

Rights Action - January 4, 2012
GUATEMALA: CHIXOY DAM REPARATIONS CAMPAIGN

BELOW: Al Jazeera opinion piece:

JUSTICE DELAYED 30 YEARS IN GUATEMALA:

Over 440 men, women and children were massacred to make way for the Chixoy dam - a World Bank and IADB project

By Lauren Carasik and Grahame Russell



(Site of the March 13, 1982 massacre of 177 women and children from the Mayan Achi village of Rio Negro. Photo: Grahame Russell)

JOIN AN EDUCATIONAL DELEGATION TO GUATEMALA, March 10-17, 2012

including a visit to Chixoy dam harmed communities still struggling for justice and reparations (See Below)

- Please re-post and re-publish this information
- Get on-off Rights Action's listserv: www.rightsaction.org
- Follow Rights Action on Facebook: www.facebook.com/RightsAction.org

JUSTICE DELAYED 30 YEARS IN GUATEMALA: Over 440 men, women and children were massacred to make way for the Chixoy dam - a World Bank and IADB project

<http://www.aljazeera.com/indepth/opinion/2012/01/20121394150158844.html>

By Lauren Carasik and Grahame Russell

Springfield, Massachusetts - On the morning of March 13, 1982, 10-year-old orphan Jesus Tecu Osorio woke up in his rural Maya Achi village of Rio Negro, Guatemala, with the crushing burden of satisfying the most basic needs of survival for himself and his siblings. A month earlier, his parents, along with 70 other Rio Negro villagers, were killed by Guatemalan soldiers and civil defence patrollers from the neighbouring village of Xococ.

By the end of that harrowing day, Jesus had witnessed the brutal slaughter of 177 women and children. Jesus was "spared" to serve as a conscripted servant for one of the paramilitary members who massacred his community, including his two-year-old brother who was yanked from his arms, garroted and smashed into rocks as Jesus watched in horror.

In 1982, over 440 men, women and children from Rio Negro were killed, in large part to make way for the Chixoy Hydroelectric Dam, a project of the World Bank and the Inter-American Development Bank (IADB).

The Rio Negro massacres were among hundreds committed during Guatemala's internal conflict, in which the majority of over 200,000 Guatemalans killed or disappeared by the military regimes were unarmed indigenous Mayan civilians. The United Nations-sponsored Truth Commission concluded that in certain Mayan regions, including the Chixoy Dam area, the Guatemalan government committed genocide.

The Rio Negro massacres were emblematic of the forces that left Guatemalan civilians at the mercy of their entrenched oligarchy and powerful military (which received training in ruthless counter-insurgency techniques at the US Army School of the Americas), and a range of external actors, including wealthy nation governments, multinational corporations and international financial institutions.

RESISTANCE IS FUTILE

The World Bank and IADB are constituted as development institutions that invest in projects to aid economic growth in the global south. From 1975-1985, the World Bank and the IADB loaned US \$292m to successive Western-backed military regimes in Guatemala to finance the Chixoy Dam. Consistent with their operational protocols, the World Bank and IADB assigned full-time staff to provide constant project management and oversight.

The US possesses the highest percentage of World Bank voting shares, over 16 per cent, which combined with the shares held by Western Europe and Japan (which routinely vote with the US) comprises a majority of votes. Given this allocation of power, the World Bank's policies often reflect the economic priorities of the wealthier donor governments and not necessarily those favoured by the poor recipient communities in which the projects are based.

Among the 32 communities along the river slated for forced resettlement, the village of Rio Negro opposed the plan most vigorously, a principled resistance for which they paid an unconscionable price. Impatient with unsuccessful efforts to threaten and intimidate the villagers into involuntary departure, the regime settled on a brutally effective relocation strategy - emptying the community through the systematic massacre of its inhabitants.

By 1977, Amnesty International was reporting on systemic human rights abuses in Guatemala. The United Nations, Organisation of American States and numerous non-governmental organisations subsequently documented that the state was committing atrocities associated with the Chixoy Dam, well prior to its completion.

Despite credible evidence of egregious human rights abuses, the banks continued their unconditional support for the project. The World Bank made its final investment in the project in 1985, long after the massacres silenced the village of Rio Negro. At best, the banks were willfully and intentionally blind to state repression before, during and after the project; at worst, they were complicit in these atrocities.

JUSTICE FOR JESUS?

The 30-year anniversary of the Rio Negro massacre approaches, yet there has been no justice for the victims and survivors of these atrocities: no reparations for the destruction of communities, nor for the loss of cultural artifacts, homes, property and livelihoods. While justice is elusive for the victims, impunity prevails for those who perpetrated these wrongs.

Today, the Chixoy Dam-harmed communities, both down and up-river from the dam wall, are worse off than before the project. Communities dispersed by the dam construction subsist in varying conditions of poverty, violence and impunity that result directly and indirectly from the forced evictions, loss of ancestral lands and riparian way of life, separation from longstanding community support and inadequate access to water caused by the Chixoy Dam project. Environmental damage continues unchecked.

After decades of struggling for justice, advocates filed a petition seeking just and fair reparations for the people of Rio Negro in the Inter-American Commission on Human Rights. The petition was summarily denied, and has been recently appealed. The international community's moral outrage about the role of international financial actors in the Rio Negro massacre and the demand for justice are long overdue.

In response to significant criticism for the deleterious environmental and social impacts of major hydroelectric dam construction during the 1990s, including atrocities associated with the Chixoy Dam, the World Bank began backing away from funding these projects. Recently however, the World Bank has announced a new policy to increase its commitment to financing hydroelectric projects.

Despite the history of human rights abuses and poorly administered forcible displacements associated with its various hydroelectric projects, the World Bank has argued that its Articles of Agreement, which predated various human rights instruments, does not require consideration of human rights in its funding decisions.

The World Bank is currently undergoing a safeguard policy review process. This process provides the bank an opportunity to adopt a rights-based approach to ensure that future projects comport with international law standards. Particular care must be taken while making decisions that affect tribal communities that continue to be threatened by hydroelectric projects, including those in Brazil, Peru, Guyana, Ethiopia and Malaysia. As required under international law, these projects must be accompanied by procedures that ensure the informed consent, participation and protection of dam-affected communities.

The World Bank must be held to account for the realisation of its core mission: the alleviation of poverty and sustainable development for marginalised communities. As a matter of justice, the World Bank and IADB must own up to their responsibility and provide their share of reparations to the communities that were irreparably harmed by the Chixoy Dam project, they were instrumental in funding. Prospectively, the banks must develop safeguards that ensure that all future projects comport with both their mission and with international human rights standards.

Jesus Tecu Osorio, and the children he is determined to raise near his once thriving ancestral community of Rio Negro deserve nothing less.

[Lauren Carasik is a Clinical Professor of Law and the Director of the International Human Rights Clinic and the Legal services Clinic at Western New England University School of Law.

Grahame Russell is a human rights lawyer and co-director of Rights Action, a USA & Canadian NGO engaged in community development, environment and human rights work

throughout Central America. The views expressed in this article are the authors' own and do not necessarily reflect Al Jazeera's editorial policy.]

EDUCATIONAL DELEGATION TO GUATEMALA, March 10-17, 2012

DAMS, MINING & BIO-FUELS * versus * COMMUNITY DEVELOPMENT, ENVIRONMENTAL JUSTICE & HUMAN RIGHTS, lead by Grahame Russell (Rights Action co-director). For complete information: info@rightsaction.org

CHIXOY DAM REPARATIONS CAMPAIGN: For more information about, and how to support this Campaign: info@rightsaction.org. With the Global Initiative for Economic, Social and Cultural Rights and the International Human Rights Clinic at Western New England University School of Law, Rights Action has filed a petition with the Inter-American Commission on Human Rights to hold the World Bank IADB accountable for the harms and violations caused by the Chixoy dam project debacle. More information: info@rightsaction.org

WRITE TO THE WORLD BANK & THE INTER-AMERICAN DEVELOPMENT BANK

Send copies of this opinion piece; demand that they take the necessary steps to ensure that they – along with the government of Guatemala – immediately fund and support a comprehensive Reparations Plan, that the government of Guatemala has agreed to, in principal, but has not acted upon. (More information: info@rightsaction.org)

Robert Zoellick
President, World Bank
1818 H Street, NW
Washington, DC 20433

Luis Alberto Moreno
President, Inter-American Development Bank
1300 New York Avenue, NW
Washington, DC 20577

- Please re-post and re-publish this information
- Get on-off Rights Action's listserv: www.rightsaction.org
- Follow Rights Action on Facebook: www.facebook.com/RightsAction.org