

Rights Action – February 5, 2012

GUATEMALA: CHIXOY HYDRO-ELECTRIC DAM REPARATIONS CAMPAIGN: JUSTICE AND REPARATIONS DELAYED, 30 YEARS AND COUNTING

BELOW:

A letter sent to the IACHR (Inter-American Commission on Human Rights), along with a Petition concerning the illegal forced evictions, massacres and other human rights violations of 32 Mayan communities (over 3000 people) caused by the Chixoy Hydro-electric Dam, a “development” project of the World Bank and Inter-American Development Bank in partnership with successive military regimes (1975-1985)

Link to Petition:

<http://rightsaction.org/sites/default/files/12-01-19.chixoypetitionappeal-final.pdf>

WHAT TO DO: See below.

Please write to the World Bank, the Inter-American Development Bank and to your own media and elected officials – 30 years is too long to wait for justice and reparations. The WB and the IDB must pay – along with the government of Guatemala – full reparations and compensation for all that was lost and destroyed.

- 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

GUATEMALA: CHIXOY HYDRO-ELECTRIC DAM JUSTICE & REPARATIONS

January 25, 2012

Santiago A. Canton
Executive Secretariat, IACHR
Felipe González
President, IACHR
1889 F Street, NW
Washington, DC, 20006, USA
cidhdenuncias@oas.org

José Miguel Insulza, Secretary General
Organization of American States (OAS)
1889 F Street, NW
Washington, DC, 20006, USA
svillagran@oas.org

Re: Appeal of the IACHR decision, reported 12 June 2009, whereby the Secretariat of the Inter-American Commission on Human Rights (IACHR) summarily rejected (with no reasons or explanation) the case of *Sobrevivientes de la Comunidad de Río Negro y otras comunidades similares en Guatemala*, P-894-04, Guatemala.

Link to Amended Petition: <http://rightsaction.org/sites/default/files/12-01-19.chixoypetitionappeal-final.pdf>

Estimados Santiago A. Canton and other members of the IACHR,

With this letter, the Global Initiative for Economic, Social and Cultural Rights (Global Initiative for ESCR), Rights Action, and the International Human Rights Clinic at Western New England University School of Law (Human Rights Clinic at WNEU) submitted this "Amended" Petition as part our formal appeal of the decision, reported 12 June 2009, whereby the Secretariat of the IACHR summarily rejected the admissibility of the case of *Sobrevivientes de la Comunidad de Río Negro y otras comunidades similares en Guatemala*, P-894-04, because it ostensibly failed to satisfy the requirements of Art. 26 of the Rules of Procedure of the Commission, and other applicable instruments. (We have repeatedly requested specific information from the Secretariat on why this petition was summarily rejected, but have not received a response to letters that were sent to the Secretariat (18 June 2009 and 27 July 2009) and to the member of the Commission responsible for Guatemala (19 June 2009).)

The Global Initiative for ESCR is continuing human rights cases originally brought by the Centre on Housing Rights and Evictions (COHRE). Bret Thiele, original lead lawyer with COHRE in this petition to the IACHR (#P-894-04), continues in this capacity, now with the Global Initiative for ESCR.

Rights Action originally intervened as amicus curiae in support of this case. The Human Rights Clinic WNEU is joining to assist Rights Action and the Global Initiative for ESCR in this appeal.

We are appealing the decision of the Secretariat of the Inter-American Commission on Human Rights (IACHR) as regards the World Bank (WB) and the Inter-American Development Bank (IDB), being co-defendants in the original petition. We are not at this time appealing the decision as regards the Republic of Guatemala.

We delayed appealing this decision, to give the Secretariat of the IACHR an opportunity to respond to our requests for specific information on the rejection of this petition and also to allow negotiations between the Chixoy Dam harmed and affected communities and the Republic of Guatemala to progress. We have now concluded that specific information from the Secretariat of the IACHR is not forthcoming and that the negotiations failed to hold the WB and IDB, and specifically the States on the Executive Boards of Directors of the two banks that have human rights obligations under the Inter-American human rights system, accountable for their respective roles in the human rights violations suffered by the Chixoy Dam harmed and affected communities.

As part of the appeal, we submit this Amended version of the original petition. We stand by the facts included therein and we stand by the legal arguments as to why the WB and the IDB should be held accountable. We also reserve the right to provide updated and supplementary materials that we hope will inform the IACHR if this appeal is accepted.

30 YEARS – JUSTICE, ACCOUNTABILITY & REPARATIONS DELAYED

Almost 30 years after the so-called completion of the Chixoy Dam project, no reparations or compensation have been provided, whatsoever, to the thousands of Maya Achi families, from 32 communities, whose lives and livelihoods were illegally harmed and destroyed to varying degrees.

This was a development-investment project of the WB and the IDB, in partnership with successive Guatemalan military regimes, that resulted in widespread and grave human rights violations in addition to other environmental, social and economic harms.

These are the same military regimes (1978-1983) that the United Nations Truth Commission (1999) found guilty of planning and carrying out acts of genocide in certain Mayan regions of Guatemala, including the very region (of the Mayan Achi people) where the Chixoy Dam project was planned and carried out with such brutality.

To date, no justice has been done to remedy the violations and harms; and no reparations and compensation have been provided for the victims.

With this appeal we hope that the IACHR will finally examine the facts of this situation and hold all of those responsible accountable for their respective obligations under the Inter-American human rights system.

Sincerely,

Bret Thiele, Co-Executive Director
Global Initiative for Economic, Social and Cultural Rights
8 N. 2nd Avenue E., Suite 208
Duluth, MN, 55802, USA
bret_thiele@yahoo.com

Grahame Russell, Co-director
Rights Action
Box 50887
Washington DC, 20091, USA
Box 552, 351 Queen St. E
Toronto ON, M5A-1T8, Canada
info@rightsaction.org

Lauren Carasik, Director
International Human Rights Clinic
Western New England University School of Law
1215 Wilbraham Road
Springfield, MA, 01119, USA
lcarasik@law.wne.edu

WHAT TO DO:

WRITE:

To the World Bank and the Inter-American Development Bank, with copies to your own elected senators, members of congress and parliament, demanding their full support for a complete reparations program for the victims of their Chixoy dam project.

President Luis Alberto Moreno,
Inter-American Development Bank
1300 New York Avenue, N.W.
Washington, D.C. 20577, USA
(202) 623-1000

President Robert B. Zoellick

The World Bank
1818 H Street, NW
Washington, DC 20433 USA
(202) 473-1000

TO MAKE TAX-DEDUCTIBLE DONATIONS

for Mayan Achi communities demanding reparations & compensation for the harms & destruction caused by the Chixoy dam, make check payable to "Rights Action" and mail to:

UNITED STATES: Box 50887, Washington DC, 20091-0887

CANADA: 552 - 351 Queen St. E, Toronto ON, M5A-1T8

CREDIT-CARD DONATIONS: <http://rightsaction.org/contributions.htm>

DONATIONS OF STOCK: info@rightsaction.org

MORE INFORMATION:

Grahame Russell (info@rightsaction.org)

Annie Bird (annie@rightsaction.org)