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Community Organizers in San Juan, Sacatepéquez Accused of Terrorism for Activism Against Cement Mine

In 2006 the Guatemalan company “Cementos Progreso” began building a huge cement mining operation in San Juan Sacatepéquez. The \$690 million plant, to occupy 2,300 acres, is expected to produce 2.2 million tons of cement a year starting in 2012.

The company began the project without previously consulting the 30,000 people who live in the 12 communities adjacent to the area. Many people protested, concerned that environmental damage from the mining operation would severely affect their subsistence agricultural production of vegetables and cut flowers.

Government and mining company officials struck back hard. Anti-mine protesters were beaten, gassed and arrested, civil liberties were suspended, and heavy fines were imposed on protest leaders. Some protest leaders have been accused of terrorism and murder. There have been several murders, with each side accusing the other of the crimes.

The protesters say they have simply been exercising their right to contest the mis-



Thousands of citizens of San Juan Sacatepéquez march to the Presidential Palace in protest of the mine, July 13, 2009

use of their land; they deny any criminal activity.

In August 2009, GHRC’s director met with two community organizers protesting the cement mine, Juan Zet and Oswaldo Carr, in the local community center. They told of baseless accusations against them, resulting in detention, imprisonment, and onerous fines. Said Zet, a community leader in Santa Fe Ocaña, Sacatepequez, “I can’t leave this village. I have 32 accusations against me, including terrorism.”

Also accused of terrorism and being the masterminds of the murder of a mining worker are Amílcar Pop and Carmelina Curup. They are prominent lawyers from the Association of Mayan Lawyers, providing legal support for the anti-mine protesters. “We are defending the rights of the Mayan leaders who have been treated as criminals for defending their land rights,” said Carmelina Curup.

She said the protesters have proceeded responsibly. “The community organized a referendum on mining and land use. They held informative workshops on the environmental effects of mining.” She said, “They have the constitutional right to organize and voice their opinion, to protest, and to due process.”

“I can’t leave this village. I have 32 accusations against me, including terrorism.”

- Juan Zet, community leader in Santa Fé Ocaña

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GHRC Mission

Founded in 1982, the Guatemala Human Rights Commission/USA (GHRC) is a non-profit, nonpartisan, humanitarian organization that monitors, documents, and reports on the human rights situation in Guatemala, advocates for survivors of human rights abuses in Guatemala, and works toward positive, systemic change.

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Community Organizers Accused of Terrorism in San Juan, Sacatepéquez

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She added that the internationally recognized human rights leader Rigoberta Menchú had visited the community leaders and expressed her support for their struggle against the cement mining company.

“Rigoberta Menchú herself visited the community leaders and voiced her support for their struggle against the cement mining company.”

- Carmelina Curup, Association of Mayan Lawyers

Twelve community referendums held simultaneously in May 2009 demonstrate the overwhelming local sentiment against the cement mine. A total of 8,946 people voted against the mine, with only four in favor. Oswaldo Carr explained why: “The cement mine uses vast amounts of water to separate the minerals, thus depleting the local water supply,” he said. “That affects the soil quality, and lowers our crop production, causing hunger and further impoverishment.” An environmental impact study, paid for by the company, was completed in March 2007 but was not made available to the public. Juan Zet added: “Our natural resources are being stolen by the rich and powerful Novela family, the owners of the mining company.”

Those favoring the mine have acted ruthlessly. The mayor launched a misinformation campaign to criminalize participation in the community referendum. Posters were plastered around the town, warning that anyone who participated in the illegal referendum would be punished by imprisonment.

In another ploy, said Juan Zet, “the company sent workers to cut down our forests. Then they arrived with a truckload of saplings to distribute among the community. In order to receive the trees, we had to fill out a form with our name, national identification number, and the name of our town. These forms were then used against us, as evidence of our support for the mining company.”

The mining company also filed several reports against Zet and Carr, resulting in their arrest and a fine of US\$1,250. In September 2007, a company truck was burned; Zet and Carr were blamed without any evidence, resulting in another arrest and another fine of the same amount.

In March 2008, five thousand people marched in protest of the mine in San Juan, the regional capital. A heavy military deployment of tanks, three thousand soldiers and anti-riot police squads, backed by helicopters, bombarded the protestors with tear gas, beat them, and arrested 15 leaders for 43 days each. This was done, says Zet, by order of the cement company. After six weeks of detention, prisoners’ relatives had to borrow US\$11,000 to pay the fines to release their family members.

In June 2008, the army and national police again attacked the community and raided the houses of the leaders in San Juan. According to Juan Zet, “They ate my food, stole my cash and personal belongings, accosted our domestic helper, and ransacked my house.”

Following the murder of Francisco Tepeu, a local resident in favor of the mine, President Colom in June 2008 declared a “State of Emergency” that lasted two weeks. It suspended civil liberties for all residents of the area. During this time, 43 community members were arrested for another six weeks and released for a US\$14,500 fine. Protesters deny any complicity in the murder. They also want revoked the 150-year sentence (declared in July 2009) of Avelardo Curup, one of their colleagues, for the death of a cement worker, which they state he did not do. Said Zet: “We also want a new judge appointed for the case, because this one has been bought by the company.”

On July 13 and 14, 2009, over ten thousand civilians marched 22 miles to the Presidential Palace in Guatemala City, in protest of the mine and other megaprojects. President Colom met with twelve of their leaders for five hours. During this meeting, various points were achieved: the leaders invited the state to visit their com-

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Guatemalan Community Leader Killed in Land Struggle

Adolfo Ich Xaman was a school teacher in El Estor, Izabal, who led his Mayan Q'eqchi' community in their struggle for land rights against the nickel mining company.

Mr. Ich Xaman served as chairman of the Community Committee for Development (COCODE) of the nearby Barrio La Union community. He was the brother-in-law of Ramiro Choc, a well known indigenous leader who was sentenced to eight years in prison (without any evidence against him) in April 2009.

On Sunday, September 27, 2009, Adolfo was shot and killed by private security guards subcontracted by the Guatemalan Nickel Company (CGN), a local subsidiary of the Canadian mining company HudBay Minerals Inc.

This murder – and the shooting of 17 other leaders – was the result of a failed eviction attempt in the community of Las Nubes in El Estor, Izabal.

According to a report by the National Front for Struggle (Frente Nacional de Lucha): "That morning, the Governor of Izabal, Luz Maribel Ramos, arrived unannounced in the community, accompanied by police officers and 20 private security guards contracted by the mining company. She ordered the community members to leave the area immediately, saying 'You do not pay taxes; the company does.' The Governor did not have an official eviction order or any other legal document."



Adolfo Ich Xaman, assassinated on September 27, 2009

Community members argued that CGN failed to fulfill any of the previously negotiated agreements. When residents of the neighboring Barrio La Union arrived and offered their solidarity, the Governor left the premises along with her entourage.

The leaders of Las Nubes and La Union then initiated a walk towards El Estor (the departmental capital) to denounce the illegal eviction attempt to local municipal authorities, as well as to the Human Rights Ombudsman's office (PDH), and to gather more support from other local groups.

En route to their destination, the group arrived in the community of El Chupon. They were ambushed by CGN's private security agents. Adolfo Ich Xaman was

killed and 17 other leaders were shot at. Hours after the attack and well into the evening, officers from the public prosecutor's office had still not arrived.

After consulting with Guatemalan partner organizations, GHRC requested that Congressman Mike Michaud (D-ME) write a letter to HudBay and CGN urging compliance with a thorough investigation of this crime and past incidences of violence involving mining security guards and community members. The letter requests information on the training and background of the guards, and accountability for their actions, with monitoring and transparency; it also requests an evaluation of the fulfillment of company agreements with communities (view the full letter at www.ghrc-usa.org).

Ten Guatemalan community leaders have been killed in the past three months. In 2008 the Secretary of Agrarian Issues had registered 554 agrarian conflicts and 4,165 since 1997. The majority include fighting for land rights. Indigenous and human rights organizations stated in a press release their repudiation and indignation of the murder, denying the right to life for indigenous peoples and respect for freedom to choose appropriate development projects for indigenous communities.

To view and read a stunning photo-essay by photo journalist James Rodriguez on this issue, please visit: <http://mimundo-jamesrodriguez.blogspot.com/>



Norma Cruz (center) receives the Woman of Courage Award, 2009

GHRC's Spring Speaking Tour featuring Norma Cruz: STOP FEMICIDE in Guatemala

GHRC will host internationally recognized women's rights activist Norma Cruz on a week-long speaking tour in honor of International Women's Rights Day 2010.

March 1-7, 2010

FL-VA-DC Metro Area

Please visit www.ghrc-usa.org for upcoming details about events and locations.

Voiceless Speak Recipient Adrian Ventura: A Life-Long Activist

November 18, 2009
New Bedford, MA



Life as an activist began while I was still in my mother's belly, when my father founded LIO Campesino (Organized

Indigenous Farmer Loyalty) in 1970 in el K'iché. My father didn't go to school and didn't read or write, but he fought against the forced labor of indigenous peoples at the hands of the ladinos and the government.

I grew up taking tortillas and tamales to the farmers, who worked like slaves for no pay to widen the highways around Tonicapan, Xela, and the north of K'iché. It had a huge impact on me and I later began to participate in LIO Campesino with a group of young people to defend our rights. My father was a Mayan priest and he told me my vocation was to be a leader.

In the 70's began a period of severe government repression and my whole family was ordered to be killed. They lit our house on fire and burned some of our LIO Campesino documents, along with the emergency funds collected to help workers who were hungry and thirsty. We fled to my brother's house, but they found us and burned the house and some of the surrounding forest. The military unloaded all their weaponry against us. They tortured me and tortured my mother in front of me. I was able to escape to southern Mexico along with many others also fleeing the violence. I don't remember much because I fell into a coma. Though I didn't speak Spanish, I was cared for at a Catholic refuge.

When I returned to Guatemala in search of my family, I found my parents still

alive. (But only month later, the army killed an aunt and uncle and two cousins.) With the support of the elderly in the village, I began to work again with LIO Campesino and we grew stronger.

A few years later, I was forcibly recruited into the military. They beat me all over. If you were catholic, they killed you. Under the command of General and President Rios Montt, they forced us to accept the word of God as evangelical Christians. Part of our training as soldiers was learning to destroy churches marked with a cross – the Catholic churches – and let be those without marking – the evangelical churches. We patrolled all day long with no pay. They tortured people in the schools in front of us. I couldn't stand it and after a month I fled to Escuintla. I went to the coast to work and organized a worker's union.

In 1996 with the signing of the Peace Accords, I joined the Archbishop's Historical Memory Project [REMHI] and interpreted from K'iche' to Spanish so the rural farmers could give their testimony. I used a pseudonym because I was still afraid.

Also during the 90's I worked with a series of organizations. I was elected president of the Catholic charity organization Caritas in K'iche'. We organized a community land committee and Caritas helped us purchase land, since the state had taken everything from us. I also worked with the National Council of the Displaced [CONDEG]. In 1998 I began to support the National Coordination of the Indigenous and Farmers [CONIC] in K'iche', as an organizer in the rural villages. In 2000 I began working with the National Fund for Peace, distributing food.

After receiving threats during the political campaign of Rios Montt in 2003, I decided to go to the US. When I arrived in New Bedford, Massachusetts, I saw there was a lot of discrimination against Hispanics, even more against the indigenous, and

I wanted to work to change the situation. I participated in a training course to organize workers around labor rights and the right to racial equality. Through the Maya K'iche' Organization we were able to gather 600 people to participate in a May 1st march for immigrant rights.

I was witness to the New Bedford, MA raid in 2007. The violence of the raid reminded me of the violence of my youth in Guatemala, when they kicked us out of our house by force with no warning and without time to take anything. In Guatemala we continued the struggle and we will here, too.

In 2009, I began to create the Community Workers' Center (CCT in Spanish) with representatives of different groups including Guatemalans, Hondurans, Salvadorans, Ecuadorans, Dominicans and Mexicans; I represent the Mayan people. We meet each week to change the situation for factory workers, organize protests, defend our labor rights and end racial discrimination. We also work with local police to reduce attacks against workers leaving the factories. We hope to be an example of unity across borders and races.

As the CCT, we have won lawsuits for lack of pay, non-compliance with minimum wage, theft of overtime pay, humiliation, and discrimination – totaling \$1.5million for the workers. The organization was recently awarded a grant from the Catholic Campaign for Human Development to continue its work.

I am now settled here in the US. In 2008 I received political asylum and probably won't ever return to live in Guatemala. But I will always stay in contact with my family and my community in Guatemala in order to support their efforts to heal and to be treated with dignity and respect.

Adrian organized a meeting with the Board of the CCT in New Bedford, MA as part of GHRC's Speaking Tour in October, 2009.

For Women's Right to Live: GHRC's Fall Tour Reaches Thousands

In universities, community centers and churches from Richmond to Boston, listeners crowded into rooms to hear the testimony of Gladys Monterroso. "I am here to bring the voice of thousands of Guatemalan women who can't be here today, because they were killed. I speak for them, and all the women suffering violence in Guatemala," she said.

Gladys received a standing ovation and signed recognition at the Virginia Commonwealth University in Richmond, from an audience of 185 students, organized by La Milpa, the Guatemalan student solidarity organization. "It takes great courage to share the most horrible moment of your life with complete strangers; her strength comes from the struggle for justice for all Guatemalan women," Amanda Martin, director of GHRC.

Gladys, whose kidnapping, abuse and rape in March of 2009 was splashed across the front pages of Guatemalan newspapers for months, has since become an advocate for justice for all women victims of violence. "I was victimized in March. Then I was re-victimized by the scandalous theories of the motives of the crime, blaming me for the incident. A victim of violence in Guatemala is blamed for the attack; she was flirtatious, her skirt was too short, she was walking alone, too late at night, it was her fault. This has got to change," she stated.

"If I, a lawyer, university professor, and legal advisor on a congressional commit-

tee, can't find justice, what can other women expect, many who have little formal education and no access to legal services?" she said. Many women who are victims of violence in Guatemala do not report the crime due to fear of reprisals, apathy from police investigators, or lack of information and resources to file the report.

Gladys made the decision to speak out against violence against women. She has an armed police guard with her in Guatemala at all times, as part of the state-sponsored protection measures. By speaking out, she puts herself at greater risk. "I will tell you exactly what I tell my students: change is in your hands, you can make a difference," she stressed to students, highlighting the important role of international awareness and solidarity. Gladys encouraged women in Guatemala and the US to speak out against abuse. "Women in Guatemala are treated as less than human. But we are equal. In fact, we have an extra blessing – we give life."

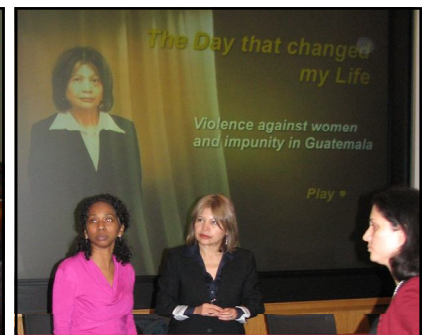
When Gladys began the tour with GHRC, her case was stalled indefinitely in an ap-



Gladys Monterroso (front right) and GHRC's Kelsey Alford-Jones (center back) were hosted by Bill Houghton (far right) and the Guatemala Solidarity Committee of Boston.

peals court. Upon return from the speaker's tour, Gladys was contacted by the Public Prosecutor's office; the case was re-opened to investigate new leads including warrants to investigate vehicles allegedly involved in the crime.

Gladys toured the East Coast with GHRC from October 18 – November 3. Over a thousand people in 24 locations heard her message, and many more thousands via radio, television, and news interviews. She concluded her tour in Washington, DC with three university presentations and a day of congressional visits to support the International Violence Against Women Act (I-VAWA).



(Above) Students at Randolph-Macon College hear Gladys' testimony. (Center) Gladys participates in a Mayan ceremony to initiate the event at VCU. (Right) Gladys prepares for a presentation at Harvard University's David Rockefeller Center for Latin American Studies.

Moving Forward in the Struggle for Women's Rights

November has seen a flurry of news on women's rights in Guatemala.

Guatemalan tabloid news sales continue to rely on photos of murdered women, but the national press is paying attention to small signs of change in the fight for women's rights. Continued media coverage both shapes and reflects the Guatemalan consciousness; the term femicide is now better understood. Women are increasingly more aware of their rights and more willing to press charges against their aggressors. In 2009, courts have received more cases of violence against women than any other crime, with 7,728 cases in the judicial system (with "threats" and "aggravated robbery" the second and third most common).

The international community has also been more involved on the issue of violence against women in Guatemala. On Nov. 9, the United Nations Secretary General Ban Ki-moon announced Guatemala City as the headquarters for the global campaign "Unite to Put an End to Violence Against Women" due to the "situation of extreme vulnerability and risk that Guatemalan women confront" and to "make visible, support and promote efforts towards its eradication." The campaign began in 2008 and will run until 2015, to create greater governmental responsibility in combating impunity,

implementing laws, and to provide better services to women victims, as well as increased public awareness.

Carlos Castresana, head of the International Commission Against Impunity in Guatemala, participated in a seminar on violence against women on Nov. 17 and criticized the Guatemalan state for lack of response to the problem.

Public education, awareness and debate are crucial elements to achieving long-term change for gender equality, but legal action and government enforcement are elemental. With perpetrators free to strike again, the situation will not change. As activists Hilda Morales of the Network for No Violence Against Women and Norma Cruz of the Survivor's Foundation agree, the number of cases in the judicial system is still only a small percentage of the overall cases of aggression against women – and the impunity rate has held strong at 98%. Lawyers and judges need to utilize the available judicial tools (such as the Law Against Femicide) to fight gender violence. Legislators need to fully implement the Law, and amend the law to protect rather than impede justice for women.

The women's movement in Guatemala is active and dynamic. Activists fought hard to pass the Law Against Femicide in 2008,

and continue to push for increased education on the issue of violence against women and the full implementation of the law.

Women activists and those involved in direct service organizations, such as domestic violence intake centers and midwife collectives, are experts at what they do and know best what they need to improve women's lives.

How Can the US Support Guatemalan Women's Right to Live?

Where do U.S. policy and grassroots activism fit in to this puzzle? U.S. foreign and domestic policy can positively impact women's rights in Guatemala, with pressure from our grassroots base.

Despite strong congressional resolutions in 2007 and 2008 condemning the high rates of violence against women and femicide, U.S. foreign assistance does not reflect prioritization of the issue. In 2007, no money (\$0.00) was given to programs addressing violence against women. In 2008, funding increased to \$12,500 to support the Survivor's Foundation. In 2009, that number *decreased* to \$12,149. For purposes of comparison, since 2007, the US has donated six Huey II Bell helicopters with a total estimated value of \$42 million.

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How Might I-VAWA impact Guatemala?

Including Guatemala as one of the countries selected for focused implementation would make Guatemala a priority for the US. The legislation would:

- * **Require the implementation of a national public information system (a database of femicide and crimes against women), as mandated in the 2008 Guatemalan Anti-Femicide law (supported by Hilda Solis).¹**
- * **Incorporate best practices on addressing violence against women into programs that provide health care, encourage legal reform, change in public attitudes, promote access to economic opportunities, and create safer school environments for girls.**
- * **Increase the effectiveness of local Guatemalan organizations in providing services for women who are victims of violence, including legal, psychosocial and economic support, as well as housing and professional development.**
- * **Require the US government to respond to violence against women in conflict and crisis situations.**

¹Nov. 17, 2009, *La Hora*

Moving Forward in the Struggle for Women's Rights

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GHRC delegates and partners from Virginia Commonwealth University, Pennsylvania State University Altoona, and the Virginia State Sexual and Domestic Violence Action Alliance after a meeting with Lynn Rosenthal, White House Advisor on Violence Against Women

By the end of the calendar year, legislation for the International Violence Against Women Act (I-VAWA) will be introduced to make VAW a priority for U.S. foreign policy. I-VAWA draws together issues of human rights and women's rights, national security with international security. By prioritizing women's rights to live without fear of violence, access to healthcare, education, and work, I-VAWA invests in the wellbeing of mothers, their families, and society.

GHRC staff and participants from the August delegation to Guatemala recently visited with Lynn Rosenthal, the first appointed White House Advisor on Violence Against Women, to discuss I-VAWA and the support it would provide for Guatemalan women. They also met with Congressional and Senate offices to discuss VAW in Guatemala and advocate for IVAWA.

After consulting with Guatemalan partner

organizations, GHRC created a list of recommendations for U.S. funding of programs for prevention of violence against women and attention to victims. For slightly over \$15 million – less than the cost of one helicopter donated in 2008 – the U.S. could support a national program of shelters, legal services, income generating projects, scholarships for impoverished girls, and a national awareness campaign for gender equality, by investing in Guatemalan communities and women's organizations who are already doing this work but lack the funding to expand. (See *text box for budget.*)

Some Guatemalan women in abusive relationships may choose migration as their best option. The granting of political asylum to victims of domestic violence is another way the US can provide support in individual cases. Rodi Alvarado, a Guatemalan woman in San Francisco who fled from a situation of extreme domestic abuse, was finally deemed eligible for

GHRC Partner Organizations Recommend US support for Guatemalan Women:

- Construction of one women's shelter (capacity 28 women): US\$542,188
In each of 22 states: US\$11,928,136
- Staffing of shelter, food and medicine for shelter, two month stay, 100 women/yr. = \$67,590,
x 22 states = US\$ 1,486,980
- Sub-grants for Guatemalan NGOs providing direct services to women: \$12,500 per org,
x 22 states = \$275, 000
- Economic development projects for micro-enterprise initiatives: 2 projects at \$5,000 per project = \$10,000,
x 22 states= \$220,000
- Education Programs and Scholarships for girls and women: \$100 per month for 12 months = \$1,200 per scholarship
50 scholarships in each of the 22 states = 1,100 scholarships
\$1,200 x 1,100 = \$1,320,000
- **Total: US \$ 15,230,116**

asylum by the Department of Homeland Security in November 2009 after waiting through a 14 year period of DHS indecision. President Obama expressed public support for her case, paving the way for a new precedent for asylum cases. The Department of Homeland Security should issue a clear set of regulations defining the conditions under which battered women could be eligible for asylum.

Volunteer or Intern with GHRC!

Interested in getting more involved with the Guatemala Human Rights Commission? Let us know! Whether it is in our DC office or from afar, there are many opportunities to help out. We are looking for translators (must be fluent in Spanish), helpers for large mailings, and passionate activists who would like to help educate or fundraise in their own community. We are also accepting applications for our spring and summer 2010 internship positions.

Drought Causes Famine in Eastern Guatemala

Guatemala is suffering the worst drought in thirty years. During the first half of 2009, corn and beans withered and died on the vine, resulting in an 80% loss of food crops for thousands of families. On September 9, Guatemalan President Álvaro Colom declared a “state of public calamity” in light of severe food shortages throughout the country.

The current crisis places some 53,000 families in danger of starvation.¹ The government estimates that 410,780 families in 230 municipalities across Guatemala are at high risk of health insecurity.² So far this year, 25 children have died of malnutrition.³ The area most affected by shortages is known as the “dry corridor” including the states of Baja Verapaz, El Progreso, Zacapa, Jalapa, Chiquimula, Santa Rosa and Jutiapa (see map).

Malnutrition stunts physical and mental growth, impedes learning, and can result in disease and death. As of 2007, Guatemala held the highest rate of chronic malnutrition in the Western Hemisphere, at 49%.⁴ Increasing food prices and falling remittances exacerbate the situation.

Classifying the shortage as a “state of public calamity” allows the Guatemalan government to seek emergency donations from the international community. The

World Food Program distributed 20 tons of nutritional biscuits.⁵ A large portion of the international food aid, a donation of 500 tons of black beans, came from Venezuela.⁶ Colombia donated ten tons of cereal powder in November. Other Latin American countries, the EU, Australia, Japan and South Korea, and Guatemalan communities across the USA, have all sent emergency food.⁷

The US government has given \$15 million in emergency assistance to provide 7,600 metric tons of food, which will be distributed to 27,000 families (162,000 people). USAID will administer the funds to four partners (SHARE, Catholic Relief Services, Save the Children/USA, and Mercy Corps), on top of the already established USAID programs that target populations at high risk for chronic malnutrition and long-term food insecurity.

Colom’s approach to the crisis is heavily dependent on the international community; he has requested a total of \$97 million. The Guatemalan government has invested \$17 million to alleviate the current state of emergency.⁸ An estimated 92,000 families have benefitted from assistance packets since September; 57,000 of the recipients live in the dry corridor.⁹ In late October 2009, the Minister of



www.reliefweb.int

Health presented the National Plan for Prevention of and Attention to Malnutrition. However, the department will suffer a \$39.5 million budget cut in 2010 and prevention of malnutrition is one of 29 areas to be affected.¹⁰

In early November 2009, hurricane Ida brought rainfall to the region, yet relief workers and food experts say the rainfall has done little to help Guatemala recover. According to USAID, if the conditions are not properly addressed, the food crisis could spread and last until August or September 2010.¹¹

¹ to ¹¹ For source citations, please visit the Publications page of the GHRC website.

Immigration Reform On Hold Once Again

On October 13, 2009, an estimated 5,000 immigrants and immigrants’ rights advocates gathered in front of the Capitol Building to support comprehensive immigration reform, Illinois congressman Luis Gutiérrez spoke to the crowd about the bill he plans to introduce by the end of this year. Many hoped the bill would be discussed this fall, but with the full congressional agenda, are now pushing for reform in spring 2010.



GHRC staff with ODHAG lawyers Mario Domingo and Nery Rodenas at the Immigration Reform Rally

The core principles of his proposal, supported by many in the immigrants’ rights movement, include: a pathway to citizenship, “fair and humane” enforcement of immigration policies, strengthening the DREAM Act, and a more formalized agreement between workers and agribusiness. GHRC and other organizations advocating for immigrants’ rights also stress the importance of maintaining family unity, stopping the policy of workplace raids, and the respect for immigrants’ basic human rights.

In the Senate, Charles Schumer (R-NY) has drafted a bill that emphasizes border security to decrease the flow of undocumented immigrants. The approach, which many see as draconian and ineffective, fails to recognize the impact of US foreign policies as a major push factor for migration and would do little to address the root cause of forced migration.

Former GHRC Interns Recognized for Art Activism



Emily Phillips won the 50th anniversary poster contest for the Inter-American Commission on Human Rights and received the People's Choice Award for her painting "Defending Human Rights." She interned with GHRC in the Spring of 2009 and is co-leading an American University winter Alternative Break delegation to Guatemala with GHRC.

"In my painting, I wanted to represent the people that the Inter-American Commission on Human Rights serves. The Western Hemisphere is extremely diverse economically, ethnically, and culturally. I strove to illustrate that *everyone* is entitled to human rights, whether they be rich or poor, young or old, part of a majority or minority. An indigenous newborn should have the same rights as a business man and the poorest farmer should have the same rights as the most elegant dancer. Human rights must prevail where they have previously been abused and must be extended so that the dignity of all is ensured."

Emily Willard presented this art piece at the "Remembering War, Genocide and Other Human Rights Violations: Oral History, New Media and the Arts" at Concordia University in Montreal, Canada on November 7, 2009. The piece is made of clay, silk flowers, and stainless steel nails. Emily interned with GHRC in the summer of 2009 and played a leading role in the August 2009 Violence Against Women delegation to Guatemala.



"So often during war a woman's body becomes the battlefield. Rape and other acts of violence against women become tools of war, damaging not only the women themselves, but their families, communities, and nations.

Inspired by the stories of Guatemalan women, this piece conveys the pain and violence that many Guatemalan women have experienced and continue to experience in the aftermath of the 36-year civil war, genocide, and the current, growing issue of femicide. It symbolizes the connection between the woman's body and the earth, how often her body becomes the battle field, especially the indigenous woman. The living, colorful flowers represent the resiliency of the woman's body in the face of death and horror.

This piece is the reality of many indigenous Guatemalan women who have suffered but who continue to strive to make a more peaceful future for their children."

School of the Americas: Shut it Down!



Jennifer Harbury presents with GHRC at SOA Watch weekend

GHRC traveled to Fort Benning in Columbus, Georgia on November 21 to participate in the annual rally to shut down the

School of the Americas (re-named WHINSEC). An estimated 15,000 activists, human rights defenders, and torture survivors from the US, Guatemala, Honduras, El Salvador, Chile, Colombia, Haiti, and Mexico gathered at the gates of the military base to speak out against oppressive US foreign policy in Latin America, and speak up for democracy, life,

justice, human rights, and peace. The weekend's events included a presentation on Guatemalan human rights defenders and the criminalization of protest, led by GHRC director Amanda Martin, to a standing room only crowd of 50 people. Also participating in the presentation were Jennifer Harbury (human rights lawyer fighting for justice in the 1992 case of abduction, torture, and murder of her husband) and Mario Avila (Guatemalan torture survivor and recipient of GHRC's Voiceless Speak award). Guatemalan graduates of the SOA include General Hector Gramajo, Coronel Otto Perez Molina, Major Mario Sosa Orellana, Major Juan Guillermo Oliva, and many other notorious criminals.¹ None of those responsible for SOA crimes has ever been investigated or held accountable, while 286 peace and justice activists have served

prison and probation sentences of up to two years for their acts of nonviolent civil disobedience.²



GHRC March 2009 delegates reunite outside of Fort Benning



GHRC volunteers table at SOA rally

¹<http://www.derechos.org/soa/guat-not.html>

²<http://www.soaw.org/>

Human Rights *UPDATE*

IN BRIEF

Women:

Guatemala has 35,000 sex workers, including 2,000 minors. 63% of the workers are from El Salvador, Honduras, or Nicaragua. 16% were exploited from the age of twelve.

Family planning and the “right to choose” are not options for women in Guatemala. Many young girls – an estimated 25,000 in the last few months alone – become pregnant. Many also die from hemorrhaging during birth, in 2008, 300 were recorded as dying during childbirth.

Women earn 67 cents to every dollar earned by men in Guatemala, according to a new study by the 4th Congress of Women Leaders in Guatemala. 35% of women are economically active, with 76% of them working in the informal economy. Only 10% of professional positions (including politicians and business managers) are occupied by women.

Security and Law Enforcement:

19,000 police officers are not enough to provide citizen security in Guatemala. 613 officers patrol the capital of 3 million people, at a ratio of one officer per 14,608 civilians. Officers complain of low salaries, at \$475 per month. Minimum wage is \$180 per month.

In some rural communities, citizens have taken the law into their own hands. In Joyabaj, K’iche’ on November 13, 800 inhabitants joined together to expel the police completely from the town, accusing them of corruption and extortion.

Land rights:

In just three months of 2009, 10 campesino leaders were killed. “They are killing us to silence our voices that are defending our land and our struggle for access to land,” said Manuel Aguilar, coordinator of the Xinka Collective. 20 land occupations in the K’iche’ department are in negotiation; 5,000 people are involved with nowhere else to go. In Huehuetenango and Alta Verapaz, communities are publically opposing multinational projects (a mine and hydroelectric project respectively) that have been proposed in their communities.

Economy:

The infant mortality rate in children age 0-5 is 78:1,000 (higher than India, at 66:1,000).

Remittances declined by 11% this year, which has a disproportionate affect on children in families that depend on money sent back from the US. In Guatemala, unemployment has also increased; in the department of Petén it has increased from 45% to 80%.

RECENT HEADLINES

- September 23: 75 families forcibly removed from land occupation on the Finca Soledad Cafetal, Retalhuleu. 1,500 police and army, and two helicopters removed the families and burned their housing structures.
- September 23: Continued struggle in Coatepeque, Quetzaltenango. Merchants refuse to leave the old marketplace, resisting police and army force. From August 2008-Sept. 2009, 11 merchants have been killed in the struggle.
- September 27: Community leader and schoolteacher Adolfo Ich Xaman shot and killed during a protest march to El Estor, Izabal, in resistance to the mining activities (see article, page 3).
- September 29: Gang member Esbin Danilo sentenced to 22 years in prison for rape and attempted murder of a 15-year-old girl.
- September 30: Norma Cruz receives new death threats via phone against her and her two children. She attributes the threats to the investigation of the murder of Francisca Ayala (July 2008) in El Progreso, resulting in the sentencing of the attacker.
- October 2: Court case of eight people forcibly disappeared in El Jute, Chiquimula, in 1981 brought to trial. Four military commanders were charged with this crime against humanity; over 47,000 people were disappeared during the 36-year war.
- October 12: Gilmer Boror Zet, 19, killed during peaceful demonstration in defense of mother earth by an armed infiltrator. Two others, age 16 and 65, were also shot and wounded.
- October 16: Police officer Pedro Rodríguez Toma, age 39, doused with kerosene and burnt alive by 2,000 people in San Cotzal, K’iche’. He was accused of trying to assassinate the mayor of the town, José Pérez Chen.
- October 18: Fausto Otzín, a Guatemalan indigenous human rights lawyer, found badly injured in a ditch. He suffered multiple machete and stab wounds to the head and passed away shortly thereafter. He was only 32 years old and leaves behind a wife and children. Otzín was a well-known and respected figure in the Guatemalan human rights community. He formerly served as the Executive Director of the Association of Mayan Attorneys and was heavily involved in promoting the rights of indigenous communities and victims of Guatemala's 36-year armed conflict.
- October 22: Roberto Castellanos Pineda was killed in Cuyotenango, Suchitepéquez, by a drive-by motorcyclist. Pineda

Human Rights *UPDATE*

was the husband of a CODECA (Association of Committees for Small Farmer's Development) trade unionist in Retalhuleu.

- October 24: Víctor Gálvez, trade unionist and member of FRENA (Resistance in Defense of Natural Resources and Rights) in Malacatán, San Marcos, shot and killed upon leaving his office. Galvez worked tirelessly to nationalize electricity and strongly opposed Union Fenosa, the Spanish company that provides electricity to 20 of the 22 departments of Guatemala. He had previously received death threats due to his organizing and was attacked and beaten in July 2009.
- November 9: Ban Ki-moon, Secretary General of the United Nations, announces Guatemala will be headquarters for regional

campaign "Unite to Put an End to Violence Against Women," which will be launched with activities in Guatemala City Nov. 24-26. The campaign aims to create greater governmental responsibility in combating impunity, increasing implementation of laws, providing better services to women victims, and increased public education on the issue.

November 16: Police officer Miguel Curruchiche González, age 36, stoned to death in San Martín Jilotepeque. Accused of extortion and threatening civilians, he was tied up and killed in the central park in front of the courthouse. A crowd of 500 people intercepted another police official, threatening to kill him if he intervened.

Community Organizers Accused of Terrorism in San Juan, Sacatepéquez

Continued from Page 3

munities and evaluate the environmental impact of the cement plant. Colom agreed to not grant any new mining extraction licenses. The Commission against Crime and Impunity in Guatemala (CICIG) is now a mediator in the conflict.

On October 12, Gilmer Boror Zet, age 19, from San Juan Sacatepéquez, was shot and killed during a peaceful protest in "Defense of Mother Earth"; two others were shot and wounded (ages 16 and 65).

The Congressional Transparency Commission was charged with evaluating the process by which the company was granted a license. On November 12, despite community efforts, the Transparency Commission found that the company had complied with all laws and could legally move forward with the project.

The Commission also ruled that the company had mitigated possible environmental impacts, though community members have already noticed contamination in the rivers. To date, the community has paid US\$48,000 in fines and spent a cumulative eight years in prison for exercising their right to protest the extraction of minerals from their soil without first being consulted.

Protesters remain adamant in their demands. "We want security protection measures," said Juan Zet and Oswaldo Carr. "We want the right to freedom of expression, the right to organize, and to have our voices heard concerning the use of our land." They also want a full investigation by the CICIG of the murders, especially the case of Francisco Tepeu.

GHRC is following this case closely and has issued a formal request for:

- * Security measures for the community leaders
- * The CICIG to take on this case for investigation
- * Appointment of a new judge under the new judicial transparency in elections law

Support GHRC's work with a donation today. Your contribution allows us to continue following cases of community organizers who are illegally detained and criminalized for their work, and to respond to their requests for international support.

EVENTS AND ANNOUNCEMENTS

CALENDAR

November 16-December 10: Sixteen Days of Activism Against Gender Violence

December 10: International Human Rights Day

December 29-January 9: GHRC Human Rights Defenders Delegation to Guatemala with American University Alternative Break Program

March 1-7, 2010: GHRC Speaking Tour with Norma Cruz

[New Holiday Catalog!](#)

Visit our website to view the gifts available through GHRC—a great way to support human rights in Guatemala during this holiday season!