

RIGHTS ACTION – ACTION ALERT
November 12, 2006

GUATEMALA – XALALA DAM PROJECT: WATER PRIVITIZATION, ìDEVELOPMENTî & REPRESSION!
[Chixoy Dam Revisited!]

Below, a Rights Action mini-report about violence in the area where the construction of the huge Xalala Dam project in Guatemala is being planned along the Chixoy River.

Please express your concern to the Inter-American Development Bank (IDB), a major proponent of this ìdevelopmentî project. Addresses and sample letter below.

CHIXOY DAM REVISTED: the Xalala project will be built down river from the infamous Chixoy dam, funded by the IDB and the World Bank [WB], that resulted in the forced displacement of dozens of Mayan-Achi communities and the massacres of hundreds of Rio Negro villagers. To this day, neither the IDB nor the WB has given the affected communities due compensation or reparations.

PRIVATIZATION OF WATER: The IDB is supporting the Xalala Dam, including promoting the project in forums that bring together private investors who would build and own the project, and Guatemalan government representatives in charge of providing the concessions.

FORCED DISPLACEMENT: Not only will this dam displace and impoverish thousands of Mayan-Qeqchi farmers, but it is becoming increasingly clear that the existing conditions of violence and impunity in Guatemala cannot protect people in the area from other gross human rights violations, violations for which not only the Guatemalan government but also the financiers and investors in the project must be held accountable.

If you want on-off this elist: info@rightsaction.org. WHAT TO DO: see below.

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XALALA DAM PROJECT: WATER PRIVITIZATION, ìDEVELOPMENTî & REPRESSION By Rights Action, November 12, 2006

Yet another internationally funded mega ìdevelopmentî project has resulted in death. Mayan communities in the area where the Xalala hydroelectric dam construction is planned are extremely alarmed at recent violence in the area and accusations made by the Guatemala National Institute for Electrical Development (INDE) against community

leaders from the town of Margaritas Copon, the village situated where the actual dam would be constructed.

Though studies are underway to determine the extent of possible damages, it appears that the construction of the dam could destroy the agricultural lands and livelihoods of approximately 6,000 to 8,000 Mayan-Qeqchi farmers.

The affected population lives along the Chixoy river and are distributed between the municipalities of San Miguel Uspantan (Uspantan) and the Ixcan in the department of Quiche, and communities in the municipality of Coban in the department of Alta Verapaz. This region is very isolated, jungle region with no road access, and forms part of an area known as the "Zona Reynaí."

VILLAGE OF MARGARITAS COPON

On October 21 and 22 residents in the area witnessed a group of men, who according to witnesses claimed to be teachers in search of jobs, pass through villages. In Margaritas Copon, witnesses claim the group spoke only to the family of a resident who had studied in a teaching academy with one of the men, and then left the village.

The next day the group's supervisor reported the disappearance of two members of the four person team he had sent to the area. As it turned out, the group members were employed by INDE to gather information about the communities in the area to be negatively affected by the dam.

The other team members have widely reported on local radio the events they claim occurred outside of Margaritas Copon. Though versions vary, they claim that after leaving the village of Margaritas Copon they were approached by armed men. They fled and lost track of two team members.

Though in their public declarations they do not identify community members, their supervisor, in local radio interviews, has implicated community leaders in the area, accusations which have been repeated in the national press, including the mayor and the Catholic Church's Social Outreach team.

When community leaders in the area learned of the accusations against them, they immediately and voluntarily presented themselves in the District Attorney's office on October 27, accompanied by members of the municipal government and social organizations. At that time all became alarmed upon learning that INDE requested that the Guatemalan National Army undertake the search for the missing workers.

They became yet more alarmed when they learned that INDE had contracted the workers to gather information about community leaders opposing the dam, information similar to that gathered by military intelligence during the armed conflict and used for violent repression

of social movements.

The communities issued a communiqué denying the charges and expressing concern that this situation could become a pretext for repression against their peaceful opposition to the dam and their peaceful defense of their land; they have requested the presence of human rights observers.

DISCOVERY OF THE BODY

On November 1, authorities from 29 villages in the region organized a search for the missing men and discovered the body of one of them, Jose Manuel Ordon. They immediately called upon the District Attorney's office to collect the body and conduct the appropriate investigations, but were shocked when justice officials told them to bury the body in the nearest cemetery, which they refused to do and insisted the authorities investigate the scene.

THE IXCAN AT A TURNING POINT

All communities in the region repudiate this killing. They are also greatly concerned about growing violence in the region, and fear the worsening conditions will make impossible the guarantee of their fundamental rights during a dam construction process.

In Guatemala, the Ixcán municipality in northern Quiché is a region with a particularly difficult history of military repression but also an extraordinarily high level of social organizing and achievements in re-building their region after the genocide and devastation.

Today the Ixcán is at a turning point that is representative of Guatemala as a whole, a decade after the signing of the peace accords. If Guatemala's civil society and the international community do not take action now, almost 15 years of intensive peace building effort, and decades more than that of community struggles to create a decent, dignified life may be destroyed.

THREATS, REPRESSION & IMPUNITY

Over the past several years violence and instability in the Ixcán have been growing along side a lack of any functional justice administration and constant attacks against the municipal government designed to undermine its capacity to defend the residents against shadowy interests in the region.

There is an increasing presence of armed men of unknown origin in the area and an increasing number of murders.

The mayor, in his second term, is a leader from the internally displaced community of Primavera where a successful agricultural cooperative operates.

He is also a member of the URNG political party. His municipal government has been under constant attack particularly in its second

term.

On the day of the election in November 2002, a mob stole and burned ballots, which in the end did not affect results as the final count had already been filed with the elections board. Throughout his term he has received constant death threats, avoided attempted kidnappings, attempted assassinations and recent attempts to burn the municipal building with workers trapped inside.

The mayor is under constant surveillance and rumors exist that hit men are planning his assassination. Coincidentally, on the day the Xalala dam affected communities went before the District Attorney to respond to the charges related to the disappearance of the INDE workers, the municipal government was unable to open because of threatened attacks.

All of these acts have been reported to the justice system but nothing has been done. The people orchestrating these attacks are well known in the area. Particularly implicated is a former mayor who would like to return to the office and is reported to be linked to various shadowy economic interests in the area. The leader of the INDE team is his son in law and is reported to have participated in the orchestration of attacks on the municipal government.

ECONOMIC INTERESTS & IMPUNITY

At the same time it has become clear that there are strong and possibly related economic interests in the region: a growing presence of drug traffickers interested in the Ixcanís strategic position on the border with Mexico; development and investment interests centered around the construction of internationally-funded hydroelectric dams; introduction of privatized energy lines from the national energy grid (in competition with the municipal distribution company); exploitation of petroleum resources (in protected areas); and, the creation large scale sugar cane plantations for ethanol production.

For many of these economic interests, the municipal government and the network of civil society organizations in the region represent the biggest threat to advancing their development plans. Not only does logic lead to the conclusion that they are related to the growing attacks and threats against civil society and the municipal government, but also there witnesses with the knowledge of who and how different economic actors are related to the growing violence and instability.

ILLEGAL ARMY INCURSION INTO IXTAHUACAN CHIQUITO The government's complicity through lack of action in the investigation and prosecution of violent actors is even more worrying analyzed in conjunction with recent actions by the government and army in the area, as in the case of the recent illegal army occupation of the return refugee village of Ixtahuacan Chiquito.

During a public event held to celebrate the 21st anniversary of the creation of the Municipality of Ixcán, participants witnessed seven helicopters and one airplane pass over the municipal center, Cantabal, soon to learn of the terrifying occupation of the returned refugee towns of Ixtahuacán Chiquito, a town still in the process of healing and constructing a new life after its residents spent more than 12 years in refuge in Mexico after fleeing Guatemalan army massacres, torture and genocide in the early 1980s.

According to press reports, the Guatemalan Army – accompanied by elements of the U.S. DEA (Drug Enforcement Agency) – were searching the villages for 3 tons of arms and the two drug traffickers who have figured most prominently in the press, Otto Herrera and Carlos Sanchez.

The accusation of the presence of arms and drug traffickers in this return refugee community is ridiculous to any who know the region. While undoubtedly there is a growing presence of arms and drug traffic in the region, the return refugee villages, which have maintained a constant presence of international human rights observation and social organizations, have remained free of these problems.

According to Ixcán's mayor, the helicopters landed in the soccer fields, dozens of camouflaged soldiers disembarked and crept through the grass to surround the school and the community corn mill where the women were grinding their corn. The soldiers surrounded the community members pointing guns at them, and generally terrifying the community members, some of whom had survived army massacres twenty five years earlier.

The actions in Ixtahuacán Chiquito lead to the conclusion that the objective of the operation may have been the intimidation of the sector of the population most organized in defense of land and human rights in the region.

The accusations against Ixtahuacán Chiquito, and the recent events in Xalala, unfortunately give the impression that the government, rather than investigate the growing violence in the region, is intimidating and criminalizing organized communities and social organizations like the Churches Social Outreach Program.

BRINK OF DISASTER – The growing violence, instability and related economic interests must be documented and widely denounced to agencies with the capacity to intervene. The Ixcán is at the brink of disaster, but the decades of hard work dedicated to building a functional society still have the capacity to bring it back, and the international community must come together to support this.

BACKGROUND ON THE REGION

In the 1960s the Ixcán was a focus of one of Guatemala's first major national development initiatives. Following a development strategy designed for the country by the World Bank, the government initiated a massive resettlement program in which relatively large tracts of land were granted to landless farmers in the jungle region of the Ixcán, and the first roads were forged into the area.

The strategy of populating the jungle was a tactic to reduce growing pressure for land reform elsewhere in the country, which had been initiated by the Arbenz government in the beginning of the 1950s, but was stopped by a U.S.-CIA supported coup carried out under the pretext of stopping communism; there exists a massive amount of historical documentation demonstrating that the Arbenz government was not communist, but rather had social democrat orientation, and the accusations were a pretext for protecting ill gotten land held by U.S. based banana companies.

Landless farmers desperate to create a viable life for themselves and their families signed up, unaware of the conditions that awaited. They were moved into the region, assigned tracts of land and left there, in the middle of the jungle without viable roads, health services, education facilities or food.

The first years were extremely difficult as many died from malaria, dengue and preventable diseases for which they had no resistance or medicines to fight, given the living conditions.

THE IXCAN COOPERATIVES

But the perseverance and dedication of the people triumphed as they cut back the jungle and created productive farms. In the 1960s and 1970s the Catholic church became very active in the area, promoting the creation of some of Guatemala's largest agricultural cooperatives which continue to function to this day.

The growing wealth generated in the region, and its strategic position on the border with Mexico, attracted attention during the civil war. A presence of the revolutionary movement called the Guatemalan Army of the Poor (EGP) was established, and at the same time Guatemalan National Army commanders took note of the tantalizing, growing expanses of productive agricultural land that had been cleared, mostly by hand, by campesinos.

Thus, as massive state repression was unleashed across the country, the violence in the Ixcán was used as a mechanism to enrich some at the expense of the majority. Accusing farmers, church workers and cooperative leaders of being guerrillas, a scorched earth policy was unleashed in which dozens of massive massacres were carried out against the civilian population forcing the villages to flee into refuge in Mexico. These massacres were amply documented in Ricardo

Fallaís famous book "Massacres of the Jungle" and later by the United Nations sponsored Truth Commission.

Once the land was forcibly cleared of its inhabitants, military officers took control of large farms in the less accessible area known as the Zona Reyna, in the South and West of Ixcán. This area was populated mainly by Mayan-K'eqchi who, over decades or longer, had slowly populated the area moving in from their millennial homelands of neighboring Cobán.

New settlers from other parts of the country were brought in to populate the lands "abandoned" by massacre survivors fleeing the Army, in the more conflictive northern part of the Ixcán along the border with Mexico where elements of the EGP prevented the total occupation of the area. The new settlers formed military patrols, called Civil Defense Patrols (PACs), and some of the previous settlers were allowed to stay in their lands on the condition they form PACs.

In the end of the 1980s, the Peace Process began, and as part of this the refugees in Mexico began to negotiate the terms of their return to Guatemala, a process which began in 1994. In these mass returns, entire communities were moved from the camps in Mexico to farms in Guatemala. In the Ixcán, many communities were able to return to the very same lands they had been forced to abandon over a decade before.

The orchestration of these returns represented a massive effort on the part of Guatemalan civil society, international humanitarian and human rights organizations, and the United Nations. Not only were negotiations with the government necessary to achieve the cooperation of the military and disarmament of the PACs, but it was also necessary to negotiate with the recent settlers who in some cases had to turn some of "their" land over to its original owners.

Given this context it was indispensable that the population of the Ixcán remain strongly organized; it is one of the areas of the strongest community level organization in the country. Not only has the population formed cooperatives and other forms of joint agricultural initiatives, but it has created strong, active human rights organizations working to create a viable justice system, vocal women's organizations that advocate for women's rights, organizations of returned refugees and internally displaced people.

XALALA DAM, PLAN PUEBLA PANAMA & OTHER "DEVELOPMENT" BEAUTIES In recent years these organizations have come together to host activities centered on resisting the negative impacts of free trade agreements or the multinational development strategies like to Plan Puebla Panama and the mega projects like hydroelectric dams and pipelines promoted by those development strategies.

Over the past year, communities in the area where construction of the Xalala Dam, what could become Guatemala's largest hydroelectric dam, have become increasingly alarmed as the national press reports that plans for the dam's construction advance. However, when the affected communities and social organizations request information government officials deny any information whatsoever, even at times denying plans for the construction. The total lack of information and cooperation from the national government only adds to the fears of the population.

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LETTER TO THE INTER AMERICAN DEVELOPMENT BANK

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Dear President Moreno:

I write to express my concern about the violent and repressive conditions in the area where planned construction of the Xalala Dam would take place.

The area has been subject to growing violence, while the justice system has done nothing in prosecuting those responsible for the violence despite the existence of ample evidence.

The local Mayor's office has been subject to constant violence including attempted kidnapping, attempts to burn the municipal government building, threats, surveillance by armed men, physical attacks on municipal workers, libelous disinformation, and others. Workers for the Catholic Church Social Outreach team have been subject to similar threats as have many of the social organizations in the region.

The deterioration of the human rights situation in the area and the destabilization of those agencies charged with protecting residents has created a situation in which it is impossible to guarantee the fundamental human rights of people who would be displaced and

negatively impacted by the construction of the Xalala dam.

The recent killing of an INDE employee and the defamation campaign against community leaders of villages affected by the dam that followed this tragic event illustrate the dangers that exist in the region.

The Xalala dam cannot proceed without first guaranteeing that a functional justice system exists that is capable of stopping the actions of violent actors in the area and that there is a functional presence of human rights agencies capable of verifying the respect for the full range of rights of affected communities.

Without these conditions, the Inter American Development Bank and private investors they may support in relation to the project are directly responsible for human rights violations that may occur.

Sincerely,

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WHAT TO DO:

- * The #1 line of work in favour of global justice, equality and the environment is to fund and support local organizations leading their own struggles in defense and promotion of development, the environment and human rights. In the Ixcan region, where this Xalala Dam project may be built, Rights Action is channeling your donations to community-based education, health, enviro- and human rights organizations;
- * Get involved in education and activism work in your home community concerning the negative impacts of North American economic and military policies on community-controlled development, the environment and the human rights of local populations in Guatemala, Honduras, Haiti, Chiapas, El Salvador;
- * Consider coming to these counties on an educational-activist delegation and invite us to give educational presentations in your home community;
- * Get on our e-mail and snail-mail lists.

TAX-DEDUCTIBLE DONATIONS:

Make check payable to "Rights Action" and mail to: UNITED STATES: Box 50887, Washington DC, 20091-0887; CANADA: 509 St. Clair Ave W, box73527, Toronto ON, M6C-1C0. CREDIT-CARD DONATIONS:
www.rightsaction.org.

QUESTIONS: info@rightsaction.org; 860-352-2152, www.rightsaction.org.

