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"Chixoy Dam / Rio Negro Massacres Reparations Campaign" -- Communique #12

San Francisco Chronicle article

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THE SAN FRANCISCO CHRONICLE
Thursday, November 16, 2000

"Placing Blame For Genocide / Guatemalan massacre survivors seek damages from dam financiers"
-- By Karen Levy

Cristobal Osorio vividly remembers the day his wife and infant child were murdered. It happened March 13, 1982, two hours after Osorio had left his riverside village of Rio Negro to walk to a nearby town. Ten army soldiers and 25 civilian militia members killed 177 women and children, including Osorio's wife and newborn child, who was slashed in half with a machete.

It was one of four massacres committed over an eight-month period in the Baja Verapaz province village that claimed the lives of a total of 440 Maya-Achi residents.

Today, many villagers attribute the atrocities to their opposition to displacement by the construction of the 300-megawatt Chixoy hydroelectric dam. "They killed us just for claiming our rights to our land," said Osorio, who lost 22 members of his family. "We said we didn't want to leave, and that is why so many people died."

The plight of Rio Negro survivors has been studied closely by the World Commission on Dams, an independent body sponsored by the World Bank to review the performance of large dams and make recommendations for future planning of such projects. Today, the 12-member commission is to announce a comprehensive study in London, presented by former South African President Nelson Mandela and U.N. High Commissioner for Human Rights Mary Robinson.

"The egregious social injustices that (Rio Negro residents and other displaced communities) have suffered formed an important part of our deliberations around the impact of large dams," said Deborah Moore, a member of the dam commission panel. "Reparations will form part of the commission's recommendations."

It is the first time that an international body has called for reparations as a general policy for people displaced by dam construction.

The Rio Negro conflict began after the community refused to move to cramped houses and poor land at the resettlement site provided by Guatemala's power utility, the National Electrification Institute. In 1980, a police officer drowned after being chased away by villagers. The army then accused them of murder and of being supporters of the leftist guerrilla movement.

Now, 18 years after surviving what a U.N. Truth Commission has described as genocide, Osorio presides over a committee of 150 Rio Negro families who lost their ancestral lands to the dam. The committee is based in Pacux, the "model village" where survivors were relocated by the government. Rio Negro, which is an eight-hour walk away, is now underwater.

Several U.S. and European human rights organizations have aided the committee, arguing that international human rights treaties support reparation claims of compensation for lost land, lives and culture. They hope to file a lawsuit, first in Guatemala and then with the Inter-American Commission on Human Rights of the Organization of American States.

And there are precedents. In the past, compensation has been awarded for human rights abuses to victims of the Holocaust, the dictatorship of Chile's Gen. Augusto Pinochet and Argentina's military 1976-'83 junta, the apartheid government of South Africa and California internment camps during World War II.

The Rio Negro survivors say they will be the first victims moved by a large dam project to file for reparations under international human rights treaties.

In recent years, 30 million to 60 million people worldwide have been displaced by dams, according to Patrick McCully, author of "Silenced Rivers: The Politics and Ecology of Large Dams."

The survivors, however, believe they should also receive compensation from the World Bank and the Inter-American Development Bank, two of the world's largest financial institutions. They fault the lending institutions for financing the construction of the 360-foot-high Chixoy Dam during the nation's brutal 36-year civil war, which killed about 200,000 people.

The war began in earnest in the late 1970s after Marxist guerrillas started organizing among the poor Mayan communities.

The National Electrification Institute built the dam between 1976 and 1983 with a total of \$116 million in loans from the World Bank and \$175 million from the Inter-American Development Bank. The dam currently supplies 26 percent of Guatemala's electricity. "It is the nation's most important plant for the quantity of energy it produces," said institute engineer Virgilio Adolfo Paredes.

The dam opened near the end of the fiercest stage of the army's bloody campaign to stifle indigenous support for leftist guerrillas. At that time, hundreds of Mayan villages were wiped out, forcing about 50,000 residents to flee to refugee camps in Mexico.

Annie Bird, an activist for Rights Action, a human rights organization in Washington, D.C., is working with the Pacux community to help them gain compensation. To date, her group has financed a workshop to help the community define its compensation goals and to send Pacux leaders on speaking tours in Europe, the United States and South America.

Bird argues that because the World Bank has traditionally played an active role in the planning and implementation of projects it finances, it should assume its share of the social costs. "The project continued to be funded even in the midst of the violence, which points to either gross negligence or collusion by the banks," she said.

In 1996, the World Bank sent a mission to Guatemala to investigate. Afterward, World Bank president James Wolfensohn described the resettlement of Rio Negro residents as "totally inadequate by our new World Bank standards," but he said the bank had no knowledge of the violence that paved the way for the dam's construction.

Bank critics, however, scoff at such claims. They say the massacre was well-known in Guatemala and that World Bank personnel spent three months a year supervising the project. "With people on site in Guatemala, it would be hard not to know," said Harold Naiser, a member of the U.N. truth commission that investigated human rights abuses committed during the conflict.

Moreover, these same critics say the bank shares responsibility since its resettlement policy for projects it funds promises the displaced that they will enjoy at minimum their former living standards.

Before the dam, Rio Negro residents were subsistence farmers who cultivated corn, beans, squash, sorghum and chiles along the fertile riverbank. They also ate fruit, and fish were plentiful. "The river was the base of life for the community," said Osorio.

At Pacux, the government provided housing, electricity, a school, a church, a health clinic and roads. All promises were made orally and no legal written agreement exists with the community. "Everything that INDE promised has been given," said Paredes. "Everything is completed."

But villagers say the National Electrification Institute provided the minimum compensation for lost crops and livestock the soldiers and militiamen had carried off. Moreover, some of the institute-built houses are falling apart and the health clinic is currently closed because of a lack of funds to pay a doctor or buy medicine.

In addition to the lives lost, the community lost 3,556 acres of cropland to the Chixoy dam. At Pacux, villagers were awarded 316 acres of unarable land located in steep ravines. Last year, they were finally given an additional 790 acres of fertile land located eight hours away by bus. But only a few residents can afford to go there bimonthly or furnish seed money to begin planting.

The land situation has forced many to make seasonal migrations to work on coffee and sugar plantations for several months each year. There, they are subject to low wages, poor working conditions and health problems.

"INDE told us, 'Don't worry, we are going to improve life,' " said Osorio. "All they did is make us poor."

World Bank social development specialist Mario Marroquin, who is based in Guatemala City, admits that the bank did not properly supervise the National Electrification Institute's resettlement policy. "We perhaps were not rigorous with our own policies," he said. Nevertheless, he believes further reparations will be detrimental: "Whereas my fellow NGO (nongovernmental organizations) counterparts are stressing a culture of dependency and victimization, we should be supporting normalization for Pacux."

Marroquin says that the bank made every effort to ensure that the Guatemalan government fulfilled its commitments to the Rio Negro community and that the bank is not liable for its failures. "The government is the main party responsible for compensating the affected communities," he said.

Naiser, however, says the villagers have little chance of winning a legal judgment against the government in today's court system. "Until the power of the military has effectively ended, the idea of justice is a vain hope," he said. "There is barely a legal system."

In the meantime, the Rio Negro community hopes that its international lobbying for compensation from the World Bank and the recommendation by the World Commission on Dams will eventually pay off. For communities affected by dams, "it is difficult to narrow it down to compensation, because what we are talking about is the loss of a way of life," said the commission's Moore.

For more information about the history of Chixoy Dam/ Rio Negro massacres, go to the Advocacy Project website www.advocacy.net.

For more information about the Reparations Campaign, go to the Rights Action website www.rightsaction.org, or contact Rights Action: 416-654-2074. info@rightsaction.org.