

Guatemala Human Rights **UPDATE**

Guatemala Human Rights Commission/USA

Vol 19 No 06 / March 14 - 28, 2007

RIGHT TO LIFE AND HUMANE TREATMENT

Student Leader Murdered in Petén

03.16.07 Oscar Abelardo Chata, a student leader in the department of Petén, was shot and killed in route to his home on the night of March 9. The assassins have not been identified. Chata's belongings were not stolen, leading authorities to believe that he was specifically targeted rather than killed as a result of a random robbery.

The Guatemalan National Revolutionary Union (URNG) and the Broad Movement of the Left (MAIZ) publicly condemned the murder. URNG and MAIZ demanded that extrajudicial killings and aggression against youth and social leaders end immediately.

Murders Increase in Four Departments

03.17.07 Violence has increased to alarming levels in four departments of Guatemala so far in 2007. Thirty-three people have been murdered in Huehuetango, twenty-three in San Marcos, sixteen in Quetzaltenango, and sixteen in Solalá, all due to firearms or knives. According to National Civil Police (PNC) statistics, this totals eighty-eight violent murders in only four departments within two and a half months.

UN and IACHR Concerned About Violence

03.21.07 Anders Kompass, a representative of the UN's Office of the High Commissioner on Human Rights (OHCHR), reported that the UN is concerned about increasing human rights violations in Guatemala. He said that social tensions have emerged because of an increase in violence and citizen insecurity, as well as due to

the anticipated start of an election year.

The Inter-American Commission on Human Rights (IACHR) also manifested its concern over recent events in Guatemala, including the alleged connection between some state officials and organized crime. The IACHR mentioned attacks against human rights advocates, the murder of four Salvadoran congressmen, the murder of the Salvadorans' alleged assassins, and the suspected involvement of the National Civil Police (PNC) and organized crime in this matter.

The IACHR stated that the Guatemalan government must take urgent measures to reform the police and to guarantee fairness and objectivity in investigations. It also expressed the urgent need to implement the International Commission Against Impunity in Guatemala (CICIG).

OAS Supports Fight Against Crime and Drugs

03.21.07 The Organization of American States (OAS) has offered to assist Guatemala in the fight against crime and drug trafficking. Secretary General José Miguel Insulza informed Vice President Eduardo Stein and Chancellor Gert Rosenthal that he would work with other member and observer states to establish a plan to support Guatemala's efforts in these security matters.

Journalists Accused of Attempted Murder

03.16.07 Henry Danilo and José Luis Benítez Barrios, brothers and former advisors to the National Civil Police (PNC), have accused the president and editor-in-chief of the *El Periódico* newspaper of attempted murder. The brothers allege that Jose Rubén Zamora and Ana Carolina Alpérez were the intellectual authors behind the

attempted killing on March 8 in Barcenas, Villanueva.

El Periódico published a story about the attempted murder before the facts of the case were made public. The Benítez Barrios brothers assert that the only way the newspaper would have had access to information about the act is if they had planned the attack. The journalists counter that they learned of the attack through interviews with firemen who arrived at the crime scene. Alpírez stated that the Benítez brothers are attempting to limit freedom of expression. The accused face up to fifty years in prison or the death penalty if convicted.

The Benítez Barrios brothers were recently accused of selecting prisoners to be executed during the raid of the Pavón Prison last fall.

Lawmakers Propose National Security Plan

03.28.07 The Extraordinary Congressional Commission monitoring the Vision Plan of the Country advised in favor of the Security Measure Law, which would establish a National Security System. The main objective of the National Security System would be to prevent risks, reduce vulnerability, and control threats to national security.

In addition, the Law proposes the creation of the Secretariat of State Strategic Intelligence, which would replace the current Presidential Secretariat of Strategic Analysis. The former would be in charge of coordinating all intelligence matters.

BASIC FREEDOMS

Journalist Demands Freedom of the Press

03.18.07 At the bi-annual meeting of the Inter-American Press Society (SIP) in Colombia, Guatemalan journalist Sylvia Gereda asked the SIP to formally request that Guatemalan President Oscar Berger and his administration promote and protect free press and information in Guatemala.

Gereda said that staff members of the television station *Guatavisión* recently received threats for reporting on the case of the Salvadoran congressmen. Attacks have also occurred against journalists from *Radio Gualán* in Zacapa and the newspaper *El Tajamulco*.

Gereda stressed that SIP must pressure the Guatemalan Congress to approve laws that have been pending for seven years which would provide access to information and protect free speech.

WOMEN'S RIGHTS

House Committee Approves Femicide Resolution

03.27.07 The United States House Committee on Foreign Affairs unanimously approved House Resolution 100 (H. Res. 100), a resolution authored by US Congresswoman Hilda L. Solis (D-CA) to address the many unsolved murders of more than 3,000 women and girls in Guatemala since 2000. Very few of these crimes have been

FOR WOMEN'S RIGHT TO LIVE

Delegation to Guatemala
July 14 - 22, 2007

Take this opportunity to learn about the complex issue of violence against women in Guatemala and to explore the political and social context in which gender-based violence takes place.

The delegation will meet with women's rights organizations, human rights activists, government officials, and women survivors.

To learn more, visit
www.ghrc-usa.org/Actions/delegation.htm
or call 202-529-6599.

investigated and even fewer perpetrators have been brought to justice for their crimes.

“I am pleased that the Foreign Affairs Committee approved this resolution. Families of victims deserve honest answers and investigations into the murders of their wives, mothers and daughters murders, instead of being ignored and intimidated,” Congresswoman Solis said. “H.Res. 100 will raise awareness of the growing murder rate of women and girls in Guatemala, and increase the international pressure that is needed to stop the violence against women in that country.”

The Resolution condemns the murders and expresses condolences and support to families of victims. Specifically, the resolution encourages the Guatemalan government to recognize domestic violence as a crime and to promptly investigate the killings and prosecute those responsible. It also encourages adequate resources for police and prosecutors to investigate the murders thoroughly and urges the US Ambassador to Guatemala to meet with the families of the victims. Finally, it recommends that the Secretary of State develop a comprehensive plan to address and combat the growing problem of violence against women in Latin America.

Consideration of H. Res. 100 resolution by the full House of Representatives is expected in the coming months.

Chilean President Advocates Women’s Rights

03.20.07 Chilean President Michelle Bachelet, who was in Guatemala to attend an annual meeting of the Inter-American Development Bank, spoke to 700 women at the Bank of Guatemala. Bachelet said that democracy sought by Latin American societies will not be complete until women can fully exercise their rights. She reminded women that no country can fully develop without the decided participation of women.

CHILDREN’S RIGHTS

Organizations Demand Child Law Reform

03.14.07 On the Day of Nonviolence Toward Children, the Guatemalan Human Rights Ombudsman’s Office (PDH) and non-governmental organization *Casa Alianza* demanded reforms to the Guatemalan Penal Code that would benefit children and adolescents. According to the PDH, Guatemala needs to promote projects that increase family stability and train law enforcement agents to stem aggression toward children and youth. The PDH also stressed the need to create assistance programs for victims of child abuse and to strengthen investigations of infanticides. PDH data revealed that reports of child abuse in Guatemala are on the rise. One hundred sixty cases of child abuse were reported in January 2007, compared to forty-nine in January 2006.

INDIGENOUS RIGHTS

Indigenous Summit Begins in Guatemala

03.26.07 The Third Continental Summit of Indigenous Peoples and Nationalities of Latin America opened in the sacred Maya site of Iximche in Tecpán, Chimaltengo with over one thousand participants. Guatemalans from various indigenous communities throughout the country attended the Summit. Representatives from Bolivia, Ecuador, Peru, Mexico, Cuba and Brazil were also present.

Participants will discuss topics such as social pressure on indigenous groups and environmental damage, with a particular focus on mining activities. Mining has been a source of contention between governments and communities that oppose mining due to its negative environmental impacts.

LAND RIGHTS

Political Interests Behind Cobán Evictions

03.21.07 The Campesino Development Committee (CODECA) condemned evictions

that occurred earlier this year in the communities *Flor del Valle* and *La Cobanerita* in Cobán, Alta Verapaz, which left seventy-two families homeless.

Thirty-seven families were evicted from *La Cobanerita* on January 30 by 500 members of the National Civil Police (PNC) and fifty other machete-wielding individuals. On February 14, 600 members of the PNC entered the *Flor del Valle* community, fired tear gas, and burned the homes of thirty-five families.

According to CODECA, the lands were then claimed by Guatemalan politicians with links to corruption and government oppression.

MIGRANT RIGHTS

IDB Says Remittances Do Not Solve Poverty

03.19.07 According to the Multilateral Investment Fund (MIF) of the Inter-American Development Bank (IDB), remittances are not a viable solution to eliminate extreme poverty in Latin America. Manager Donald Terry said that although forty percent of the twenty million families that receive remittances are above the poverty line, the poorest members of society are unable to migrate, leaving them in extreme poverty.

According to the MIF, remittances to Latin America and the Caribbean reached over \$45 billion in 2006. This amount exceeded the combined flows of all Foreign Direct Investment (FDI) and net Official Development Assistance (ODA) to the region. Latin America is now the fastest growing and highest volume remittance market in the world. These flows substantially exceed tourism income to each country, account for at least 10% of GDP in six countries, and almost always exceed the largest export.

Terry also said that while the remittances are beneficial to the receiving countries, they are also an important indication of economic problems in those countries. When countries do not create sufficient work opportunities, citizens are forced to migrate.

According to Terry, a poll last year of immigrants with professional degrees and education showed that 56% of Latin American migrants in the US cited the cause of migration as unemployment, while the remaining 44% mentioned underpayment as their motive.

Guatemala received \$3.6 billion in remittances in 2006, the fourth highest in the region after Mexico, Brazil, and Colombia. Terry noted that remittances will continue to grow in the short term due to the demand for labor in the US, but will decline in the long term because later generations will stop sending money home. He added that Guatemala must be prepared for this and should try to use remittances to prevent more families from having to migrate.

Activists Demand an End to Deportations

03.24.07 Migrant activists and student organizations demonstrated in Constitution Plaza in Guatemala City to demand an end to US deportations. Mauro Verzeletti, a priest from the Episcopal Conference of Guatemala, reminded participants that the migrant's path to the US is full of suffering and abuse. He added that 15,000 migrants each year are treated at centers along the border, most of whom have suffered some type of human rights violation.

Monseñor Rodolfo Bobadilla, bishop of Huehuetango, said that 80% of deportees are between the ages of eighteen and thirty, and demanded that the government create more jobs to prevent migration.

SOCIAL, ECONOMIC, AND CULTURAL RIGHTS

Hurricane Stan Victims Still Unattended

03.15.07 Citizens Action (AC) criticized the Guatemalan government's continued lack of attention to Hurricane Stan victims, which ripped through Guatemala in October 2006. In its fourth report on the National Reconstruction Program, AC noted that many houses still need to be rebuilt and expressed concern that politicians might take advantage of the election year to rebuild the 22,000 homes.

According to the report, the Ministry for Communications, Infrastructure and Housing has only attended to 1,367 out of the 6,300 requests for construction of private property. Out of 650 repairs to buildings that have been requested, only thirty-four have been completed. Not one of the 2,399 relocation cases has been attended to. Furthermore, 4,000 persons remain without shelter.

Destroyed Town Demands Shelter

03.22.07 Approximately 300 families from Panabaj, Santiago Atitlán, who lost their homes during Hurricane Stan, demanded immediate relocation to improved shelters because the provisional houses of tin and polyethylene that they were originally provided are rapidly deteriorating.

Countries Warn About Travel to Guatemala

03.22.07 US and Canadian consulates have published warnings about travel to Guatemala, which highlight an increase in robberies in tourist spots and a weak presence of the National Civil Police (PNC).

Canadian authorities also noted that Guatemala has one of the highest crime rates in Latin America, as well as a high murder rate resulting from gangs and drug trafficking activity. They also noted that very few culprits are arrested. The Canadian consulate recommends that tourists avoid traveling alone, cheap hotels, and walking the streets of Guatemala City.

The US State Department cited that twenty-five American citizens have been murdered in Guatemala since 1999. It also warned about gang proliferation, the risks of public transportation, police extortion, police incompetence, and the weakness of the justice system.

Other countries that have renewed warnings about travel to Guatemala this year include Spain, the United Kingdom, and the Netherlands.

IN MEMORY

Bishop Juan Gerardi

Died April 26, 1998

We commemorate the ninth anniversary of the assassination of Bishop Juan Gerardi, Guatemala's martyr for peace, who was brutally murdered in his home forty-eight hours after having unveiled the Recovery of Historical Memory (REHMI) Report.

We ask that you pause for a moment today and reflect on Gerardi's pursuit of peace and justice. As Bishop Gerardi said, "Peace is possible – a peace that is born from the truth that comes from each one of us and from all of us."

May we all be proponents of peace.

Thank you for remembering Monsignor Gerardi.

RIGHT TO JUSTICE

Drug Officers Arrested for Murder

03.15.07 Nine agents from the Anti-narcotics Analysis and Information Service (SAIA) were arrested for murder, abuse of authority, assault, and robbery. The nine agents have been detained, while a tenth is still at large.

Olimpia Pineda, spokeswoman for the National Civil Police (PNC), said that the agents participated in a drug and firearm seizure operation on January 26 in Nentón, Huehuetango. During the operation, they allegedly stopped a private vehicle, kidnapped the passengers, and shot them. Andrés de León López, 26, was killed in the attack while Mateo López, 38, was critically injured. A third passenger, who was unharmed, identified the SAIA agents. His name was withheld for security reasons.

Salvadorans Demand Results in Murder Case

03.20.07 Salvadoran President Antonio Saca told Guatemalan authorities that the persons responsible for the February assassination of three Salvadoran congressmen and their driver must be detained and prosecuted. Saca was in Guatemala for a meeting with the Inter-American Development Bank.

Brother of murdered Congressman Eduardo D'Abuissou also told Salvadoran newspaper *El Mundo* that President Oscar Berger needs to reform the Guatemalan police department. He added that someone is obviously interested in blocking the murder investigation.

President Berger responded that the results of the investigations will be provided when they are ready.

SIP Asks Governments to Protect Journalists

03.20.07 The Interamerican Press Society (SIP) asked Latin American governments to define and apply efficient mechanisms to stop violence against journalists, as well as to comply with a UN resolution to properly investigate and process those who commit violence against members of the press.

The resolution calls for member countries of the OAS to justly punish perpetrators of violence against journalists and those who threaten freedom of expression. The resolution also requires governments to create special prosecutor's offices for these cases and to provide sufficient resources for those offices.

SIP asked Guatemalan President Oscar Berger to guarantee the safety of the press and to investigate illegal armed groups that have infiltrated the National Civil Police.

LEGAL CASE UPDATES

CC Allows Extradition of Military Officers

03.28.07 The Constitutional Court (CC) determined that the Fifth Penal Court of Guatemala does have the authority to issue

extradition requests for military officers and civilians accused of the genocide, torture, terrorism, and illegal detentions. The CC made the decision in response to a request to review the extradition by the attorney of retired military officer Aníbal Angel Guevara, after he was released.

Jose Toledo, Guevara's attorney, stated that the CC decided that Judge Santiago Pedr az, of the Spanish National Court, is capable of judging Guatemalans for events committed in Guatemala.

The Guatemalan justices of the Fifth Penal Court will analyze the requests for extraditions of five military officials and two civilians. The extradition requests of military officers involve Efra n R os Montt, Angel An bal Guevara, German Chupina, Oscar Mej a Victores and Benedicto Lucas; and the two civilians include Pedro Garc a Arredondo and Donaldo Alvarez Ruiz.

RIGHT TO A HEALTHY AND SUSTAINABLE ENVIRONMENT

Citizens Demand Halt of Dam Construction

03.15.07 On the International Day of Action Against Dams, community members from La Libertad, Pet n demanded that Mesoamerican governments intervene on behalf of the community and stop construction of hydroelectric power plants in the region.

According to the Pet n Front Against Dams (FPCR), the Mexican Federal Electric Commission and the Guatemalan National Electricity Institute plan to construct one large dam and three smaller dams on the Usumacinta River, which straddles the border. FPCR said that the construction of these dams would flood the lands of 30,000 families in sixty-five communities, as well as portions of Sierra Lacand n National Park, which is a protected area, and the archeological sites of Piedras Negras and Yaxchil n in M xico.

Members of the FPCR complained that Guatemalan and Mexican governments have failed to publish any information regarding the construction of the dams or the environmental consequences. Members also noted that the construction violates Agreement 169, which requires that the local population be consulted about the construction of dams. The FPCR said that transnational interests want to control Mesoamerican water sources, privatize water, and increase profits of water sales. Members expressed concern that the construction of dams causes deep and irreversible damage to the environment and society and asked the government to seek an alternate energy source.

The Inter-American Development Bank (IDB) meanwhile announced that \$400,000 from its Infrastructure Fund would be used to study the effects of hydroelectric power plants in Guatemala prior to their construction.

OTHER INFORMATION

Berger Commits to Reinforcing the PNC

03.22.07 President Oscar Berger vowed to create a commission to investigate and reform the National Civil Police (PNC) and to dissolve the Crime Investigation Division (DINC) of the PNC. Berger conveyed his plan to Human Rights Ombudsman Sergio Morales, Cardinal Rodolfo Quezada, and Estuardo Gálvez of the University of San Carlos.

Minister of the Interior and Police Chief Resign

03.27.07 Minister of the Interior Carlos Vielmann resigned in the wake of the scandal surrounding alleged police involvement in the murders of three Salvadoran congressmen and their driver in February. Erwin Sperisen, director of the National Civil Police (PNC), also resigned.

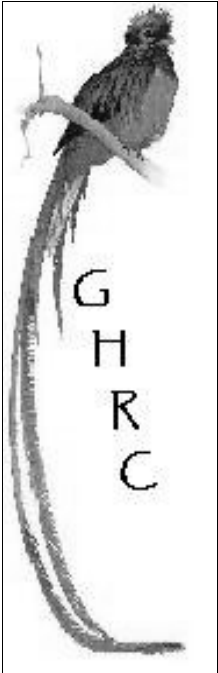
Vice President Eduardo Stein said that the government attempted to persuade Vielmann to stay, but that his resignation was irrevocable.

The scandal arose after evidence suggested that elements of Guatemalan security forces were most likely linked to organized crime. The scandal deepened when Henry and José Benítez, consultants for the PNC, were tied to extrajudicial executions. The UN Rapporteur on Extrajudicial Executions has also connected the Criminal Investigations Division (DINC) of the PNC to unauthorized murders.

De Torrebiarte Named Minister of the Interior

03.28.07 For the first time in Guatemalan history, a woman was appointed to serve as the Minister of the Interior, to replace the recently resigned Carlos Vielmann. Adela de Torrebiarte, 57, will lead the country's police in her new post. She formerly worked for the National Commission of the Penitentiary System. She has also participated in the Advisory Security Council since 2004, a coalition of private citizens who makes security recommendations to the government. In addition, she is a founding member of the nongovernmental organization *Madres Angustiadas* (Anguished Mothers), which was established in the 1990s to exert pressure on authorities when a wave of kidnappings affected the country. This is her first government position.

De Torrebiarte said that her most urgent task is to reform the PNC and restore the credibility of Guatemalan security forces.



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.

Editor:: Carmen Carney (ghrc-usa@ghrc-usa.org), Additional Assistance: Marty Jordan, Julie Suarez, Tom West, Abby Weil, and Charlotte Colón

****GHRC/USA relies on the support of individuals like you. Without your contributions of ideas, action, and resources, GHRC/USA would not be able to stand in solidarity with Guatemalans as they struggle for their rights and freedoms. We greatly appreciate all types of support so that we can continue our education, advocacy, and human rights efforts. Please remember that no contribution is too small, or too big. To donate, please visit our website at www.ghrc-usa.org or send a check to the address below.***

3321 12th Street NE Washington DC 20017

Tel - 202-529-6599 Fax - 202-526-4611



Guatemala
Human Rights
Commission/USA

Vol. 19 No. 06

3321 12th Street NE
Washington, DC 20017

- **Student Leader Murdered in Petén- PG 1**
- **House Committee Approves Femicide Resolution - PG 2**
- **Hurricane Stan Victims Still Unattended - PG 4**
- **Minister of the Interior and Police Chief Resign - PG 7**
- **Adela de Torrebiarte Named Minister of the Interior - PG 7**

Insert: Letter from Carrie Stengel, former GHRC Co-Director