

Rights Action

www.rightsaction.org • June 2006

GUATEMALA

ON-GOING STRUGGLE TO END IMPUNITY

Each story below is a small part of the historical impunity of the rich and powerful; everyday, we could publish many of these stories. The institutions of democracy and law in Guatemala do not work when the interests of the rich and powerful – both from Guatemala and from the “international community” - are at play. With your donations, Rights Action funds and works with dozens of community based women’s, campesino and Indigenous organizations involved in struggles for justice, land and locally-controlled development and respect for the environment.

“KILLER’S PARADISE”: Women, victims of violence, working to eradicate gender violence

Article by Olenka Frenkiel, BBC This World, May 3, 2006

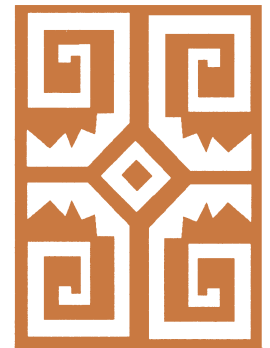
The number of women killed in Guatemala is soaring, but not a single murderer has been convicted. More than 2,000 women have been murdered in the last four years. A BBC documentary team travelled there to find out why.

Claudia Madrid, aged 21, lies dead in the gutter, shot while walking with her children. Investigators walk past her husband in the morgue as he waits to identify her body. They will never question him. “It’s the fashion here to murder women. They never investigate such third class crimes,” he says. He smiles.

Two refuse sacks containing the body of a woman cut into 19 pieces are found in the street. Her decapitated head lies in the road. Police remove her limbs from the plastic bags to show the press. If no one comes to identify her she will be classed XX, and buried in an unmarked grave.

Red Nail Varnish

The swollen naked body of another woman lies in a dried up river bed. Her mouth hangs open. Her eyes and a gash in her skull have been pecked by vultures. An investigator says: “She was probably a prostitute.” He points at her hands. “Red nail varnish,” he says. In Guatemala, the victim is always to blame. Another XX.



TAX DEDUCTIBLE DONATIONS:

Make checks payable to “Rights Action” and mail to either our Canadian or US office.

UNITED STATES

Rights Action
Box 50887
Washington, DC 20091-0887
202-783-1123
info@rightsaction.org

CANADA

Rights Action
Box 73527
509 St. Clair Ave W.
Toronto ON, M6C-1C0
info@rightsaction.org

CREDIT CARD DONATIONS

Go to our website at www.rightsaction.org.
This can be done anonymously. CFC #9414

**BOARD
(United States)**

Annie Bird
Iain Guest
Grahame Russell
Julie Stewart
Michael Willis

**BOARD
(Canada)**

James MacDonald
Wayne Rosen
Merran Smith

**FULL-TIME STAFF
Guatemala**

Annie Bird
Ruben Domingo

**Toronto-
Washington DC**
Grahame Russell

Honduras
Sandra Cuffe

**PART-TIME STAFF
(in Washington, DC)**
Paul Magno
Freddie Schrider

**VOLUNTEERS AND
SHORT-TERM PROJECTS**
Domingo Matias Castilla
Rosario Martinez



Cause Of Death

Fifteen million people live in Guatemala and two women are murdered there every day; even more men are murdered, but the gap is closing fast. In 2005, 665 women were killed ... and none of these murders has been solved.

Are these gangland killings? Crimes of passion? Domestic violence? Serial killers? Probably all of these. Norma Cruz, a human rights activist explains: "There is no fingerprint data base, no DNA testing, no profiling of the victims, or of the murders themselves. There is no ballistics database, no cross-referencing."

Systematic Impunity and Generations Of Killers

No one knows anything and killers are roaming free, protected by systemic impunity. The justice system is corrupt and police are afraid to investigate. Witnesses are afraid to testify and bereaved parents are afraid to agitate for action. Even the interior minister himself speaks darkly of the "parallel powers", those really in charge.

In the 1950s, it was the United Fruit Company which had such clout in Guatemala that the US backed a military coup to protect their profits from land reform. Today it is the spoils from drugs which are protected by corrupt institutions at the top, and brutal street gangs below.

In 36 years of civil war, 200,000 people were murdered and women were routinely raped. Today the graves of entire massacred villages are being exhumed, yet no one has ever been held responsible for these crimes. Three generations of killers have murdered with impunity. ...

Blood-stained Clothes

One man, a dental technician, collapses in tears when he speaks of his 20-year-old daughter. When neighbours ran to tell him kidnappers had forced her into a car, he begged the police to put up road blocks to help save her. They told him nothing could be done for 24 hours. By then she was dead. Her body was found, mutilated, bitten and shot many times. "I don't want to live," he told Norma Cruz, "I wish someone would shoot me."

"There is total indifference from the authorities to these crimes," says Cruz. Months later, in the home he and his family have abandoned in fear, he finds the blood and saliva-stained clothes his daughter was wearing when she was killed. Evidence that could have been vital in a prosecution is routinely contaminated and returned to the families, or buried in the coffin with the victim.

History of Atrocity

The President of Guatemala, Oscar Berger, listens as I present him with the latest statistics showing another steep rise from the previous year. "Despite these cruel figures," he says, "I am optimistic. We have reformed the police and we have more radio patrols," he answers, ... denying that the justice system's failures guarantee impunity, not just to this generation of killers but to all those who went before. He would like the world to believe that the atrocities of Guatemala's past are history. But the killings will not stop unless the justice system works. And there can be no justice for today's killers in Guatemala as long as those of previous generations, politicians and military men, continue to benefit from this culture of impunity.

—"Killer's Paradise" was broadcast on BBC, May 4, 2006]

* * *

FORCED EVICTIONS ON THE RISE IN GUATEMALA: Berger administration discriminates against indigenous and poor, plays to wealthy landowners

Amnesty International USA, March 29, 2006

There has been a marked increase in the number of forced and often violent evictions of poor and indigenous people involved in rural land disputes since Guatemala's President Oscar Berger took office in January 2004. [...]

The Peace Accords of 1996, ending 36 years of violent internal armed conflict, provide a framework for resolving agrarian disputes, including: enforcement of labor laws in rural areas; increasing land ownership for campesinos; establishing judicial and non-judicial mechanisms for the resolution of land disputes; providing free legal assistance to rural workers and their organizations; improving access to justice for campesinos; and promoting a legal framework that recognizes customary indigenous law. So far, none of those measures has been put in place.

"Guatemala's poor, rural and indigenous peoples still suffer shocking discrimination and violence," said Dr. William F. Schulz, executive director of Amnesty International USA (AIUSA). ... According to government figures, 1052 cases of agrarian disputes remained unresolved in December 2005, up from 911 cases in October 2004. In three missions to Guatemala between 2004 and 2006, Amnesty International noted widespread discrimination and human rights violations related to land disputes, including intimidation and threats against campesinos, house demolitions and the burning of personal belongings, and beatings, shootings and sexual abuse.

Land disputes emerge when peasants occupy land to demand their rights or when questions arise regarding the ownership of land. [...] A typical farm in Guatemala is worked mainly by Mayan campesinos whose wages include cash and a small plot of land for both housing and crops. They are vulnerable to the financial health of the farm, changes in labor requirements and changes in ownership. The campesinos have nowhere to go when their contracts are terminated, as they have lived on the farm for years, if not all their lives.

Rarely is there an effort to clarify facts, the respective rights of the parties and the specific violations preceding an eviction. The wealth, influence and legal access of the land or farm owners is in sharp contrast with the campesino communities' poverty, marginalization and lack of access or understanding of the legal processes associated with land ownership or enforcement of labor rights. ...

The cases in the Amnesty International report include: ... "Destruction of homes, violations of due process, even killings, have been carried out with impunity," said Javier Zuñiga, Director of the Americas Program at Amnesty International

* * *

Donations and more information: Please make tax-charitable donations for the work of community-based Indigenous and campesino and women's organizations throughout Guatemala that are working to end impunity and build a country governed by the rule of law, equality and balance with la madre tierra. Complete proposals available. For more information about or to get involved in work related to Guatemala: info@rightsaction.org.

HAITI

Interview with Anne Sosin of Haiti Rights Vision

This interview was done by Freddie Schrider of Rights Action while on a delegation to Haiti in April hosted by Rights Action partners KONPAY and VIDWA.

Q. WHEN DID VIDWA START, WHAT IS ITS VISION?

VIDWA – short for Vizyon Dwa Ayisyen (Haiti Rights Vision) – is a health and human rights organization working in solidarity with the most vulnerable sectors of the Haitian population. VIDWA is interested in social and economic rights, with a special focus on the right to health. We see health as a fundamental human right and believe that by advancing the human rights of the Haitian population, the overall health of the population will be improved. Our vision is to advance the right to health along with socio-economic rights, but also to accompany the emergence of a grassroots movement organized around these rights.

Komisyon Fanm Viktim pou Viktim, (KOFAVIV) – VIDWA was formed to provide an organizational structure to support the efforts of Komisyon Fanm Viktim pou Viktim, (KOFAVIV) or the Commission of Women Victims for Victims, and also to apply some of the lessons learned from the work of KOFAVIV to other areas of human rights work. KOFAVIV was formed in response to the situation of women living in poor neighborhoods during the 2-year period following the February 2004 coup against President Aristide. Following this coup, we saw a surge in human rights violations. There was no structure in place to respond to women victims of gender-specific abuses, particularly rape. So women, who had been victims of rape from the period beginning in 1991, the year of the first coup against President Aristide, until 1994 when Aristide was returned to power, began to organize themselves.

There were few organizations connected to women at the grassroots level. Groups that had been vocal in denouncing abuses while Aristide was in power became silent after the coup. Moreover, there was a sense that certain women victims were not welcome in these organizations – because of where they lived, because of their impoverished economic status and because they identified themselves with the Lavalas political party.

So they decided to form what became KOFAVIV, the ‘Commission of Women Victims for Victims.’ The first step was to prioritize victims’ needs. Knowing resources would be limited, medical care was the top priority. Secondly, they identified psycho-social support for victims.

MEDICAL CLINIC: Thanks to a private donor, KOFAVIV formed a relationship with a medical clinic. The medical care aspect of the program gradually evolved beyond just being a response to crisis situations - establishing an independent clinic for women victims.

PSYCHO-SUPPORT PROGRAM: We also now provide psycho-social support. At last count, over 300 women were participating in support groups. The methods we use for group sharing, developed by Beyond Borders/Limye Lavi, are called ‘Reflection Circles’ and Espace Ouvri/ ‘Open Space.’ We haven’t yet been able to provide formal psychological support for women victims, but we’ve found that by participating in the Reflection Circles groups they gain confidence, develop trust, and form relationships with other women with similar experiences. The groups have continued through extremely repressive periods, often when almost no other groups were holding meetings. In 2005, during a period when shootings and violence were rampant in the surrounding neighborhood, the women persisted in meeting.

MICRO-CREDIT PROGRAM: We have developed a small micro-credit program in partnership with the organization FONKOZE; some 125 women are active.



JIM SCHRIDER

Eramithe Delva, leader of KOFAVIV

COMMUNITY-BASED HUMAN RIGHTS WORKERS: We work through a system of community-based human rights workers, women, many of whom are survivors of rape themselves and all of whom live in very poor neighborhoods. The community-based human rights workers are responsible for identifying victims in their neighborhoods and then accompanying them to receive medical care and other services. We are re-enforcing their capacity to do this work and have provided intensive health training, in partnership with Partners in Health/Zamni Lasante, with a focus on HIV/AIDS prevention and care. We're also providing training so they may facilitate group meetings and conduct health training for other women in the program. This community-based system distinguishes the program from other groups providing services to women victims. We reach many women who would unlikely receive care and we have a real presence in poor neighborhoods where most groups never go.

VIDWA – VIZYON DWA AYISYEN: In late 2005, we decided we needed to formalize KOFIV's work. Without legal status, we would be unable to develop fully. We wanted to apply lessons learned from KOFIV to other areas of human rights work. I had been working in Haiti for two years, and wanted to create an organization that would focus broadly on the issues of health and human rights. I have a great interest in strengthening the ability of grassroots groups to fight for their rights – to organize around their rights rather than around narrowly defined political objectives, while at the same time conducting advocacy work on these issues at national and international levels. Thus, VIDWA was formed in 2005.

Q. IF YOU HAD UNLIMITED FUNDS, HOW WOULD YOU USE THEM?

We need annual funding for the program areas I have already discussed. In the short term, we would use funds to buy things we need for a functioning office: more chairs; a computer, printer, and internet setup. After that we would use funds to develop other programs, particularly a 'right to health program,' and a broad initiative we started on Cité Soleil.

Q. WHAT IS THE CITE SOLEIL PROGRAM/INITIATIVE?

The purpose of the initiative is to change the political dynamics in and around Cite Soleil. This slum neighborhood is the poorest area in Port-au-Prince. Many different groups want to gain control of the community of Cite Soleil for various reasons: to get development money; to get contracts to do projects there; and to use the population for their own political ends.

Few groups are interested in empowering the population to become active in decisions which affect their community; few groups are addressing the structural issues responsible for the deplorable conditions in Cite Soleil. We are trying to help various groups in the community to organize around their social and economic rights. We're working to find ways for outside groups to support these efforts in a manner that goes beyond funding. For example, we're hoping in the future to work with a public health group.

We're also trying to develop a program on the right to health. As part of this work, we want to train grassroots groups to work as community-based health rights workers within the public health system. Many Haitians know they have a right to health ... but there is little work being done to help them get actual access to the care which they need.

At the same time, we need to work on the international aspects by looking at what the global actors are doing. We can do this by monitoring the forms of aid and assistance coming into the country and analyzing the impact of international policies on the realization or denial of the right to health. Eventually, we want to have a health commission at VIDWA in



Collage of KOFIV women.

the same way that we have a women's commission. So that's one of my dreams – to have a well-developed health program active on both a national and international level.

* * *

DONATIONS AND MORE INFORMATION: Please make tax-charitable donations for the work of our community-based partner groups in Haiti. Complete proposals available. For more information about or to get involved in work related to Haiti: info@rightsaction.org.

HONDURAS & GUATEMALA GLAMIS GOLD MINING

We reproduce here a statement read at the Annual Shareholder's Meeting of Glamis Gold, a US-Canadian gold mining company. It was written by community representatives from regions of Honduras and Guatemala negatively affected by Glamis Gold's mining operations. They were in Canada on an educational speaking tour with Rights Action.

– Toronto, Canada, May 3, 2006

Canada, May 3, 2006

Glamis Gold Ltd Investors and Shareholders:

We, as inhabitants communities directly affected by Glamis Gold's mining activities in Honduras and Guatemala, write this letter to you to inform you of the grave consequences your investments are having. Glamis Gold arrived in our communities promising development and progress. However, the experiences of our communities clearly demonstrate that the mining activity does not bring development neither to the local population, nor to the country.

Multinational companies such as Glamis Gold always state that they are respecting the laws of the countries in which they operate, but in Honduras and Guatemala they are operating within a corrupt system, profiting from systematic impunity and a lack of real democracy. Communities were never consulted and when we have organized our own consultation processes according to valid legal instruments and have expressed our rejection of mining activities, the government has responded with repression and militarization, defending the imposed mining projects.

In the Siria Valley in Honduras, the negative impacts of the San Martin mine are extensive. Environmental destruction, implicit in open pit mining, continues to damage the ecosystems in the region – forests, water sources, flora and fauna. Cyanide and heavy metal contamination of several water sources in the area has been confirmed, even by studies carried out by governmental institutions. There are communities that have drunk water with high concentrations of arsenic, mercury and lead for years, while other communities must travel to another municipality in order to obtain enough clean water for domestic use.

The water shortage caused by the enormous quantity of this vital resource required for the San Martin mine's operations has destroyed the Siria Valley's local economy, traditionally based on agriculture and cattle. In turn, this has caused a wave of immigration to the United States, separating and dividing families and community life.

Since the mine begun its operations, the local population has been living a health crisis in the region. Independent medical brigades have been documenting the ongoing rise in dermatological, respiratory, ophthalmologic, gastro-intestinal and other diseases. A significant percentage of the children and the adult population of the communities closest

to the mine suffer from chronic illnesses, with no adequate diagnostic or treatment.

In the municipalities of Sipakapa and San Miguel Ixtahuacan, in San Marcos, Guatemala, where the Marlin mine operates, we understand the problems facing mining-affected communities in Honduras and we continue to express our concern for and opposition to mining activity. We are already experiencing serious social, cultural and spiritual impacts, graver still considering that in the affected region the vast majority of the population is indigenous. Glamis Gold has sown conflict and insecurity in our communities, tearing apart the social and cultural fabric of our Maya Sipakapense and Mam indigenous peoples.

We have already seen two indigenous people murdered in relation to the Marlin mine: Raul Castro Bocel by police bullets in Sololá and Álvaro Benigno Sánchez by a private security agent from the Golan Group, contracted by Glamis Gold in San Marcos. Furthermore, militarization and repression at the local level has become part of everyday life since the arrival of the mining company, creating tension and a lack of trust. Armed men intimidate our communities and harass the women and girls. Several cases of rape by mining company workers have occurred, but go unreported because of the pervasive climate of fear. The increased competition for water has also generated conflict.

In response to this very real situation that we face every day in our communities, we have attempted to make our voices heard by every means possible. As all doors have been closed in our faces, as affected communities we have been forced to resort to community-initiated decision-making processes and direct actions, such as those that have been taking place continually over the past two weeks in the Siria Valley in Honduras. The recent news that Honduran Glamis Gold subsidiary Entre Mares' property in the country has been mortgaged for a 30 million dollar loan from a bank in the Bahamas raises once again the threat that the company may simply declare bankruptcy in order to abandon the San Martin mine, without any mitigation or reparations and without fulfilling basic commitments, such as legally registering the land and houses of the community of San José de Palo Ralo, coerced into relocating in order to make way for the mine.

In the Siria Valley in Honduras, as affected communities and as the Siria Valley Regional Environmental Committee, we are demanding the immediate closure of the San Martin mine, along with integral reparations and mitigation. Even as you meet as shareholders, actions, investigations and media coverage continue in Honduras, concerning the devastating impacts of your investments.

In Sipakapa, Guatemala, we demand the respect of the results of our legitimate community consultation process. On June 18, 2005, based on municipal, national and international laws, the communities of Sipakapa and community authorities held consultations to determine whether the population wanted mining activity in their territory or not. In 11 of the 13 community sectors of Sipakapa, the people expressed their overwhelming rejection of mining activity. Thus, we demand that the Marlin mine be shut down immediately.

It is clearly impossible to explain the consequences of mining activity in the Siria Valley and San Marcos and our positions and demands regarding the San Martin and Marlin mines in such a short time and space. We feel that it is your responsibility as shareholders to inform yourselves of the devastating impacts of your investments in our communities and to take an appropriate course of action.

Carlos Amador, El Porvenir, Francisco Morazan, Honduras
Juan Tema, Sipakapa, San Marcos, Guatemala

* * *

Support mining affected communities in Guatemala and Honduras: Please make tax-charitable donations for the community development and environmental defense work of mining-affected communities in Honduras and Guatemala. Complete proposals available. For more info about these organizations and work, contact: info@rightsaction.org.

THINK GLOBAL, ACT LOCAL / THINK LOCAL, ACT GLOBAL

VIDEO RELEASE of "Sipakapa No Se Vende"

Rights Action helped fund and is selling copies of the documentary "Sipakapa No Se Vende," which provides a first-hand account of the Mayan-Sipakapense people in Guatemala. It explores the harms and violations associated with the Glamis Gold mining operation, and the reasons for local resistance to this project as well as their visions of and aspirations for locally-controlled development. (\$20 + shipping, Spanish with English-subtitles video. To purchase, contact: info@rightsaction.org)

EDUCATIONAL DELEGATIONS

If ever you want to come on an educational delegation to Guatemala, Honduras, Haiti, El Salvador, make sure to get on our email list at info@rightsaction.org or form your own group of delegates and we can host your trip.

EMAIL LIST

Join our email list at info@rightsaction.org and receive articles, urgent actions and announcements related to many aspects of our work in Central America, Haiti and North America.

RIGHTS ACTION OFFICE - CONNECTICUT

After spending 6 years in Canada establishing Rights Action in Canada, co-director Grahame Russell is moving to Connecticut and will be available for educational presentations throughout the North-East USA starting late August. Please contact Grahame at info@rightsaction.org. Grahame will direct Rights Action's U.S. and Canada offices from Connecticut.

RightsAction

Box 50887
Washington, DC 20091-0887



NON-PROFIT ORG.
U.S. POSTAGE
PAID
WASHINGTON, DC
PERMIT 735