

Rights Action – May 2012

PUBLIC LETTER TO:

- **Government of Guatemala**
- **World Bank**
- **Inter-American Development Bank**

**STOP DELAYING REPARATIONS PLAN
FOR VICTIMS OF “CHIXOY DAM” FORCED EVICTIONS AND MASSACRES**

Presidente Otto Perez Molina
Republica de Guatemala
Palacio Nacional
Ciudad de Guatemala, Guatemala

President Jim Yong Kim
World Bank
1818 H Street, NW
Washington DC, 20433

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

**STOP DELAYING REPARATIONS PLAN FOR VICTIMS OF “CHIXOY DAM”
FORCED EVICTIONS AND MASSACRES**

Dear Sirs,

As you know, through 2010 and 2011, we sent a number of Public Letters to your offices about the Chixoy Dam project and the delay of reparations and justice.

Various organizations filed an appeal to the IACHR (Inter-American Human Commission on Human Rights) concerning the responsibilities of the WB (World Bank) and the IDB (Inter-American Development Bank) for harms and destruction, including illegal evictions and massacres in indigenous Mayan communities caused by the Chixoy Dam project in Guatemala (1975-1985) funded by the WB and IDB.

We are dismayed by the lack of response from the WB, the IDB, the OAS and the government of Guatemala. We did receive a dismissive one-paragraph letter dated November 2, 2011 from Pamela Cox, vice-president of Latin American and the Caribbean Regional Office of the World Bank, saying:

"we [the World Bank] share your desire for a swift resolution of this process and a satisfactory outcome for the affected Chixoy communities."

This is a shockingly insensitive response. 30 years have elapsed since the forced evictions and atrocities caused by the Chixoy Dam. No justice has been done for the illegal evictions, massacres and other human rights violations. No reparations have been paid to the Chixoy Dam harmed communities and families for all that was taken from them or destroyed.

7 years have passed since the government of Guatemala finally sat down with the victims to negotiate a reparation and development plan.

2 years have passed since the government of Guatemala accepted its responsibility for the harms and destruction and agreed to pay for a reparation and development plan for the harmed communities and people.

And, still nothing. It is beyond urgent to stop playing with the suffering of the victims of the Chixoy Dam.

Grahame Russell and Annie Bird
Rights Action

FOR MORE INFORMATION IN GUATEMALA:

COCAHICH (Comité de Comunidades Afectadas por la Represa Chixoy)
Juan de Dios Garcia, adivima@yahoo.com
Carlos Chen, c.chenachi@yahoo.es
<http://www.derechos.net/adivima/>

FOR MORE INFORMATION IN U.S.A. & CANADA:

Grahame Russell, info@rightsaction.org
Annie Bird, annie@rightsaction.org

cc: COCAHICH (Coordinator of Communities Affected by the Chixoy Dam), and to OAS, WB and IDB officials.

**STOP DELAYING REPARATIONS PLAN FOR
VICTIMS OF "CHIXOY DAM" FORCED EVICTIONS AND MASSACRES**

It is profoundly wrong that the government of Guatemala, the World Bank (WB) and the Inter-American Development Bank (IDB) have not done what they need to do to ensure that compensation and reparations are paid to thousands of indigenous campesinos who, 30 years ago, were illegally and forcibly displaced from their communities along the Chixoy river, so as to make way for the Chixoy Dam, a project of the WB and IDB.

Both banks profited from their investments in this project.

Along the Chixoy river, where the dam was built, some 32 remote, poor Mayan villages were devastated by this project (1975-1985). Most harmed villages were in the flood basin up river from the 125 meter high dam wall. Many were illegally forced to leave; others lost much of their lands and/or were cut off from and isolated by the existence of the flood basin.



(The Chixoy dam wall, seen from up-river, on the flood basin. The remains of a number of the illegally evicted communities lie deep below the water. Photo: Rights Action)

Seven villages are down river from the dam wall. As this “development” project completely diverted the river, drying up some 40 kilometers of the Chixoy river, they have lived in dry conditions ever since. These 7 communities were not “forcibly evicted”, their river and livelihood simply dried up.



(Dating back hundreds of years, Mayan communities lived along this part of the Chixoy river, also known as the Rio Negro. This photo, taken from the 125 meter high dam wall, shows how the dam project completely blocked off the river, down river from the wall, destroying the local environment and devastating 7 villages. Photo: Rights Action)

COMPREHENSIVE LOSSES & DESTRUCTION – INCLUDING MASSACRES

In varying degrees, the 32 communities lost: homes and personal property; land and territory; access to water and arable land; animals and trees – everything. Not one of the communities was ever properly or legally relocated to homes and lands of equal or better quality than what they were forced to leave.

In the community of Rio Negro – that peacefully resisted being illegally and forcibly evicted -, 444 villagers were killed over the course of 5 massacres in 1981 and 1982. There is no doubt this targeted repression was linked to the level of community organization and opposition to being forcibly relocated.

PARTNERSHIP WITH AND PROFIT FROM A MILITARY REGIME

There would not have been a Chixoy Dam without the investment funds and initiative of the IDB and WB. Between the banks, they provided hundreds of millions of dollars and partnered in the project with a series of military regimes. At that time, Guatemala was not controlled by even a formal civilian government.

The banks partnered with Guatemalan military regimes during the worst years of State repression and even genocide carried out against their own population. The Rabinal municipality, where they built the Chixoy dam, is one of the 4 regions in Guatemala where the United Nations Truth Commission determined (1999) that genocide was planned and carried out by the regime against the local Mayan population.

The banks should never have invested in and pushed for this project, partnering with these military regimes. What kind of "development" were the regimes interested in? Once the banks started this project, they should have stopped this project when the repression predictably began in the villages in the dam basin area. They did not. Well after the massacring of 444 Rio Negro villagers (the last massacre was in September 1982), the banks made further investment dispersals to this project in the hundreds of millions of dollars.

1993 – THE LONG ROAD OF TRUTH, MEMORY AND JUSTICE

Now, all this is known. The Chixoy dam case was one of the hydro-electric dam cases highlighted by the World Commission on Dams (1998-2001, <http://www.dams.org/>).

It has been 30 years since the debacle began. It has been 18 years since the Rio Negro massacre survivors began to exhume the mass graves where their loved ones were dumped and, in this way, begin to break years of silence since the massacres of 1981-1982, and since the Chixoy Dam was completed and their lives and communities destroyed.

Soon after the exhumations began in 1993, the survivors from Rio Negro and other Dam-harmed communities began the long process of telling the truth about all that was done to them, about all that they lost, and about getting justice, compensation and reparations.



(Monument, in the Rabinal cemetery, commemorating the lives of 177 Rio Negro children and women, massacred March 13, 1982 – one of the five Rio Negro massacres. Photo: Rights Action)

1996 – CIRCLING THE WAGONS OF DENIAL AND IMPUNITY

In 1996, Rights Action and Witness for Peace went to the first meetings with the World Bank to begin to re-dress the Chixoy Dam debacle. Present at that meeting were a number of WB lawyers who sat in on the whole meeting, listening, saying not a word.

Soon after that meeting, the written response of the WB was that -1- the WB had no knowledge of the atrocities and illegal forced evictions, and -2- the WB complied with its responsibilities. Under no circumstances were the WB and, soon after, the IDB going to publicly acknowledge any past or on-going responsibility.

There are words for this: denial and impunity.

* * *

To make a long story short (a story of a long and hard struggle for memory, truth and justice, a struggle against denial and impunity), the growing clamour for truth and justice, compensation and reparations continued to grow from 1996 through to 2004. Still the government of Guatemala and the banks denied and delayed.

2004 – PEACEFUL DIRECT ACTION

On September 7, 2004, some 3000 Mayan Achi campesinos from the Chixoy-dam harmed communities staged a protest on the Chixoy dam wall. No one was hurt; no property was destroyed; and this time, finally, their voice was really heard. From that moment forward, there began a formal campaign for compensation and reparations.

At the same time, the Guatemala government laid trumped up criminal charges (the 'criminalization of work for human rights and social justice') against some of the community leaders, trying to weaken their unity and demands. To make another long story short, this manipulative and abusive tactic of the government failed: national and international condemnation and activism finally got these trumped charges dropped.

Finally, the government of Guatemala agreed to establish a negotiation table, to deal with the Chixoy Dam harms and violations legacy issues.

At this time, the WB and the IDB refused to sit at the negotiation table as partners alongside the government of Guatemala, across the table from the Dam-affected communities.

They should have. The banks partnered with successive military regimes to implement this project. The banks are co-responsible for the entire project, along with the government of Guatemala. The project was an initiative of the banks, with their investment funds and their oversight. So, even as both banks profited from these investments, they refused to be considered partners when it came to addressing legacy and liability issues.

However, the banks did agree to sit as "observers" at the negotiation table, moderated by the Organization of American States (OAS).

And while the negotiations have gone on for 7 years, the government of Guatemala and the banks have still not ensured that due compensation and reparations are paid.

2009 – OFFICIAL ACKNOWLEDGEMENT OF REPORT ON HARMS

In 2009, after 5 long years negotiations (and many delays and even deceptions from the government, all "observed" by the IDB and the WB), the government of Guatemala formally accepted the 'harms and damages' report that sets out all that was lost, destroyed, stolen or illegally confiscated. (At www.adivima.org, you can find this report: [http://www.adivima.org/documentos/informes/informedeidentificacionyverificacionaprobado-final-\[1\].pdf](http://www.adivima.org/documentos/informes/informedeidentificacionyverificacionaprobado-final-[1].pdf)) The banks signed on to this report, as "observers".

2010 – OFFICIAL ACKNOWLEDGEMENT OF REPORT ON REPARATIONS PLAN

In 2010, the government finally accepted a comprehensive reparations plan, complete with financial amounts, community re-building plans and projects, etcetera, setting out what must be done to compensate and provide reparations for the victims. The banks signed on to this report, as "observers".

2012 – STILL WAITING

And still the banks "observe", and refuse to take direct action themselves and/ or pressure the Guatemala government to release the funds and begin implementation of the plan.

ENOUGH / YA BASTA

The communities are still suffering. They need and deserve to begin rebuilding new lives, 30 years later.

We have more information about this issue and would be glad to respond to your questions or queries ... but, in fact, the government of Guatemala, the IDB and WB know well about this issue. You know who, in Guatemala and the Chixoy Dam affected communities, you must respond to and you know what to do.

Grahame Russell & Annie Bird
Rights Action co-directors
860-352-2448
info@rightsaction.org
www.rightsaction.org
www.facebook.org/RightsAction

Copies:
COCAHICH
Officials in the Guatemalan government, IDB, WB, OAS

MORE INFORMATION IN GUATEMALA:

COCAHICH (Comité de Comunidades Afectadas por la Represa Chixoy)

Juan de Dios Garcia, adivima@yahoo.com

Carlos Chen, c.chenachi@yahoo.es

<http://www.derechos.net/adivima/>

MORE INFORMATION IN U.S.A. & CANADA:

Grahame Russell, info@rightsaction.org

Annie Bird, annie@rightsaction.org

WHAT TO DO:

TO MAKE TAX-DEDUCTIBLE DONATIONS

for Mayan 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

WRITE LETTERS

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. (Feel free to include copies of this "Open Letter" in your letters)

CONTACT INFORMATION

Otto Perez Molina

Presidente de la República de Guatemala

Secretaría de Comunicación Social de la Presidencia

Palacio Nacional De La Cultura

6 Avenida y 6 Calle, Zona 1

Ciudad de Guatemala, Guatemala

webadmin@scspr.gob.gt, cartapresidente@scspr.gob.gt

President Luis Alberto Moreno

Inter-American Development Bank

1300 New York Avenue, N.W.

Washington, D.C. 20577, USA

lmoreno@iadb.org, (202) 623-1000

President Jim Yong Kim

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

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