS

Latin America's Indigenous in Extreme Poverty

03.01.07 A recent World Bank report concluded that more than 80% of indigenous populations in Latin America live in extreme poverty. Among the urgent measures that the World Bank suggests is an increase in social programs.

The report, titled "Economic Opportunities for the Indigenous Peoples of Latin America," seeks to define why indigenous communities have difficulty raising levels of income when compared to non-

indigenous groups. The report identifies a lack of education as an impediment to employment. Indigenous populations also lack access to credit and farm machinery that could greatly increase agricultural productivity. Furthermore, the social exclusion to which indigenous peoples have been subjected for centuries has limited their ability to gain access to land, essential services, and infrastructure.

The report states that most indigenous peoples live in remote, rural areas where high-paying jobs are scarce. Low-skilled jobs in rural areas do not provide proper health and unemployment services.

The World Bank noted that the UN in 2006 launched the second International Decade of the World's Indigenous Peoples, an undertaking that is expected to meet its goals in 2015. That is the same year that the Millennium Development Goals are projected to be met, which seek to cut the number of people living in extreme poverty throughout the world in half.

Study Investigates Contraceptive Use

03.09.07 The US Agency for International Development (USAID) and the Guatemalan Ministry of Health carried out the Fourth Study of Family Planning to investigate differences in contraceptive use between indigenous and non-indigenous women. Fifty-two percent of non-indigenous women use contraceptives, while only 23.8 % of indigenous women use them.

The study concluded that one of the factors in the disproportionate use of contraceptives between indigenous and non-indigenous pertains to racist attitudes among health professionals who assume that indigenous women would not understand how to use contraceptives, and therefore do not discuss their options with them. Another problem is that most health professionals are not fluent in Mayan languages. Language barriers and a lack of understanding of Mayan culture combine to hinder communication. Other factors affecting indigenous women include low self-esteem, low levels of education, and economic dependency on their spouses.

María Magdalena López, a midwife in

Totonicapán, said that indigenous women often fear that their husbands will leave them if they are not fertile. They also fear that contraceptives make women become promiscuous. Alejandro Silva, director of the Reproductive Health Program, has proposed that health programs offer culturally adaptive services.

MIGRANT RIGHTS

Mexico Improves Migrant Detention Centers

03.01.07 Cecilia Romero Castillo, director of the Mexican Migration Institute, announced a plan to improve conditions for detained illegal Central American migrants in Mexico. The plan includes the modernization and improvement of forty-eight detention centers, with medical facilities in sixteen of them, and the training of personnel in human rights, social work, and crisis management. Romero also said that the institute will cease to use prisons as detention centers and would implement a zero tolerance policy for migration supervisors caught breaking the rules.

The announcement came in the midst of heavy criticism of Mexican migration officials who have failed to treat Central American migrants the way that Mexican migrants in the US wish to be treated.

Florencio Salazar Adame, Mexican Undersecretary for Population, Migration and Religious Affairs, stated that the government will consider a modification of article 123 of the General Population Law, which lays out penalties for illegal immigration.

Remittances to Guatemala Increase

03.09.07 For the seventh consecutive year, remittances to Guatemala from the US and other countries are increasing. According to the Bank of Guatemala (BANGUAT), \$559 million were sent to Guatemala during the first two months of 2007, which is 11% more than the same period last year. Despite massive deportations of Guatemalans from the US, BANGUAT estimates that remittances for 2007 could potentially reach \$4.2 billion.

300 Guatemalan Migrants Seized in the US

03.07.07 Three hundred federal agents from US Immigration and Customs Enforcement (ICE)

raided Michael Bianco Inc., a factory in New Bedford, MA, and captured 500 undocumented workers, of whom 200 men and 100 women are Guatemalan.

Mishel Petrarca, legal adviser of Migrants in Action, said that the biggest problem facing these migrants is being separated from their children. Although authorities did release some pregnant women and mothers with children under the age of two, the women were forced to sign agreements promising to return to their home countries.

Guatemalan ambassador to the US Guillermo Castillo said that he was aware of the arrests and has held meetings with US authorities to ensure that the detainees will be treated with respect. Authorities noted that many children were left alone at school when their parents were arrested.

Migrants Call for End to Massive Deportation

03.06.07 Representatives from Guatemalan migrant organizations in the US such as Migrants in Action and the Mayan Quetzal Group delivered a written request to the Migrant Commission of the Guatemalan Congress and the US Embassy in Guatemala asking US President George W. Bush to modify immigration laws and to put an end to deportations.

RIGHT TO A HEALTHY AND SUSTAINABLE ENVIRONMENT

Attacks Against Environmentalists Increase

03.06.07 The Center for Legal, Environmental, and Social Action of Guatemala (CALAS) confirmed that environmental activists have become increasingly in danger over the last five years. The greatest number of attacks has occurred in the northern department of Petén. The most frequent form of assault is physical aggression; however, there have also been a number of kidnappings, disappearances and murders. In the last five years, forty-two attacks against activists were reported, while there were only five between 1995 and 2000.

Eleven Thousand Reject Mining in San Marcos

03.07.07 Eighty representatives from San Marcos reported that the population of Concepción

Tutuapa, San Marcos, which numbers 11,000, unanimously opposes mining operations in the community. The representatives formally presented documents reflecting this opposition to the Guatemalan Congress, the Constitutional Court, and the Ministry of Energy and Mines. Monsignor Alvaro Ramazzini said that the referendum represents the population's demand of its right to a clean environment, free of chemical contamination.

OTHER INFORMATION

US President Visits Guatemala

03.13.07 US President George W. Bush visited Guatemala on March 12 during his tour of Latin America. His goal was to convince Guatemalans that the US cares about Latin America and that strong democratic reforms can improve the lives of Guatemalans. Stops around the country included a visit with a US military medical team and a tour of a vegetable packing station that has received \$350,000 in US assistance since 2003. Bush's visit was controversial and inspired a series of protests from many different sectors of the country.

Several Mayan organizations congregated in Tecpán, Chimaltenango to protest the arrival of Bush. Other groups demonstrated in front of the US embassy and in Guatemala City's historical center. A large sign reading "Go away Bush, racist and criminal!" headed a march from the entrance to Guatemala City to the US embassy, where several American flags were burned. Protests were also held in Cobán, Alta Verapaz. Cardinal Rodolfo Quezada Toruño compared Bush to King Herod as he was praying for families who have been separated by US deportation procedures.

Members of the army and police attacked protestors as they demonstrated during a meeting between Bush and Guatemalan authorities. In spite of the peaceful nature of the demonstration, which protested the recent increase in immigrant deportations from the US, security forces threw tear gas at demonstrators and hit them with batons.

Bush visited Guatemala's smallest municipality in Chimaltenango, Santa Cruz Balanyá. Residents of

the community were forced to stay in their homes during the visit. Several residents voiced their displeasure as the military occupied the streets, broke into some homes, and intimidated the people, comparing the scene to the internal armed conflict.

Bush also visited the public school *Carlos Emilio Leonardo*, accompanied by Guatemalan president Oscar Berger and his wife. During the visit, several Guatemalan journalists were locked up for twenty-five minutes under order of the US Secret Service. The journalists were threatened by the servicemen, who said that snipers were watching.

President Bush stated that he would not make any immediate decisions about immigration reform and added that the US respects the human rights of detainees. He added that US immigration officials are required to respect current laws, including the law that makes it illegal to employ undocumented aliens. Bush also denied that children have been abandoned due to deportations.

Bush indicated that he hopes to propose changes to US legislation in August, including a possible plan to create a temporary guest-worker program to provide legal status to the many Guatemalans who are undocumented. Bush also mentioned a proposal to combat gangs and drug trafficking. In addition, he offered support for the International Commission Against Impunity in Guatemala (CICIG) and for Plan Maya Jaguar, which establishes a US military presence in Guatemala.

Mauro Verzeletti of the Episcopal Conference of Guatemala expressed concern that human rights violations against migrants will continue since the two governments did not come to any firm conclusions.

Congress Discusses Adoption of CICIG

03.01.07 The Guatemalan Congress discussed the potential implementation of the International Commission against Impunity in Guatemala (CICIG). Upon ratification by the Guatemalan Congress, CICIG would establish a UN-led commission to investigate the existence of illegal security forces and clandestine security organizations operating in Guatemala.

Pictures Raises Questions About Prison Raid

03.08.07 A photograph taken during last year's raid on Pavón Prison has sparked interest from the Human Rights Ombudsman's office. The photograph shows two men entering the prison wearing military uniforms and ski masks and carrying M-16 assault sniper rifles. The uniforms were different from those of the PNC officers in charge of the prison raid, indicating that the men were operating independently. The two men, brothers José Luis and Henry Danilo Benítez Barrios, were identified by prisoners as the men that removed the seven inmates from the prison that were later executed.

The Ministry of the Interior justified the presence of the two men, saying that they were hired to provide intelligence, counterintelligence, and situational analysis for the PNC.

In September 2006, police officers invaded Pavón prison in Fraijanes, Guatemala as part of an operation to regain control of the facility. More than 3,200 state security forces, reinforced with helicopters, tanks, and tear gas, confronted inmates. Seven inmates were killed during the operation. Pavón had originally been established as a "prison farm" where inmates harvested their own crops, but the prisoners staged a takeover in 1996. In the ten years since assuming control of the prison, the inmates reportedly built houses, shops, restaurants, bars, churches, and cocaine laboratories. Corrupt state security forces patrolled only the perimeter.

State Department Accuses Guatemalan Police

03.07.07 In its 2006 Guatemala Human Rights report, the US State Department accused the Guatemalan police force of sexual offenses, murder, kidnapping, corruption and numerous crimes against society. The annual report blames the National Civil Police (PNC) for several human rights violations throughout the country.

Evidence for the report is based on testimonies, interviews, and documents provided to the US Embassy by human rights organizations and the PNC, along with information from the mass media and other sources.

President to Reform National Police

03.02.07 President Oscar Berger ordered the Ministry of the Interior to modify Agreement 420-2003, which regulates the National Civil Police (PNC). The goal is to promote reforms and other laws that would allow a thorough purge of the institution.

Proposed amendments would allow the director of the PNC to suspend agents who have committed serious offenses for 180 days without pay while an investigation is completed. The notification system would also be modified to prevent an agent from ignoring a dismissal notice.

For the last six years, any dismissal has required authorization from a labor judge. Three hundred cases of dismissal due to extortion, abuse, and robbery currently await resolution in the labor court system. Fired personnel are often reinstated under orders from labor judges.

Neighborhoods Suffer Structural Damage

03.02.07 The National Coordination for Disaster Reduction (CONRED) requested that the neighborhood of San Antonio in Zone 6 of Guatemala City, recently affected by a sinkhole, be declared a state of disaster due to a collapse of its infrastructure. Such a declaration would speed up the funding necessary for analysis and repairs.

Furthermore, residents of the second, sixth, seventeenth, and eighteenth zones fear that another sinkhole will appear after an 2.8 Richter scale earthquake was registered just north of Guatemala City.

Excavations for Hurricane Stan Completed

03.07.07 The Forensic Anthropology Foundation of Guatemala (FAFG) has completed excavations in Panabaj, Atitlán, located in the department of Sololá, an area severely affected by landslides during Hurricane Stan in October 2005. A total of 106 human bodies were found in the area, most of which were returned to their families for proper burial, said FAFG director Fredy Peccerelli. FAFG conducted excavations over a period of four months, during which 25,000 cubic meters of soil were removed. Peccerelli said that FAFG will

continue to search for victims, as there are nineteen bodies still awaiting identification and an additional thirty corpses to recover.



**Guatemala Human Rights
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welcomes**

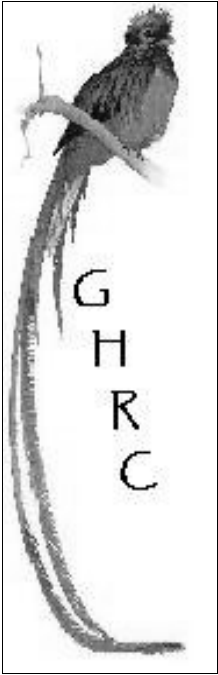
**María Elena Peralta
from *Fundacion
Sobrevivientes***

April 16 - April 20, 2007

- ♦ Why have more than 3,000 women and girls been brutally murdered in Guatemala since 2000?
- ♦ Why are the perpetrators still unpunished?
- ♦ What challenges do women face as they seek justice?
- ♦ How are women's groups working to empower women?
- ♦ How does injustice affect surviving family members?

Maria Elena will be addressing these issues with Senators, Congressional Representatives, churches, universities, high schools, women's rights organizations, human rights organizations, and other interested parties in the Washington, DC area.

Fundación Sobrevivientes (Survivors' Foundation) is a Guatemalan organization formed by women survivors of abuse that spearheads support for survivors of gender-based violence including domestic violence, rape, and attempts on the lives of women. Since the vicious murder of her sister in 2002, María Elena has worked tirelessly to raise awareness of the increasingly brutal killings of Guatemalan women and girls and to urge the authorities to investigate and prosecute those responsible for gender-based violence. Due to her efforts she has received numerous threats.



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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Insert: GHRC Action Alert - Four Development Organizations Raided