



# El Quetzal

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## PEACEFUL ANTI-MINING RESISTANCE AT "LA PUYA" CELEBRATES TWO YEARS OF STRUGGLE

La Puya started, as many great movements do, with a single act of civil disobedience.

A woman, concerned by the sudden arrival of a gold mining operation in her community, decided to park her car sideways across a dusty, rural road, stopping a convoy of massive mining machinery in its tracks. Others quickly joined her, taking a stand in defense of their water supply, farmland, health and environment.

This impromptu roadside gathering of community members became, essentially, a human roadblock, preventing tractors, dump trucks and other equipment from entering the Tambor mine site. Over time, the roadblock grew into the resistance movement known as "La Puya."

On March 2 of this year, La Puya – against all odds – celebrated its second anniversary.

The celebration kicked off with a massive procession from the town of San Jose del Golfo to La Puya. Nearly a thousand people participated: families, religious leaders, school

groups, a marching band, and human rights activists. They carried banners asking important questions such as: "What would YOU do without clean air and pure water?" At La Puya, the crowds gathered



*"We never thought when we started this movement that we would make it to the two-year mark. For us, it is truly a victory and an example for others." - Álvaro Sandoval*

around a makeshift stage to hear invited speakers. Angelica Choc, human rights defender and widow of assassinated activist Adolfo Ich, praised the women of La Puya for being "an inspiration for communities throughout the country."

Yuri Melini, director of the environmental group CALAS, reminded the families of La Puya that they have "the right to be

informed and consulted about any mining project that affects them. He finished by sending a clear message to the government and the transnational corporations: "When the communities say 'no' to mining, 'NO' means 'NO!'"

The power of this message became clear when P&F Contractors, a Guatemalan company that rents out dump trucks, excavators, and other heavy machinery, decided to withdraw their equipment from the Tambor mine site, stating that Exmingua (and parent company Kappes, Cassidy & Associates) hadn't paid them since October 2013.

On February 26 and 27, just days before the second anniversary celebration, the company arrived to withdraw the machinery. The entire operation was carried out without incident, and the atmosphere in La Puya became more festive as the hours passed and the long parade of massive mining equipment was permanently removed from the mine. Nothing remains on the mining company land – another victory for the families at La Puya.

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## **GHRC Mission**

The Guatemala Human Rights Commission (GHRC) is a nonprofit, grassroots, solidarity organization dedicated to promoting human rights in Guatemala and supporting communities and activists who face threats and violence. GHRC documents and denounces abuses, educates the international community, and advocates for policies that foster peace and justice.

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## **LETTER FROM THE DIRECTOR**

Dear readers,

On Sunday, March 2, I joined almost a thousand people at "La Puya" for the movement's two-year anniversary of peaceful resistance to a gold mine. Guatemalans had come from across the country to express their solidarity. Two new banners welcomed the crowd, one an expression of gratitude for the support the movement has received, and the second a quote from the Guatemalan constitution: "Resistance of the people is legitimate in order to protect and defend the rights and guarantees provided in the constitution."

The resistance movement at the Puya is a unique example of successful opposition to a mining project, a beacon of hope within a context of generalized repression and efforts to discredit and criminalize grassroots social movements. GHRC staff, and our international network of activists, have provided almost continuous support over the last two years. Much of that support had been in moments of threats and tension, and so it was a joy to have a chance to celebrate, and to share our own letter of solidarity.

The celebration for me was bittersweet, however. It was there at the Puya that I learned the heartbreaking news of Dr. César Barrientos' death. Dr. Barrientos was, for much of the last five years, President of the Criminal Chamber of the Supreme Court. He was a man of immense personal integrity, wholly dedicated to the creation of a criminal justice system that functioned for all Guatemalans, particularly the most vulnerable. Like the banner hanging at the Puya, he saw the constitution and the rule of law as a tool to protect – not repress – Guatemala's citizens, and to ensure full respect of their rights.

Dr. Barrientos took his own life after suffering increasing pressure, public defamation and direct threats launched against him. These attacks were part of an ongoing campaign to anyone who dared to address historic impunity or to hold Guatemala's economic and political elite to account. His efforts to support formal transitional justice processes were likely one of the reasons he was singled out as a target of attack.

Transitional justice seeks to adequately identify and address past human rights violations, and through a process of truth-telling, justice, reparations and reconciliation, ensure that they never happen again. With no transition to reweave social fabric, the past haunts the present like an open wound, permeating personal relationships, community life and, ultimately, defining how institutions do – or don't – function.

In February, GHRC brought together women leaders from across Guatemala to talk about transitional justice processes in their communities and to share experiences about how they are organizing to create change at the local level. Their stories were a further reminder of the immense injustices that still must be addressed, and the difficult work that lies ahead.

With Guatemala on the brink of huge setbacks in the justice system, advocacy work in the US becomes even more important. For example, we continue to push for a ban on funds to the Guatemalan army as one mechanism that can leverage support for reparations for victims, as well as accountability from within the armed forces and other institutions.

Our efforts to support movements like the Puya and to push for justice for human rights violations, past and present, are only increasing. It is my pleasure to introduce the newest member of our team, Lindsay Bidga, who will be helping us share the stories of our Guatemalan partners. After all, it is the remarkable human stories – of tragedy, struggle and triumph – that inspire and sustain our solidarity work.

Sincerely,  
Kelsey Alford-Jones

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At the event, GHRC shared a letter of solidarity that had been signed by 25 national and international human rights organizations and over 2,000 individuals from 50 countries. Without a doubt, there is something special about La Puya, and the communities' struggle has touched people around the world. Here is part of what makes La Puya so groundbreaking, stereotype-shattering, and even revolutionary:

#### **Embracing nonviolence.**

Guatemala is one of the most violent countries in the world. Extreme poverty, organized crime, corrupt state forces, and the legacy of 36 years of a brutal counter-insurgency have fostered widespread acceptance of violence. The men and women of La Puya, however, have made a daily commitment to the ideals of peaceful, nonviolent resistance. For every insult, threat and attack they have received, they have responded with song, prayer and compassion. They have even prepared meals for the riot police who tried – unsuccessfully – to forcefully evict them.

#### **The power of the poor.**

In Guatemala a small, but powerful economic elite run the country. The justice system bends in their favor, and the transnational corporations they represent often run roughshod over the law. Yet this group of housewives, family farmers, and school children has effectively put a halt to the mineral extraction plans of at least three mining companies

(Radius Gold – Canada; Kappes, Cassidy & Associates – USA; and Servicios Mineros de Centroamerica – Guatemala.).

**Ethnic equality.** In a country with a majority of indigenous Maya population, racism, discrimination and exclusion are unfortunately widespread. La Puya has broken with that norm, welcoming indigenous and ladinos alike. One of the towns that form part of the resistance is San José Nacahuil, a Maya Kaqchikel community. Miriam Pixtún, from Nacahuil, is one of the most active leaders within La Puya.

**Women at the forefront.** Like racism, sexism is all-too-prevalent in Guatemalan culture and daily life. In La Puya, however, women like Yolanda Ouelí play essential leadership roles. In fact, the entire strategy of non-violent resistance rests squarely on the capable shoulders of the women. Recognizing that men are often quicker to anger, it is the women who place themselves on the front line when threats and attacks have occurred. While aggressors have mocked the men for “hiding behind the skirts” of the women, the truth is that the courageous women of La Puya have shown themselves to be best equipped to handle the onslaught of violence, and to respond without anger.

**All for one, and one for all.** Until recently the struggles of individual communities against large mining

interests, the construction of hydroelectric dams, or the spread of single-crop plantations have been fairly isolated and unconnected. La Puya, however, has become a point of reference and a model to follow for other communities within Guatemala and throughout the region. Members of La Puya are constantly travelling to other communities in resistance, such as Barillas, San Rafael las Flores, Chuarrancho, and Xalapán to share their knowledge, experiences, motivation, and practices of peaceful resistance with others.

While there is much to celebrate, the struggle at the Puya isn't over. The leadership of La Puya has been accused of “illegal detention, threats, and coercion.” Just days after the anniversary celebration, a judge decided not to drop these trumped-up charges against three members of La Puya; instead, he set a trial date for March 18. Another 10 leaders, including Yolanda Ouelí have been dragged into the process and have their hearing on April 2.

Meanwhile, the U.S. parent company, Kappes, Cassidy & Associates, has shown no sign of withdrawing.

The men, women and children at La Puya aren't giving up, though. They're at La Puya now. And they'll be there 24 hours a day, 7 days a week – and have vowed to maintain their peaceful struggle as long as it takes.

## VICTORY IN THE US CONGRESS: REPARATIONS FOR THE CHIXOY DAM & THE MILITARY BAN

In mid-January, the US Government very nearly shut down for the second time in four months. A budget deal had been reached, but Congress still had to pass an Appropriations Bill to keep the government running. Those of us in DC girded ourselves for more closures throughout the city. Across the country, beneficiaries of federal programs like women's shelters and food banks prayed that their funding wouldn't be cut off again. Fortunately, just a day late, the massive bill passed, and buried within it were two victories for human rights in Guatemala.

### Reparations for the Chixoy Dam

Along the shores of the Rio Negro River, in impoverished villages in Baja Verapaz, Guatemala, GHRC partners also anxiously waited for news of the bill. In a surprising victory, it banned the US Department of State (DOS) from funding the Guatemalan Army until 33 communities impacted by the construction of the Chixoy Dam in the early 1980s are compensated for atrocities committed over 30 years ago, including 5 massacres and the forced eviction

of thousands of people. The Guatemalan Government signed a reparations plan to compensate the communities in 2010, but the plan was never implemented, and the vast majority of the communities live in dire poverty.

In February, the organization representing the 33 communities affected by the dam – COCAHICH – released a statement criticizing the lack of progress in the implementation of the reparations plan. COCAHICH reported that, in the month after the bill was passed, the communities were neither approached by the government, the World Bank or IDB, nor were they informed of any concrete steps taken by the government to address the issue.

GHRC and partners are calling on the US Government to seek input from the communities as part of the evaluation process the bill requires. The US Appropriations Law creates a historic opportunity to finally compensate the communities who lost their homes and hundreds of loved ones, but if the communities are locked out of the process, we risk re-victimizing the very

people the law is meant to support.

### The Military Ban

The Appropriations Bill contains another restriction that has been largely ignored related to ongoing and past human rights abuses committed by the Guatemalan Army. The language accompanying the bill bars DOS from granting funds from the Foreign Military Financing Program to the army until the Secretary of State certifies that the army is meeting certain conditions. The restriction is narrow, and still allows funding under this program to the rest of Guatemala's armed forces.

That doesn't mean that the restriction isn't significant, though, or that it isn't a thorn in the side of the Guatemalan Government. When the current Guatemalan Ambassador to the US took over his post, he publicly stated that his number one priority was the removal of this very condition. Why does it matter so much to the Guatemalan government, when there's a relatively small amount of money at stake?

The conditions state that to receive these funds, the Guatemalan Army has to:

- 1) Have a narrowly defined mission focused on border security and external threats, and a credible plan to end the army's involvement in internal law enforcement;
- 2) Cooperate with civilian investigations and prosecutions of human rights cases involving current and retired military officers;
- 3) Publicly disclose all military archival documents relating to the internal armed conflict in a timely manner in response to requests by civilian judicial authorities.



*Community members light candles for victims of the massacres at Rio Negro*

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What the bill is implicitly saying is that the Appropriations Committees believe that the Guatemalan Army currently doesn't meet these criteria, and that's the rub.

On the first point, Guatemala is clearly and unapologetically moving in the opposite direction. Under President Pérez Molina's leadership, the Guatemalan army has been consistently deployed to carry out tasks that would normally fall to the police; soldiers have been stationed in various parts of the capitol to combat crime and violence, checkpoints were set up on highways across the country, and several army bases have opened in parts of the interior. In addition, the current government has imposed a form of martial law 13 times, putting the Army in temporary control of the population.

With the passage of the Appropriations Act, it now falls to DOS to keep the pressure on

Guatemala, and not just act as a rubber stamp. In other cases, like those of Colombia and Honduras, DOS has certified that those countries' governments were abiding by conditions imposed by the Appropriations Committee despite abundant evidence presented to the contrary. Hopefully Congress will oversee the process this year so the conditions have a real impact on human rights in Guatemala.

In response to the law a defiant President Pérez Molina stated, "We're not anyone's game. We're going to do what we need to do." He also singled out one Appropriations Committee Aide in particular as responsible for the conditions. The President claimed that this aide "thinks he owns Guatemala just because he's an aide to a senator." Senator Leahy, Chair of the Appropriations Committee, responded by pointing out that the committee had authorized close to \$100 million for Guatemala

for this year. He also wrote, "Instead of blaming a member of the US Congress, Guatemalan authorities should comply with their responsibilities..."

Senator Leahy, with the help of his staff, has been a stalwart advocate for human rights and the rule of law in Guatemala for over a decade, using his position as the head of this powerful committee to keep US funds from supporting repressive policies. It's little wonder that the Pérez Molina administration resents his efforts.

Ultimately, though, it will be up to the people of the US to guarantee that this law truly offers Guatemala incentive to change. The conditions are not a way for the US to insert itself in Guatemala's internal affairs, but instead a tool for citizens to ensure that we're not exacerbating an already explosive human rights situation, and instead supporting the ongoing struggle for justice.

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## VOICELESS SPEAK FUND RECIPIENT RAISES AWARENESS THROUGH RADIO SHOW

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In October of 2013, Leobardo Ambrocio received funds from GHRC's *Voiceless Speak Program* to design a new radio show aimed at educating immigrant communities in the U.S. about their own rights, as well as to raise awareness about human rights violations occurring in Leobardo's native Guatemala. The show's first episode aired on March 20, and will be broadcast live from New York City every Thursday at 7:00 PM on Radio bilingüe NOJIBAL stereo (97.1 F.M).

Leobardo became involved in radio in Sololá, Guatemala, and says that radio in his country "occupies a fundamental place in the communication within and amongst communities." His new

show will span a range of themes: criminalization, women's rights, free speech, militarization, and impunity, among others.

Leobardo titled his program "Voices Without Borders" because he hopes to communicate the realities of communities in Guatemala to a broader audience. "Even though 75% of the population in Guatemala is indigenous, the government

continues to deny their rights and cater to transnational companies," he said. Leobardo hopes to use the program as a platform to raise awareness of these struggles within the international community.

"We want to send this message," Leobardo said. "Brothers and sisters in resistance, we are with you despite the distance and the borders that divide us."



*Leobardo (right) works on his show, "Voices Without Borders" (Photos by Lisa Knauer)*

## A CRISIS OF JUSTICE: WILL THE CLOCK BE TURNED BACK A DECADE?

After decades of impunity, something incredible is happening in Guatemala: justice. Perpetrators of horrific human rights violations committed during the internal armed conflict and equally horrific drug war violence are being prosecuted in Guatemala's courts. The transformation began a few years ago, as judicial institutions started to function with unprecedented independence, transparency and efficiency – finally, if haltingly, responding in good faith to victims' pleas for accountability.

Two individuals have been the pillars of these reforms: Attorney General Claudia Paz y Paz, and César Barrientos, Magistrate of the Criminal Chamber of the Supreme Court. With the vision and will to



*Claudia Paz y Paz (Photo courtesy of Guatemala's Ministerio Publico)*

transform their institutions, they took the immense personal and professional risk to break with the status quo, prosecuting those previously considered “untouchable” and attacking entrenched impunity. The results of these efforts were of mammoth proportion. In 2013, impunity rates, which had settled comfortably at 98%, dropped significantly. Emblematic cases of human rights violations, organized crime, sexual violence, and

corruption were investigated and prosecuted. Notorious capos and former government officials found themselves in jail, or extradited to the United States. The world watched as Guatemala became the first country to charge and convict a

victims. Barrientos was also a staunch advocate of respecting Guatemala's commitments under international law, and worked to ensure Guatemalan courts implemented rulings of the Inter-American Court of Human Rights.

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*The battle over control of Guatemala's institutions is in full force. When the dust settles, we can only hope that the work of those that have dedicated their life to the struggle for justice has not been undone.*

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former head of state for genocide.

But the fight to end impunity isn't over. In February, the Constitutional Court ruled to cut short Claudia Paz y Paz' term, a move that has dramatically weakened the Public Prosecutor's Office, and that has been called a coup d'etat against the institution. Then, just weeks later, the criminal justice system lost its principal advocate for reform with the tragic death of Supreme Court Justice César Barrientos.

### **Where There's a Will, There's a Way: Impressive Advances in Judicial Reform**

The recent judicial reforms began to take shape in 2009 with the creation of the High Risk Court system, designed to take on the nation's most sensitive, dangerous, and paradigmatic cases. Under the guidance of Justice Barrientos, these courts sprung into action with an independence and dedication, with judges ruling according to the evidence – not outside pressure.

Alongside the new courts, Barrientos undertook an impressive agenda of procedural and administrative reforms within the criminal justice system. His efforts strengthened due process through a dramatic reduction in delays, increased transparency, and – without compromising the rights of the accused – the provision of dignified treatment and reparations for

In December 2010, soon after these reforms began to take shape, Claudia Paz y Paz was selected as Attorney General and head of the Public Prosecutor's Office. A similar transformation began to happen there. Under Paz y Paz, the Prosecutor's Office has tackled corruption, organized crime, human rights violations from the past, femicide and human trafficking. In 2013, among other important cases, Paz y Paz oversaw the prosecution of Generals Ríos Montt and Rodríguez Sánchez, charged with genocide and war crimes.

Despite challenges at every turn, in just three years the Prosecutor's Office greatly improved its investigative capacity, and worked closely with the International Commission Against Impunity in Guatemala (CICIG), another key contributor to Guatemala's reforms. For her principled leadership and strict adherence to the rule of law, Claudia Paz y Paz has received overwhelming national and international support, and was nominated for the Nobel Peace Prize.

As Paz y Paz took on the investigation and prosecution of cases that implicate individuals with immense political, economic and military clout – along with organized criminal networks and gangs – these cases were designated, by Barrientos, to the high risk courts. Combined, these efforts resulted in

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a reduction in overall levels impunity by almost 30 percent, and they demonstrated that Guatemala's public institutions could serve the interests of its citizens.

Unfortunately, while victims of past abuses saw new hope for justice, not everyone was celebrating. In fact, these advances were seen as a direct threat to many who benefited from impunity. Feeling suddenly vulnerable, former military and other special interest groups, such as the business lobby, launched increasingly aggressive efforts to maintain the status quo. Seeking to retake control of these institutions – and to keep those who had committed past human rights violations or acts of corruption from going to jail – parallel power structures resorted to legal manipulation and direct pressure to undermine efforts for justice. Both Paz y Paz and Justice Barrientos were targets of virulent public campaigns to tarnish their reputation, along with other threats and intimidation.

### **Ousting Claudia Paz y Paz**

In early February, the Guatemalan Constitutional Court, the nation's highest court, emitted a provisional decision stating that Paz y Paz's term in office would end in May instead of December 2014; it ordered Congress to immediately appoint a nominating commission to accept candidates for the position, which it did soon after.

The public reaction was immediate. Members of civil society gathered outside Congress, calling on

members not to implement an illegal ruling. GHRC and partner organizations held a press conference calling on the Court to reconsider its decision and maintain

### **A Climate of Threats and Tension Contributes to Death of Barrientos**

As President of the Criminal Chamber of the Supreme Court, Justice Barrientos became a key target for attack, both publicly and within the Court itself. Over the last year, the public attacks expanded to include family members who held public offices. His son was arrested as part of an investigation into a child prostitution ring, which was then used as bait. Barrientos began to receive calls offering to resolve his son's case if he voted as they asked. Despite his deep concern for his son, Barrientos refused to compromise his morals and his life's work for judicial independence.

When he didn't bow under the pressure, it grew worse; he began to work, day in and day out, in a climate of fear and uncertainty. After being President of the Criminal Chamber for years, he lost the seat in September of 2013, and over the next few months watched as the

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*Left: Claudia Paz y Paz listens as Edgar Pérez presents at the public hearing; Right: A crowd greets Paz y Paz as she leaves the hearing*

the Attorney General's mandate as established when she was named. The US Embassy also responded, publicly criticizing the decision.

The ruling by the Court contradicts the Constitution, previous rulings by the same Court, and is based on temporary articles in the Constitution which are no longer valid. At a public hearing on February 26, overflowing with journalists and concerned citizens, Paz y Paz addressed the justices:

"What is at stake here isn't whether or not I keep my position for seven more months, it isn't my term as an individual; it is a constitutional term. What is at stake is the legacy of the constitution, of the rule of law, of Guatemala's democracy. The reduction of constitutional terms threatens judicial autonomy and independence."

Shortly after the hearing, the Court upheld its ruling, cementing the reduction in Paz y Paz's term in office.



*Justice Barrientos*

## WOMEN COME TOGETHER TO DISCUSS TRANSITIONAL JUSTICE IN GUATEMALA



*The group of women who participated in the February transitional justice workshop in Guatemala City (Photo by MADRE)*

Women have been a force for change throughout Guatemala's history. Many of the female survivors of the internal armed conflict – mere children during the massacres of the 1980s – are now at the forefront of efforts to seek justice for their disappeared and assassinated family members: husbands, fathers, mothers, brothers and sisters.

During the conflict the most devastating forms of violence imaginable were unleashed against women, who were often seen as the spoils of war by soldiers and civil patrollers. Women and young girls suffered horrific abuses and violence, and were then further exploited as servants and as sexual slaves for the troops. These dehumanizing attacks were coldly calculated and strategic: the Guatemalan state promoted violence against women as a means to demoralize and humiliate "the enemy," while tearing apart the social fabric of communities. According to a study by sociologist

Marta Elena Casaus Arzú, presented during the genocide trial against General Ríos Montt, the actions of soldiers responded to an institutional "protocol of rape and violence."

On February 27, 2014, GHRC helped coordinate the first of a series of three workshops on the fundamental role of women in the search for justice in Guatemala. The workshop is part of a collaborative project between GHRC and MADRE, an international women's human rights organization. The process will take place over 18 months and create opportunities in both Guatemala and Columbia for women to share their experiences with transitional justice processes.

Transitional justice is formally defined as "the set of judicial and policy measures that have been implemented by different countries in order to redress the legacies of massive human rights abuses". These measures include

criminal prosecutions, truth commissions, reparations programs, and institutional reforms. The workshops, however, are focused on the real-life experiences of the participants and seek to explore the topic of justice in the most profound sense of the word.

16 women, mostly indigenous, participated in the first encounter. They hailed from the departments of Huehuetenango, Quiché, Chimaltenango, Alta and Baja Verapaz, Izabal and Guatemala.

The meeting room was filled with beautiful voices sharing their stories in a wide variety of languages: Spanish, Mam, K'iché, Q'eqchí, and Achí. Although these stories told the brutal truth of violence, exclusion, and discrimination, they also revealed the women's shared history of strength, courage and resistance.

In recounting all that they had endured, including incidents of rape and other forms of sexual



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violence, the women spoke with intense and overflowing emotion. Many had buried their terrible traumas in silence, fleeing from their own memories of what they had suffered. Some of the women had been raped as children, and had lived their entire lives burdened by shame and the fear of rejection. Some confessed that it wasn't until they had testified in the genocide trial that their spouses and family members learned that they had been victims of sexual violence.

During the workshop, some of the women spoke precisely about the transition from staying silent to speaking up. "Before, I was afraid to speak," said one participant. "I didn't want to tell anyone what happened to me. Now I know that other women, like me, have had the same experiences, and that we are not to be blamed for what happened."

Another woman commented on the healing effect of being able to finally speak freely: "We value ourselves for who we are. Participating in activities like this, we learn from the ideas of others. It makes us feel as though we are not alone, like we are supported ... by participating, we have freed our hearts from what happened."

In the process of seeking justice, Guatemalan women have faced immense obstacles. But they have also achieved amazing advances and felt the satisfaction of winning legal battles.

Within the judicial system, there have been important sentences. Some of the women mentioned the case of

the Dos Erres massacre, in which over 200 people were murdered by Guatemala Special Forces in 1982. They pointed out that there have been convictions in the national courts and a condemnation of the State by the Inter-American Court of Human Rights.

One of the participants, a survivor of the massacre, said that at the moment of General Ríos Montt's conviction for genocide, she fell to her knees and wept for joy. "We all brought him to justice, together with the judge ... finally there was justice for everything he did to us," she exclaimed.

Still, despite these groundbreaking verdicts, the women affirm that nothing could repair the enormous damage that was done to them, their families and their communities. They understand that these convictions are mostly moral condemnations, and continue to hope that the Guatemalan State will implement comprehensive reparations programs. The path

to justice is a long and arduous one. But these women are coming to realize that they do not walk alone. They are encountering other survivors along the same path who share their experiences of the past and their hopes for the future. Together they are learning to celebrate the fact that they are still alive by remaining steadfast and resolute, by overcoming their fear and shame, and by reclaiming their strength and dignity.

A follow-up meeting will take place this June in Colombia. The workshop will bring together women from both countries to discuss their respective struggles for justice for human rights violations within similar contexts of civil war.

One participant from the Ixil region of Quiché in Guatemala expressed her excitement for the upcoming encounter, stating: "By listening to each other, we can learn from each other."



*A break-out group at the transitional justice workshop (Photo by MADRE)*

## INTRODUCING GHRC'S NEWEST STAFF MEMBER: MEET LINDSAY

When I first joined the Guatemala Human Rights Commission in October of 2013, I received an email from GHRC's Guatemala Office Director Rob Mercatante. In his letter, he wrote:

"I can honestly say that this is the most demanding, exhausting, difficult, wonderful, rewarding and enthralling job I've ever had. I'm so glad to hear that you'll be part of our team. You'll quickly see that although we're very few in numbers, our impact is impressively large... and that's a good thing when you're doing human rights work!"

I began to see Rob's words come to fruition as I jumped into our small team. During my first month, GHRC participated in Inter-American Commission hearings, followed up on the Rios Montt genocide case, prepared for our fall speaker's tour, and organized the presentation of our annual Alice Zachmann Human Rights Defenders Award.

During these first few weeks, I also had the opportunity to meet several Guatemalan human rights defenders during their delegations to DC to participate in a series of advocacy meetings. One of the most striking moments from these visits came when I listened to testimonies from two survivors of Guatemala's internal armed conflict. The impact of hearing these stories in person was enormous. Hurt and frustrated that this kind of brutal violence could occur anywhere in the world, I was also moved by the survivors' incredible strength and courage, and

felt proud to support them.

When I began studying journalism and film at Syracuse University, advocacy communications was not articulated nor discussed as a potential career path. Instead, it has taken a series of small and progressive steps to develop a clear understanding of the type of communicator I want to be: one who amplifies the voices of those often unheard.

Fueled by a desire to learn how I could combine my media skills with a growing interest in international development and a desire to learn more about Latin America, I began a two-year contract in June of 2011 as the senior communications associate with a small public health nonprofit called MEDLIFE. Based in Lima, Peru, I worked to begin a communications program by growing the organization's online presence and documenting its projects across Peru and Ecuador. Along the way, I became fascinated with how communities were organizing to implement development initiatives in their neighborhoods, resist large-scale extractive projects, and gain respect for their rights.

When I completed my contract with MEDLIFE, I was eager to build off of my knowledge of development issues in Peru and to continue work focused on Latin America. Alerted by a friend to the fact that GHRC was looking to hire someone with a background in communications, I jumped at the opportunity to apply.



Although I have enjoyed all aspects of my work with communications teams in the nonprofit sector, I find myself most fulfilled when my role becomes that of a storyteller. At GHRC, I have been honored to help profile courageous human rights defenders in Guatemala, package content for education and advocacy, and spearhead a media campaign to raise awareness of the incredible, two-year resistance movement at La Puya.

In the coming months, I look forward to deepening my knowledge of pressing human rights issues and continuing to communicate the ever-changing realities of the men and women fighting for their rights in Guatemala. I'm so pleased to be part of a team that -- as Rob correctly noted -- is few in numbers, but has an impressively large impact.

Sincerely,

Lindsay Bigda

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### INTERESTED IN INTERNING OR VOLUNTEERING WITH GHRC?

GHRC is looking for interns to join our Washington, DC office **May through August of 2014!** Interns must be available for a minimum of 20 hours per week, have strong written and oral skills in both English and Spanish, and be able to work from our office in DC. We also have volunteer opportunities for those willing to help out with our bulk mailings, events, or other special projects. See our website for details, or email us at [ghrc-usa@ghrc-usa.org](mailto:ghrc-usa@ghrc-usa.org) for more information.

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reforms he had been working so hard to implement were abandoned by his colleagues.

On March 2, César Barrientos took his own life. We may never know the exact reasons that led to his tragic decision, yet it is certain that his vision for judicial reform was on his mind that morning. In a message to his closest friends and colleagues, he called for others to continue to work for change.

"The efficiency of the criminal justice process has been improved," he wrote. "Now we should reflect on whether we observe the rules of due process, whether we respect the human rights of those facing charges as well as those of the victims, and whether we fulfill the social pact to permit judges to resolve judicial conflicts without pressure or intimidation."

He also addressed civil society: "The media should support and amplify the promotion and respect of due process, and citizens should understand that the principal way to address crime is that of prevention through the construction

of a more equal society, with more opportunities, and above all, one of solidarity."

### **A Critical Year**

After much deliberation, Claudia Paz y Paz has decided to run for a second term as Attorney General. While her decision offers hope, there are already signs of foul play; the Nominating Commission has already been criticized for a lack of transparency and clarity in the criteria for the selection of the six finalists that will be sent to the President in May. The process is moving more quickly than the original timeline and, most recently, the Commission suddenly and unexpectedly changed the period of public comment on the candidates. What's more, the entire upper echelon of justice administrators – Supreme Court justices and appellate judges – will be selected this year by similar processes.

Without Paz y Paz and Barrientos, the nation's transitional justice processes will undoubtedly suffer. In the worst case scenario, access to justice and judicial reform will

not only be impeded, it may be undermined and undone. The question of amnesty for gross human rights violations, incredibly, still remains open for debate in the courts. Groups are bracing for a de facto amnesty for Ríos Montt in the coming days, as the Constitutional Court will likely uphold the ruling that rewinds the genocide case to 2011, before Ríos Montt's conviction. And the risks do not only apply to cases of the past. Hundreds of illegitimate legal complaints and frivolous cases against human rights defenders could move forward unchecked, and a system that doesn't faithfully apply the rule of law with independence and impartiality leaves the door open for impunity in other cases like femicide, human trafficking and corruption.

The battle over control of Guatemala's institutions is in full force. When the dust settles, we can only hope that the work of those that have dedicated their life to the struggle for justice has not been undone.

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## **JUDGE BARRIOS RECEIVES ANNUAL "INTERNATIONAL WOMEN OF COURAGE AWARD"**

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Guatemalan Judge Iris Yassmin Barrios Aguilar was one of ten women recognized with the 2014 International Women of Courage Award this spring in Washington, DC.

The award is presented annually by the US Department of State to women around the world who have shown courage, leadership, and willingness to sacrifice for others – especially for the promotion of women's rights.

GHRC was present at a panel session featuring remarks from the ten awardees on March 5 at the US Institute of Peace (USIP). At the event, Judge Barrios spoke about her work for justice for crimes of the past and present, as well as the danger her position puts her in. "In Guatemala, every single day we are risking our lives so that our citizens can attain justice," she said.



*Judge Barrios (middle) at the USIP panel*

Judge Barrios is most well known for serving as the presiding judge in the genocide trial of former Guatemalan dictator Efraín Ríos Montt. When asked about this experience, Barrios responded that she has no doubts about the conviction, due to the quantity and quality of the evidence. She also recognized the Ixil women who testified in the trial, breaking the silence about violations committed by soldiers in Guatemala. Through her work, Judge Barrios has helped give a voice to victims of past abuses, and provided an important legal precedent for genocide cases worldwide.



**GUATEMALA HUMAN RIGHTS COMMISSION**

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# El Quetzal

HUMAN RIGHTS NEWS AND UPDATES

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