



Guatemala Human Rights Commission/USA Report Back from Verification Mission to Chapín Abajo

December 23, 2022

Introduction:

On December 6, 2022, a large contingent of Guatemala security forces attacked the Chapín Abajo community, which consists of approximately 150 families in the Southern area of El Estor, Izabal. The security forces were carrying out an eviction notice filed by the African palm company NaturAceites. An estimated 3,000 Guatemalan police and military arrived in the early morning. They opened fire, deployed teargas, and violently beat community members, including women and children.

Four days later, on December 10, GHRC's Guatemala team mobilized a verification mission to Chapín Abajo to gather testimonies from witnesses and document human rights abuses. This delegation consisted of six people: two from GHRC, two from Coban, and two from surrounding communities in El Estor. The community of Chapín Abajo asked us to share their stories and denounce the violence perpetrated against them. Below is our report back on what we found.

Documented Human Rights Violations:

Overall, we documented the ruthless dispossession of the Q'eqchi community in Chapín Abajo by criminal groups, working in conjunction with corporate interests and state security forces. Based on our observations, we documented the following incidents which amount to serious human rights abuses.

Illegal Detention by Police and Mistreatment in Custody

Police detained five community members, including two minors. Despite the lack of evidence and with no reason given for the arrests, the police detained them

for two days. Finally, after having to pay more than 5,000 quetzales (aprox. 636 USD), between the payment made by the police and the payment to their lawyer, they were released.

Alba María Toc Caal, one of those captured, testified that she was beaten by police. While in custody, she was tortured, as police hung her by her neck. She showed the delegation the serious bruising around her neck and explained that she cannot move her head without significant pain. One 14-year old minor recounted his experience between tears, detailing the hours of beatings he received from police while in their custody.



Bullet perforation in tree. Shots were fired at houses in the community.

Live Rounds of Gunfire

During our visit, we were able to verify that police opened fire on the community. Two people were injured after being shot by police. Witnesses testified that the gunfire came from the direction of the surrounding palm plantation; the security forces were using the trees as a vantage point. One witness—who had served in the military previously—told the delegation that he recognized the weapons being used as high caliber.

One 17-year old minor was seriously injured, suffering a bullet wound to the stomach. He was hospitalized for five days where he underwent surgery to remove the bullet. The delegation documented bullet holes in buildings and on trees. Community members showed the delegation spent bullet shells from the incident.



Bullet hole in roof of community home.

Excessive Use of Tear Gas

Community members reported that security forces fired teargas at them. In several cases the (police?) fired canisters were directly at peoples' bodies instead of into the crowd. Several children were especially impacted by the toxic fumes, suffering respiratory distress for days following exposure to the tear gas. Community members presented the delegation tear gas canisters as evidence.

Assault on Community Members

The security forces beat many (dozens?) community members during the attack. They testified that the agents used tactical riot gear to hit them, beating them with batons and shields. Those who were beaten showed the delegation serious bruises on their bodies, results of these severe blows.

Abuse of minors

In addition to the illegal detention of two minors, security forces beat many (dozens?) other minors during the attack. Yajaira Pan—a 16-year-old girl—was reduced to tears as she struggled to give her testimony. She was unable to count the number of blows she received during the beating. She explained that her memories prior to the attack are hazy, a symptom of serious psychological trauma. Other children were exposed to high levels of teargas, suffering rashes, eye irritation, and ongoing respiratory issues. Finally, a 17-year old boy was one of the injured and spent five days hospitalized for his condition.



Teargas canisters fired during the eviction.



Bullet shells collected by community members following the attack.

Context and Ongoing Concerns:

Legacy of Violent Land Acquisition by African Palm Companies

The community of Chapín Abajo is located in the Southern area of El Estor, borders Lake Izabal, and is surrounded by African Palm plantations. This Indigenous, Q'eqchi community has lived on this land for centuries, cultivating food and relying off of the lake for fishing. Starting in the 1950s, the Indigenous Authorities of Chapín Abajo began a process to procure the legal titles to their land, but were met with many obstacles. They filed their request through the National Institute of Agrarian Transformation (INTA), which was established in 1950s to act as the arm of the land reform. As Guatemala suffered 36 years of internal armed conflict and a series of military dictatorships, the Indigenous Authorities were continuously ignored and told to “come back when the violence was over.” Twenty-five years after the signing of the Peace Accords, however, the Guatemalan government still refuses to grant the community the title to its land.

The community's struggle to obtain its title is directly at odds with the interests of large corporations in the area, particularly the Maegli Mueller family. Originating from Germany, the family is a major landholder and corporate force in Guatemala. The family's company uses large swathes of land in Eastern Guatemala to grow and export coffee, sesame, and African Palm. The corporation began acquiring land in El Estor in the 1970s, assisted by its strong ties to the government of General Carlos Manuel Arana Osorio. Using its strong connections to ruling governments and the Guatemalan business sector, the Maegli Mueller family acquired enough land to run mega African Palm Plantations. According to witness testimonies, the company has become more aggressive under the Giammattei administration, using its closeness to those in power to push the final remaining communities off their land.

Community members are particularly concerned that as protections for Indigenous communities disintegrate under the current administration, these violent incidents will increase if they refuse to vacate their ancestral territories.

Even now, the community is completely surrounded by the palm plantations, which continue to encroach on their land. With the collaboration of security forces enforcing the will of the company and working with local paramilitary groups, the community expressed its greatest fear to the delegation: extermination.

Surveillance and intimidation

Upon leaving the community, the delegation interviewed other area defenders, one of whom shared a particularly disturbing incident with us. He explained that he was invited to a meeting by a colleague. Upon his arrival, however, another man he did not know began to pester him, asking questions about Chapín Abajo and its leaders. The man began threatening him, saying that Chapín Abajo is alone against the company and should concede its land. At the end of the meeting, the defender learned that the unknown man was the departmental governor of Izabal.

Community members report that while outside of the community, they have been followed by unfamiliar people.

Defamation and spreading of misinformation

Rumors have also begun to circulate about the Chapín Abajo community, saying that it is armed and violent. These rumors, which have traveled via word of mouth and on social media in El Estor, amount to defamation. Community members explained to the delegation that they are a peaceful community that simply wants to continue living on the land of its ancestors.

This type of spreading of misinformation is consistent with other patterns GHRC documented in Guatemala and the region. Often the defamation serves as the prelude to violence and misinformation about defenders is used to paint them as violent in order to justify repression.



Community burial grounds surrounded by palm trees. Evidence of the ongoing encroachment of the plantation on sacred Q'eqchi land.