

## **Chixoy Dam Reparations To Be Paid Finally, ... Maybe!**

By Grahame Russell, Rights Action, October 17, 2014

Thirty-two years after the Rio Negro/ Chixoy Dam ['Chee-Shoy'] massacres of over 440 villagers, and the violent, illegal evictions of more than two dozen Mayan communities, the government of Guatemala has agreed to provide \$154,000,000 to enable the implementation of the Chixoy Dam Reparations Plan. As reported by the Guatemalan daily Prensa Libre (October 14, 2014):

### **Victims of the Chixoy Dam to Receive 1 Billion, 200 Million Quetzales in Reparations**

*After three decades, 27 communities that had to give up their lands or had their families brutally massacred because they would not give up their lands to allow for construction of the Chixoy Hydroelectric Dam and who have ironically, lived in the dark for all these years, will finally have electricity.*



*(President Otto Pérez Molina, representatives of the 33 communities and witnesses of honour at the signing of the reparations agreement. Photo Prensa Libre)*

*The Reparation Agreement for harms caused by the construction of the Chixoy Dam was signed yesterday and allows for reparations of 1 billion, 200 million Quetzales [approximately \$154,000,000], said Miguel Ángel Balcárcel, Coordinator of the National Dialogue Commission.*

*The agreement signed by the Government and COCAICH (Coordination of Communities Affected by the Construction of the Chixoy Dam) provides for construction of schools, housing, health centres, bridges and fish farming ponds. The agreement also allows for [direct family restitution and] land restitution, including archaeological pieces lost or damaged during the flooding for the dam.*

Though accepted formally by President Perez Molina, the \$154,000,000 agreement still has to be passed by the Guatemalan Congress. Perez Molina has said that if the Congress does not approve the release of these funds, he will come up with the funds 'somewhere, somehow'. While the President's formal acceptance of the Agreement is very important, this struggle is not over. At the earliest, funds would begin to be made available in 2015, and there may well be more obstacles before this happens.

### **32 Years Of Silence, Denial And Shame**

Shame on the World Bank and Inter-American Development Bank (IADB) that invested in, implemented and profited from this "development" project, and then denied any responsibility for the massacres and evictions that benefitted them. Shame on 32 years of Guatemala regimes that have denied the righteous and honorable struggle of the Chixoy Dam victims, primarily the massacre survivors from the Mayan Achi village of Rio Negro.

All respect goes to the Chixoy Dam victim-survivors who became the protagonists in the struggle for truth and reparations. Since 1994, Rights Action has been honored to support and be involved in this struggle. Thank-you to Rights Action donors and foundations that have supported our work and the Chixoy Dam survivor-victim groups. This is how long work and struggle for truth, memory and justice take in Guatemala ... and it is not over.

### **A Genocidal "Development" Project**

From 1975-1985, the World Bank and the IADB partnered with the military regimes of General Lucas Garcia, 1978-1982, and General Rios Montt, 1982-1983, investing close to \$1 billion in the project. These regimes were supported by the United States and the West as they carried out "cold war" repression against their own population. Genocide was committed in certain Mayan regions of the country, including the Mayan Achi region where the Chixoy Dam project was imposed.

To build the dam wall and to fill the flood basin, thousands of Mayan campesinos were illegally and forcibly evicted from some 32 communities. Over 440 Mayan Achi villagers were massacred in the Rio Negro community alone. Since that time, the survivors have been suffering, surviving and dying in poverty, abandonment and trauma, most particularly in the refugee camp of Pacux where the Rio Negro massacre survivors remain today.



(The original community of Rio Negro lies under this part of the Chixoy Dam flood basin. Photo@Nate Einbinder, <http://rionegroproject.blogspot.com/>)

### **Dignity, Courage and Relentless Struggle**

It is hard to overstate the courage and dignity of the surviving victims who, for decades, have been fighting for truth, memory and justice. Starting in 1993, surviving victims formed their own organizations (the Pacux Widows Committee, ADIVIMA, Bufete Juridico Popular, ASCRA, COCAHICH) to demand justice for the genocide against the Maya Achi people, for particular massacres, and for the killings and evictions caused by the Chixoy Dam. Beginning with Rights Action in 1994, they built north-south funding, education and activist partnerships with a growing number of organizations.

Beginning in 1995, multiple advocacy and activist strategies were used in Guatemala and internationally to tell the truth about how wrong and brutal the Chixoy "development" project was, and to demand reparations: extensive media reporting; sending surviving victims on international speaking tours; receiving visiting delegations, journalists and funders; carrying out protests in Guatemala and in front of the World Bank and IADB headquarters in Washington DC; participating in conferences (including the 2000 World Commission on Dams); etc..

Over the years, the leaders of this struggle were targeted for further repression, including illegal detentions and threats. Throughout this entire time, thousands of families have lived in chronic conditions of poverty, landlessness, joblessness, violence and impunity.

### **Rights Action priority**

Since 1994, the Chixoy Dam Reparations Campaign has been a priority for Rights Action. For 20 years, we have funded the victims groups at the forefront of the Reparations Struggle and collaborated with the victims and other solidarity groups to

carry out education and activism work in the USA and Canada, aimed at exposing and holding the World Bank, IADB and government of Guatemala accountable.

### **Global Denial, Impunity And Immunity**

Ever since the first advocacy meetings with the World and IADB in Washington DC in 1995, the Banks have deflected all calls for accountability and justice, claiming they complied with all aspects of the project and they had no knowledge of, or any link to harms and violations caused by the project.

The ability of the Banks to avoid accountability is intentional. They have immunity from legal accountability in the United States, where they are headquartered, and around the world where they invest in and profit from "development" projects. This immunity is provided to them by the investor nations that set and profit from investments of the banks, the major investor nations being the United States, Japan, the wealthiest European countries, Canada, and on down from there.

### **April 18, 2010 ~ Chixoy Dam Reparations Plan**

Even as the IADB and World Bank avoided any legal accountability, victims groups in Guatemala, spear-headed by COCAHICH (Coordinator of Chixoy Dam Harmed Communities), pushed ahead courageously and relentlessly. After a major peaceful protest in 2004 at the site of the Chixoy Dam wall, their struggle led to the establishment in 2005 of a formal negotiation process with the government of Guatemala, mediated by the Organization of American States, officially observed by the Banks.

Five long and complicated years later, on April 18, 2010, the government of Guatemala formally accepted responsibility for the harms and violations caused by the project and agreed upon the \$154,000,000 "*Reparations plan for damages suffered by the communities affected by the construction of the Chixoy hydroelectric dam in Guatemala*".

Four long and complicated years later, on October 14, 2014, President Perez Molina finally agreed, publicly, to ask the Guatemalan Congress to pass legislation to release the Reparations Plan funds.

### **A Huge Skeleton in the Closet**

The key thing, all along, was the dignity and relentless struggle of the victim-survivor-protagonists. They never gave up. Their efforts were supported all along by Rights Action and, increasingly, by other groups. From 1994 forward, even though the World Bank and IADB were denying and deflecting, even though a succession of Guatemalan regimes were ignoring and delaying, we kept up a relentless public campaign of moral condemnation. Though we did not have the political power to secure a just reparation plan, we kept on reminding them that they, together, had committed these atrocities and benefitted from them.

### **2014 U.S. Appropriations Bill**

There is no question that one final advocacy effort by COCAHICH, Rights Action and International Rivers helped turn the tide. Included in the 2014 U.S. Government Appropriations Bill was a requirement that the World Bank and IADB report to the U.S.

government on what steps the Banks were taking to ensure implementation of the Chixoy Dam Reparations Plan that had been agreed upon in 2010.

Inclusion of this legal requirement in the 2014 Appropriations Bill basically confirmed that the massacres and illegal forced evictions did occur and that reparations were owed; it represented a finding of guilt, of sorts.

Importantly, it put a binding legal requirement on the World Bank and IADB to ensure implementation of the Reparations Plan, and if the Plan was not implemented, then the U.S. government would be legally bound not to provide military support to the Guatemalan military. Boom. Finally, a small measure of political pressure that had weight behind it. 20 years of dignified struggle led to this.

### **Bittersweet ... But Sweet**

This is a bittersweet moment for the survivors-victims-protagonists. Bitter, as the World Bank and IADB should never have invested in, implemented and profited from this genocidal development project.

But it is also sweet. President Perez Molina's acknowledgement is a vindication of all that they have been saying since 1994, and it is sweet because the surviving victims are living, 32 years later, in awful, oppressive conditions. Nothing I could write could adequately describe the living conditions of chronic poverty, landlessness, joblessness, on-going trauma (many are witnesses to and survivors of massacres), and hopelessness. The community improvement projects and the individual family restitution included in the Reparations Plan will improve people's lives. For years, Rights Action has been one of a few groups regularly sending funds to the massacre and eviction survivors in the refugee community of Pacux and in the remains of the original Rio Negro community. The funds we send are very important, and are a drop in the bucket to what the Chixoy Dam survivors deserve and need.

### **On-Going Vigilance, Pressure And Support**

One thing the victim-survivor-protagonists know deeply is not to trust the government of Guatemala, World Bank and IADB. While they have been negotiating and meeting with them since 1995, and particularly since 2005, the government and Banks have more often lied to and deceived them. While this public acknowledgement and commitment of President Perez Molina is very important, on-going vigilance and pressure on the Guatemalan government and the Banks will be needed. Please stay tuned and stay involved.

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### **More Information**

- Guatemala [en Espanol o Maya-Achi]: Carlos Chen, sobreviviente de los massacres Rio Negro/ Represa Chixoy: 5190-7833, [chenosorio.carlos@gmail.com](mailto:chenosorio.carlos@gmail.com).
- Canada/ USA: Grahame Russell, 416-807-4436, [info@rightsaction.org](mailto:info@rightsaction.org).

### **Chixoy Dam Massacres and Evictions: No Reparations, No Justice, No Peace**

16 minute film by Lazar Konforti

- English: <http://vimeo.com/50015125>
- French: <http://vimeo.com/61324888>
- Spanish: <http://vimeo.com/52293087>

**“Manuel’s Burial, a Thirty-Two Year Wait”:** <http://www.mimundo.org/2014/06/06/2014-06-manuel%E2%80%99s-burial-a-thirty-two-year-wait/>

**Rio Negro project:** <http://rionegroproject.blogspot.com/>

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### **Tax-Deductible Donations (Canada & U.S.)**

To support the on-going humanitarian relief and community development needs of the Chixoy Dam victims, make check payable to "Rights Action" and mail to:

- United States: Box 50887, Washington DC, 20091-0887
- Canada: (Box 552) 351 Queen St. E, Toronto ON, M5A-1T8
- Credit-Card Donations (Canada & U.S.): <http://www.rightsaction.org/tax-deductible-donations>

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