



# El Quetzal

HUMAN RIGHTS NEWS AND UPDATES

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## MARTIAL LAW *declared* ONCE AGAIN

### Violence and Criminalization in San Juan Sacatepéquez

On October 29, Bárbara Díaz Surin, a Kaqchiquel leader and mother of seven, was arrested in her community in San Juan Sacatepéquez. The municipality had been under martial law for over a month in response to a violent incident in the community of Los Pajoques in late September that left eight people dead.

At least 40 police officers were involved in Díaz' arrest and the force used left marks on her arms.

The following day, Díaz was charged with the murder of a man in April 2014. According to observers present at the arraignment, there was no concrete evidence against her; the accusation was denounced immediately as a trumped-up charge to silence a local leader.

Unfortunately, Diaz' situation is not unique. The arrest of community leaders during states of "exception" (ie, martial law), for acts allegedly committed months or even years prior, has become a pattern in Guatemala. More often than not, those facing charges are community leaders in movements against a national or transnational company operating in the area.

Díaz herself had been active in the opposition to the Cementos Progreso cement company in San Juan, and had also participated in recent actions to denounce militarization.

In fact, just six days before her arrest, Díaz marched with hundreds of women from twelve communities in the municipality of San Juan in Guatemala City, demanding that the government lift the "state of prevention." The women also appeared before the Human Rights Ombudsmen (PDH) to report the abuses committed against them by police and members of the army during the state of prevention.

The state of prevention was originally declared by the Guatemalan

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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 Supporters,

This year, human rights defenders in Guatemala faced a slate of challenges, from threats and trumped-up criminal charges, to police repression, militarization and the obstruction of justice. The number of direct attacks against defenders was the highest on record.

Our partners working for justice face a steep uphill battle, particularly in cases of human rights violations during the war. In fact, the Guatemalan government has been strongly criticized by both the Inter-American Commission and the Court for its refusal to follow-through with investigations of war-time atrocities. The re-trial of the genocide case has been postponed indefinitely, and amnesty – despite its illegality in this and other cases – is still an open question. If this pattern continues, a decade of work to promote and solidify transitional justice in the country will have been undone.

The election of the attorney general and the nation's highest judges caused further scandal in the justice system this year. GHRC joined international groups in monitoring the selection processes; we documented open manipulation and denounced blatant violations of judicial independence. Despite widespread calls to restart the process from the beginning, the new judges took office in November – a sign that de facto power structures are still pulling the strings. At the same time, President Perez Molina has publicly said he will not extend the mandate of the body most capable of dismantling these structures: the International Commission against Impunity in Guatemala (CICIG).

Nevertheless, as we highlight in this issue, our partners continue to prove that progress is possible. We honored the impressive work of the Guatemalan Human Rights Law Firm with the 2014 Alice Zachmann Human Rights Defender Award. We are following important advances in emblematic cases, like the burning of the Spanish Embassy and the Sepur Zarco sexual slavery case. And I am proud to say that GHRC's advocacy contributed to the signing of a historic executive order that will provide \$154 million in reparations to communities affected by the Chixoy hydroelectric dam in Baja Verapaz. It is tragic, however, that the government can take such a historic step as the Chixoy agreement without a broader institutional commitment to ensure such violations do not happen again. Indeed, the government continues perpetuating past patterns of repression in response to land rights conflicts.

At a recent event in DC, I listened to the Guatemalan president promote a new, regional "Alliance for Prosperity," a plan pitched as a solution to address root causes of migration, such as poverty and violence. Yet the plan centers, in part, around courting increased corporate investment and the promotion of large-scale infrastructure and extractive projects like mines – the exact issues currently exacerbating conflict and violence in the poorest regions of Guatemala. In fact, in 2014 over 80% of attacks against defenders targeted those in direct opposition to such projects, due to their negative environmental, social and cultural impacts.

In this issue we share stories from communities in San Juan Sacatepéquez and La Puya, where those in active opposition to extractive projects have suffered violent repression and face numerous trumped-up criminal charges.

Human rights defenders will face increased risks in 2015 as the election season approaches and international observation will be essential. GHRC will continue responding to specific abuses; we will also be pushing for broader policy changes, including calling for an end to militarized security policies and supporting the right to justice. Thank you for continuing to join in this effort.

Kelsey Alford-Jones  
Executive Director

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government on September 22, for a period of 15 days, and ultimately lasted about 45 days. According to affected communities, this heavy-handed response, which limited resident's mobility and ability to conduct meetings, among other restrictions, contrasted sharply with the police's complete inaction as the conflict unfolded in Los Pajoques. Many believe that, had the police responded to urgent calls from community members during the crisis, they could have saved the lives of the eight who perished.

GHRC visited three of the affected communities during the state of prevention as part of a fact-finding mission. In consultations with residents, we heard that members of the army and police were occupying private properties without authorization and verbally harassing the women. Many community members noted that their economic livelihoods – including the ability to tend to their crops – had been severely limited. The power of community authorities had also been undercut, along with residents' ability to carry out important religious ceremonies. All of this had generated an atmosphere of mistrust and uncertainty among the population.

San Juan Sacatepéquez, less than an hour away from Guatemala City, is originally known for the production of flowers and wood furniture, both for local consumption and exportation. However, towards the end of 2006, the area became known for something else: the peaceful resistance of twelve communities to the construction of a cement factory. Communities considered the government's decision to grant the company a license an abuse, as residents were neither informed nor consulted about the project beforehand.

Those on the front lines of the communities' protests against the company have, for years, experienced aggression and defamation campaigns; a number of leaders have also been arrested after incidents that suggest attempts to provoke and criminalize the opposition movement.

Judicial authorities have focused solely on the complaints against the community leaders, while failing to act on the objections raised by residents about the abuses they have suffered at the hands of cement factory workers. Over time, one of the largest social costs has been the internal division of the communities.

What has happened in San Juan Sacatepéquez is not an isolated occurrence. Similar incidents unfolded in the department of Huehuetenango, particularly in the municipalities of Barillas and Santa Eulalia due to the construction of a dam; in San José del Golfo, San Pedro Ayampuc and Nacahuil in the department of Guatemala due to a gold mine; in San Rafael Las Flores in the department of Santa Rosa due to a silver mine; and in other areas throughout the country.

Time and again, the Guatemalan government has neglected its legal obligation to consult with communities before granting a license for a mine or dam, and has ignored the adverse affects these projects will have on the environment, water sources and community wellbeing.

For community leaders like Bárbara Díaz, actively opposing these projects can have tremendous impacts on their lives and those of their families. Martial law was lifted in San Juan shortly after her arrest, but Díaz, who maintains her innocence, remained detained throughout the holiday season. Her first hearing was set for January 8, 2015, but has been postponed until mid February.

*"We ask ourselves: why didn't they care when we were calling for the police to come?"*

- Deputy mayor from Santa Fe Ocaña who called the police on September 19, hours before the 8 individuals died in Pajoques.



*Left: A woman is interviewed during GHRC's fact-finding mission (Photo GHRC); Right: Soldiers occupy San Juan during the State of Prevention (Photo by Prensa Comunitaria)*



## FALL SPEAKER'S TOUR: NEW CONNECTIONS IN THE FIGHT FOR ENVIRONMENTAL JUSTICE



**"We know we could die in this struggle, but we will all die no matter what. If we continue this struggle, at least our grandchildren will be able to say that we fought for something."**

These powerful words were spoken by Miriam Pixtún Monroy, a Maya K'aqchikel activist from the community of Nacahuil, Guatemala, during a recent tour organized by GHRC. Miriam spoke to audiences in Chicago, Milwaukee, Reno and Las Vegas about "La Puya," a movement against a local gold mine. In her presentations at universities, churches and community events, she reflected that people have stopped valuing life, in all its forms, and forgotten that we are interconnected with each other and the earth. She also lamented the lack of true, participatory democracy as well as high levels of corruption and impunity in Guatemala. By the end of the tour, Miriam expanded these statements to include the situation not only in Guatemala, but in the US as well.

She arrived at this conclusion after hearing from activists in Wisconsin and Nevada who are also trying to block mines that would pollute and damage their homes. In Wisconsin, the mine would be upriver from the Bad River Reservation, on the shores of the Lake Superior. For the Bad River Tribe, their struggle is all about water. According to Chairman, Mike Wiggins, who unfortunately wasn't able to present

with Miriam as planned because of a winter storm, "We are all made of water...The water we drink is life itself...We are asking, simply, that the headwaters of our watershed remain intact so that we and our children can live."

His words echo Miriam's as she explained that the levels of arsenic in the water where US company Kappes, Cassidy & Associates (KCA) wants to mine is already 8 times higher than that allowed by the World Health Organization and that mining could shoot that level up to 46 times higher than that. "Our struggle is for life," she explained, "so that future generations have water, fertile soil and a healthy environment. Water is life."

In Nevada, Miriam met residents of the tiny town of Silver City, an hour outside of Reno. Standing on the back patio of one family's house, they pointed to a spot only 250 feet away where a mine will be built if community members don't succeed in stopping it. They explained to Miriam the affinity they feel for La Puya because of the similarity of their struggles and because of the links between Daniel Kappes, the President of KCA and of Comstock Mining Inc., which will operate the mine planned for their town.

After each presentation, groups came up with creative ideas about how people from the US could support Miriam and her fellow activists at La Puya. Tribal Councils offered to pass resolutions against mining and in support of La Puya to help counter the Guatemalan government's myth that that indigenous peoples are more developed in the US because they support mining. A day and time could be chosen for churches or other institutions to hold religious or spiritual ceremonies in honor of La Puya while a Mayan ceremony is conducted at the site of resistance to connect that energy to the struggle.

Children in the US could send notes to children in La Puya to let them know that they are not alone.

GHRC also asked supporters to call, email and tweet the Nevada Mining Association, requesting them to deny membership to any company, such as KCA, that is linked to human rights abuses. With friends from the Progressive Leadership Alliance of Nevada, the Great Basin Resource Watch, the Comstock Resident's Association, and Oxfam America, GHRC delivered a letter to the Mining Association, though the employees there hid behind a locked door and an answering machine. With Oxfam's help, the talks in Nevada also addressed resistance to the mine in San Rafael las Flores, Guatemala, and the abuses committed by a subsidiary of Tahoe Resources. Both KCA and Tahoe Resources have offices in Reno, and our friends there are excited to help us keep the pressure on both companies.

At each stop on the tour, Miriam invited audiences to join La Puya, challenging them to lose their fear, break through racism, patriarchy and class struggle and overcome geographic barriers to unify struggles that defend life in all its diverse forms. And at each stop, many – inspired by Miriam's conviction – accepted the challenge to fight for life.



*Miriam receives a gift from an indigenous leader in Milwaukee during the tour*

## GUATEMALA ADMONISHED BY INTER-AMERICAN COMMISSION AND COURT

Justice seems further out of reach than ever before for Guatemalans seeking accountability from their own government.

On August 22, the Inter-American Court released one of the strongest resolutions in recent memory against the Guatemalan government. The resolution came after a supervisory hearing, and declared Guatemala 'in contempt' for its failure to comply with 11 sentences related to the investigation of serious human rights violations committed during the internal armed conflict.

The cases are emblematic of the widespread, state-sponsored violence from the war, and include the assassination of Myrna Mack Chang, the massacres at Plan de Sanchez and Dos Erres, and the disappearance, torture and murder of Everardo Bámaca. The 11 petitioners that participated in the supervisory hearing have been seeking progress in their cases for years, some for almost two decades. Faced with systematic obstruction

of justice in Guatemala, the Inter-American legal system became their only hope.

At the hearing, the Guatemalan government reported no progress and instead took a radical change of position towards the Court, denying any obligation to carry out investigation into criminal responsibility and hinting at a possible amnesty.

In two other cases – the Rio Negro massacres and the forced disappearance of those that appear in Military Dossier or Diario Militar – the government denies the Court has any jurisdiction at all.

In its August resolution, the Court reminded Guatemala of the "vast jurisprudence" defining amnesty to be illegal for the violations committed and noted that the State's position "constitutes a clear lack of understanding ... of basic principles of international law."

Human rights groups raised these issues in October in a hearing on

transitional justice at the Inter-American Commission. "The issue here...is the victims. Where is their right to have justice done?" said Francisco Soto, referring to irregularities in the genocide case.

The Commission later publicly condemned Guatemalan "authorities' denial of genocide" and their defense of a possible amnesty for serious human rights violations.

Unfortunately, the stinging words of the Commission and Court will mean little if other regional and international bodies do not follow suit and push for more concrete repercussions. Human rights organizations have called for Guatemala to be included in Chapter 4 of the annual report – a public shame for the governments that appear. They have also called on the OAS and the World Bank to take seriously Guatemala's disregard for international law. GHRC has also reminded the US Congress that Guatemala's blatant non-compliance with the Court means it has not met the requirements needed to lift restrictions on funding for the Guatemalan army.

But more is needed. With the genocide retrial stalled and a series of emblematic cases against former military officials awaiting trial in domestic courts, the possibility of an illegal amnesty still looms on the horizon.

Meanwhile, the petitioners – and the thousands of family members of the victims they represent – are left without access to justice. "We've told the world the truth of what we lived and what we suffered," said Anselmo Roldan to the IACHR as a representative of genocide survivors in the Ixil region. "We want to express that the State is corrupted and is putting democracy at risk."

### What Is the Inter-American Legal System?



**The Inter-American Legal System was created, along with the Organization of American States, or OAS, in 1948 with the adoption of the "American Declaration of the Rights and Duties of Man." In 1969, member states approved the "American Convention on Human Rights" which took effect in 1978.**

**The system consists of the Inter-American Commission on Human Rights (IACHR) and the Inter-American Court of Human Rights (IACtHR).**

**Citizens and organizations of member states can request thematic hearings on human rights issues and file for "precautionary measures" which, if granted, obligates the State to provide protection to the person or group at risk. They can also bring cases, referred to as petitions, to the Commission when a government has violated the American Convention.**

**The Commission can refer cases to the Court, where sentences are binding for member state governments.**

# REFLECTIONS

## *2014 GHRC Delegation: "Women and the Construction of Justice"*

By Elizabeth Clark, August 2014 delegation participant



At the turn of the millennium, a feminist community organization which would later come to be known as AMISMAXAJ was being formed amongst indigenous Xinka women in the mountains of Xalapa.

The founders of the group were questioning the rampant use of violence against women in their communities and the ingrained practice of forcing young women into marriage and reproduction. Many girls spent their lives entrenched in a cycle of pregnancy and routine beatings. The idea of accessing anything beyond a primary education was preposterous, and most women never moved beyond

the confines of their small towns.

Yet, even in the face of the stigmas heaped upon them, a core group of women began organizing in their communities. They founded a popular education and political formation school in which women could gather and question the idea that "this is the way it has always been and thus it must be true" – an argument commonly used to justify the continued repression of women.

Having since been expelled from her home in the mountain, the group's founder, Lorena Cabnal, opened up a feminist commune in the nearby city of Jalapa, where Xinka women

descend from the mountains to discuss alternative ideas about gender roles, reproductive rights, the link between recuperation of land and body, and the concept of mutual healing. Handmade posters line the walls in Spanish and Xinka with provocative phrases such as "Without De-Patriarcalization, There Will Be No Decolonization!" "Defense of Body and Territory" and, "Keep Your Rosaries Off My Ovaries!"

Here, there are moments of immense solitude as worn faces speak of rape and savage brutality. There are moments of side-splitting laughter as women joke about how they are no longer controlled by

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*"The stories of grief we heard and the scenes of repression we saw were only shared to highlight the remarkable feats of resilience and courage carried out by female human rights defenders."*

- Elizabeth Clark

Left: GHRC delegates with the women's group AMISMAXAJ



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*GHRC delegates participate in a Xinka healing ceremony during a visit to the women's group AMISMAXAJ in Jalapa.*

their husbands – that in fact, they've managed to flip the whole gender dynamic on its head. A youth group of young men and women gather as well. The women are some of the first to have surpassed the age of 20 without children, but rather with dreams and a realistic opportunity of making it to university.

As an individual who has spent the past three years working on the front lines of the immigrant right's movement, some part of me believed that going to Guatemala would help me understand why millions of people risk their lives to flee to the United States. I wanted to go to Guatemala to see pain, anguish and desperation so I might better understand the circumstances that dictate the impossible decisions that immigrants make.

As a participant on the GHRC's 2014 delegation, I learned about the flagrant human rights abuses that occurred during the Guatemalan armed conflict, the continued use of force against human rights defenders, rampant government corruption and lamentable US meddling in political and economic affairs. Yet my experience on the delegation consisted of anything but the kind of "tourism of suffering" the more ignorant parts of me expected. The stories of grief we heard and the scenes of repression we saw were only shared to highlight the remarkable feats of resilience and courage carried out by female

human rights defenders. While I was blindly searching for a portrait of suffering that would help me explain why loving mothers send their children across the border alone, in Guatemala I was encountered by incomparable resiliency at every turn.

The US can continue spending billions of dollars on border security and immigration enforcement. Our government can also continue to prioritize the "rights" of mining companies over the human rights of the communities which inhabit the lands those companies destroy. We can continue to do all these things and unfathomably scratch our heads at the end of the day, wondering why it is people flee. If there is anything my trip to Guatemala helped to solidify in my mind is that our homeland security is entirely misdirected.

There are thousands of people all over Guatemala working tirelessly for change. They are working to create alternative futures for youth, to reduce corruption in government and courts, to stem violence and protect basic human rights. Organizations like AMISMAXAJ and UNAMG and resistance movements in places like La Puya and Nacahuil are working to sustainably improve the lives of Guatemalans. They are pouring themselves into the structural issues that force so many people to pick up and leave. By throwing money at building fences

and getting more "boots on the ground" we are only trimming stray weeds. By investing in the human rights defenders mentioned above, we are digging deep into the soil, and pulling the problems out by their roots.

No matter which social justice issue with which you most identify, as advocates we stand to learn so much from Guatemalan activists like Miriam Puxtin, Sandra Moran, Maya Alvarado, Claudia Paz y Paz, Jazmin Barrios, Lorena Cabnal, and countless others.

As the coordinator of a popular education group aimed at empowering immigrant survivors of domestic and sexual violence, I felt a particular connection to AMISMAXAJ founder Lorena Cabnal. After spending a beautiful day at her popular education school in Jalapa and participating in a Xinka ceremony, the purpose of which is to forge harmony between all of the earth's natural energies, Lorena kindly offered me the materials needed to repeat the ceremony with the women in my group at home.

The ceremony I carried out was a poor imitation at best, yet I have never seen an activity have such a positive impact. If Lorena and her counterparts actually had access to the support they needed to thrive, I can only imagine the incredible consequences.

## ADVANCEMENTS, SETBACKS AND UPDATES IN EMBLEMATIC HUMAN RIGHTS CASES

2015 marks the final year of President Otto Pérez Molina’s administration and has special significance for communities engaged in two important land rights struggles. The nearly 800 families violently evicted from the Polochic Valley in 2011, and the 33 communities that were affected by the construction of the Chixoy Hydroelectric dam in the early 1980s, have received wide-ranging promises from the President. Those affected feel he has both a legal and a moral obligation to comply with these commitments before leaving office.

This year will also be a critical one for Guatemala’s judicial system. A slew of emblematic cases from the internal armed conflict await their day in court, including the Military Dossier case. Meanwhile, the re-trial of Ríos Montt for genocide and war crimes remains mired in legal complaints.



## THE CHIXOY CASE

*"The reparations are essential in order to guarantee that we learn from the errors of the past, and never again repeat the same mistakes."* - Juan de Dios Garcia

On November 8, thanks to the persistence of the 33 communities affected by the Chixoy dam, as well as international pressure, President Pérez Molina publically signed a presidential decree that would finally begin the process of providing reparations. Juan de Dios Garcia, one of the leaders of the Coordinating Committee of Communities Affected by the Construction of the Chixoy Dam (COCAHICH), and a principle negotiator of the agreement, spoke of the significance of the agreement:

"The Chixoy dam is a symbol of death, of extreme poverty, of slavery and the destruction of our social fabric." Reparations, he said, were essential in order to guarantee "that we learn from the errors of the past."

Construction on the Chixoy dam began in 1975 and was financed principally by the World Bank and Inter-American Development Bank. The massive project resulted in the flooding of dozens of communities and the displacement of thousands

of Maya Achi people. Hundreds were killed as part of the Guatemalan military’s systematic massacres in the early 1980s. A reparations agreement was finalized in 2010, but never implemented.

The 2014 public policy provides a framework to implement reparations for a wide range of damages, including individual and collective economic impacts, restitution and rehabilitation, and measures seeking to guarantee these abuses do not occur again.

## THE POLOCHIC VALLEY CASE



*Community leaders from the Polochic Valley protest outside of the National Palace*

In March of 2011, police and soldiers brutally evicted 769 families from the land on which they lived. Two leaders were killed during the evictions, and entire communities lost their homes and belongings.

As a result of pressure from the families, as well as international groups, President Pérez Molina eventually promised that he would provide land to all of the displaced families during his first three years in office. However, with less than a month remaining in that self-imposed deadline, only 140 families had been relocated -- many of them in poor conditions.

On December 2, 2014, dozens

of community leaders from the Polochic Valley gathered outside the National Palace to remind the President of his promise to provide land for the other 629 families. The government announced that it will buy two more plots of land to distribute to 250 more families in March of 2015, and that the remaining 379 families will receive land sometime later in 2015.

GHRC continues to support the affected families as a petitioner on their behalf in the Inter-American Commission on Human Rights, which, since 2011, has maintained precautionary measures aimed to ensure that families receive the basic services they need.



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## THE GENOCIDE CASE

After a 19-month delay, a new genocide trial in Guatemala – set to restart on January 5 – was suspended nearly as soon as it began. The retrial was initially delayed as Ríos Montt's defense team sought to excuse him on medical grounds. Ordered by Judge Valdéz to present himself, Ríos Montt was eventually wheeled into the packed courtroom on a stretcher.

Efforts to derail the trial did not stop there. Ríos Montt's defense team then filed a last minute recusal against Judge Valdéz, arguing that her academic thesis on genocide in 2004 meant she could not preside fairly over the trial. Judge Valdéz was forced to recuse herself from the case. Then, in late January, lawyers representing victims in the genocide case presented an objection against the head judge of the Appeals Court that will rule on the recusal. The lawyers argue that Anabella Esmeralda Cardona is not impartial due to her participation in courses and conferences hosted by the military. The trial will be delayed until both motions are resolved.

While the genocide case is the most high profile, numerous other transitional justice cases are also awaiting trial and could be impacted by the outcome – or lack of resolution – of this case.

### The Sepur Zarco Sexual Slavery Case Moves Forward

In July of 1982, the army constructed a military outpost for “rest and relaxation” in Sepur Zarco and assigned a regiment of soldiers there. Over a period of 6 years, the military commissioners of this detachment ordered women from surrounding communities to report to the base to serve the soldiers, and to cook and wash clothes for them. The soldiers also repeatedly raped the women, who had been assigned to three-day rotations. For many, their harassment and suffering continued until the outpost was closed in 1988.

Although many of the victims have been stigmatized by their communities and blamed for the abuses they suffered, 15 of the women have decided to come forward with their stories. In 2011, with the support of a network of organizations, they initiated a process to bring the case to trial. Two ex-military officials named in the case (Esteelmer Reyes Girón and Heriberto Valdéz Asij) were finally arrested in June 2014.

Guatemala's High Risk Court ruled to open trial against the two officials in October 2014; however, the case is currently on hold as a result of multiple challenges made by the defense.

### Ex-police Chief Convicted in 1980 Spanish Embassy Case

On January 19, 2015, nearly 35 years after the 1980 burning of the Spanish Embassy in Guatemala, former police chief Pedro García Arredondo was found guilty of orchestrating the attack. Arredondo was sentenced to 40 years in prison for crimes against humanity, murder and attempted murder. He received an additional 50 years for the murder of two students after the massacre occurred – for a total of 90 years in prison.

On January 31, 1980, a group of Maya K'iche' farmers and their allies, protesting assassinations and disappearances in the department of El Quiché, took over the Spanish Embassy in Guatemala City. In response, security forces encircled the building and began an assault, quickly occupying the first and third floors -- despite the ambassador's warnings that to do so violated international law. The attack ended with the burning of the embassy and the death of the 37 occupiers and their hostages, including several Spanish diplomats. Among the victims was Vincente Menchú, father of Rigoberta Menchú Tum, who is a complainant in the case and would later be awarded the Nobel Peace Prize.

## 2015: A YEAR OF FULFILLED COMMITMENTS OR BROKEN PROMISES?

This year promises to be a complex one for Guatemala. It is an election year and – if the past is any indicator – we can expect to see a deluge of partisan propaganda, political rallies, smear and slander campaigns, and an increase in politically-motivated violence.

In this context, the role of the international community will continue to be essential in guaranteeing that the government upholds its human rights obligations. Speaking about the Chixoy case, Juan de Dios summed it up perfectly: “We should all remain united and celebrate the implementation of this reparations plan with joy and optimism. But we also must remain vigilant and demand that the authorities follow through with their commitments.”

## WOMEN IN NEBAJ MARCH FOR A LIFE FREE OF VIOLENCE

On November 25, 2014, GHRC participated alongside a network of women-led organizations from the Ixil region in a march to commemorate the International Day for the Elimination of Violence against Women. The march wound through the main streets of Nebaj, and was accompanied by a "batacoda" -- a percussive ensemble that drew people out of their homes to see where the music was coming from.

The action was both a call to halt violence as well as a message to women currently confronting it that they are not alone, that there are others willing to accompany them, and that many resources exist for breaking the cycle of violence. The march culminated at the



*Participants play music as part of a march for the elimination of violence against women in Nebaj*

municipal center with cultural activities and a forum on the participation of women in different spaces, including the areas of politics, health and justice. Many

different voices were heard, including women's groups, survivors of violence during the internal armed conflict, and women who

had managed to break free from situations of domestic violence.

The day, which was filled with hope, was a stark contrast to acts of intimidation that occurred just hours before. As women prepared for the march at the Defensoria de la Mujer I'x -- an organization that provides comprehensive services to victims of abuse and violence -- other members of the community gathered outside and threw rocks at the front door.

Coordinator Juana Baca said that the organization, which has received almost 2,000 formal complaints concerning violence committed against women and girls, will not stop its work in the face of intimidation. The demand for the group's services is too great, she expressed.

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## GHRC SHARES HUMAN RIGHTS CONCERNS WITH NEW US AMBASSADOR TO GUATEMALA

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In September 2014, the US Senate confirmed Todd D. Robinson's nomination to become the next US ambassador to Guatemala -- a position that has been vacant since Ambassador Chacon returned to the US in March of this year.

Robinson has spent much of his career in Latin America and served as deputy chief of mission under Ambassador McFarland in Guatemala from 2009-2011. Most recently, he served in the Bureau of International Narcotics and Law Enforcement Affairs, based out of Washington, DC.

Prior to his departure to Guatemala, GHRC coordinated a group of organizations who met with Ambassador Robinson to share concerns about the deteriorating human rights situation in Guatemala and followed up with a formal letter. We highlighted, among other topics:

### **The Promotion of Justice and Accountability**

The judicial system in Guatemala is in a period of transition, and as a result, US support for a strong, independent judiciary is essential.

### **Addressing Land Rights Conflicts**

The U.S. Embassy should encourage the peaceful resolution of land conflicts and urge the Guatemalan government and U.S. companies operating in the country to respect community decision-making processes.

### **Transparency and Accountability for Security Policies**

The security strategies of the Pérez Molina administration have not decreased common crime, and instead have led to increased conflict and abuses. Nevertheless,

the U.S. government has bolstered support for the Guatemalan military, even as it expands its role in law enforcement. Instead, the US should fully enforce the congressional restrictions on funding to Guatemalan armed forces, condemn the use of the Guatemalan military for law enforcement and call for a thorough reform of Guatemala's police.

In a recent written response, Ambassador Robinson affirmed his commitment to human rights and promised continued financial support for the CICIG. He also noted the importance of creating spaces for dialogue and advancing emblematic cases from the conflict.

In the coming months, it will be critical for the US Embassy to reach out to civil society organizations and human rights defenders for ongoing analysis and recommendations.



## ALICE ZACHMANN HUMAN RIGHTS DEFENDERS AWARD CELEBRATES ADVANCES IN JUSTICE



We were so pleased to present our third annual Alice Zachmann Human Rights Defenders Award this fall in front of a packed house at St. Stephen's Church in Washington, DC, while an audience of friends and colleagues watched via Skype from Guatemala. The evening celebrated the struggle for justice in Guatemala and honored the Guatemalan Human Rights Law Firm (Bufete Jurídico de Derechos Humanos).

"Being a lawyer – with all of the weight it carries – is about having the privilege to be able to defend another person, to be a voice for that person," shared Edgar Pérez, founder of the Firm, during the event. "And that's what we've done in our work -- serve as the voice for many victims in cases of grave human rights violations."

These remarks reflect just one of the many reasons the Firm was honored as this year's award recipient.

The firm and its dedicated staff have demonstrated an unparalleled

defense and promotion of human rights through its work accompanying victims and challenging injustice, and for its commitment to marginalized communities. GHRC Founder Alice Zachmann, unable to attend the event in person, sent a written statement congratulating the Firm on its faithful commitment to human rights. It was read aloud by human rights activist Carmen Valenzuela.

José Gonzalez, a staff attorney, explained what an incredible learning experience working at the Firm has been and reiterated the commitment of all of the Firm's staff, stating, "We are striving to make the law the living voice of morality in our society."

This year, we also recognized Dr. César Barrientos Pellecer posthumously for his achievements advancing justice and the rule of law in Guatemala. We were honored to be joined by Jennifer Harbury, who highlighted the importance of Dr. Barrientos' work in the Guatemalan

Supreme Court. Wendy Maldonado, who worked closely with Dr. Barrientos, received the recognition on behalf of his family.

"To speak of Dr. César Barrientos and the impact of his work in Guatemala is difficult, because there are so many topics to address," said Wendy. "His fight was for human dignity, and for a society that is just and participatory – one in which citizens of a multicultural society like Guatemala were free to exercise their citizenship."

We were so fortunate to have many of our Guatemalan partners present with us in DC this year – including last year's award recipient UDEFEGUA, several members of the Human Rights Convergence and the former Attorney General Claudia Paz y Paz. We couldn't have asked for a better opportunity to bring together our communities in the US and Guatemala in honor of those who fight each and every day to promote the respect for human rights.



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> Reflections on GHRC's August "Women in Resistance" Delegation

> Case updates: Chixoy, Polochic, Sepur Zarco, Spanish Embassy and the genocide case

> Challenges for judicial independence in Guatemala