

## Guatemalan President Otto Perez Molina Ratifies Law To Implement Chixoy Dam Reparations Plan

By Grahame Russell, November 9, 2014

President Otto Perez Molina flew into Rabinal on November 8, 2014, stood before thousands of long suffering Mayan victims of the destructive and deadly Chixoy Hydro-electric Dam project, officially apologized on behalf of the Guatemalan government for the human rights violations and sufferings caused by the Dam, and signed into law Decree #378-2014 – “the Public Policy of Reparations for Communities Affected by the Construction of the Chixoy hydro-electric dam project”.



With the Rabinal soccer fields surrounded by “Kaibil” special forces, Perez Molina lands by the Rabinal stadium. In the background, the white wall – “Escuela” – surrounds what is now a school and was a military base during the worst years of the Mayan Achi genocide (1978-1983). In the early 2000s, the Guatemalan Foundation of Forensic Anthropology (FAFG) carried out exhumations inside the school grounds – the former military base -, dug down through the classroom floors, and exhumed the remains of hundreds of civilian victims.

Former General, now President Perez Molina was a co-founder of the “Kaibiles”, a U.S.-trained, funded and armed special force of the Guatemala Army. Both the United Nations Truth Commission and Catholic Church REMHI report concluded that the Kaibiles committed many of the very worst massacres and other atrocities. There are many, including Rights Action, that believe that Otto Perez Molina should be put on trial for being an intellectual and material author of crimes against humanity, ... and yet here he was to apologize and to ratify the Reparations Plan law.



From the landing spot, President Perez Molina got into a waiting car and drove 100 meters!, followed by 9 other vehicles, into the Rabinal stadium.



On stage, Perez Molina officially apologizes on behalf of the Guatemalan government for the human rights violations and harms caused by the Chixoy Dam project and

announces the basic terms of the law: Beginning in 2015, the government of Guatemala will make individual payments (totaling Q200,000,000, or one-sixth of the total amount) to 11,343 Chixoy Dam harmed people. The remaining Q1,000,000,000 will be spent over fourteen years (2014-2029) in community development projects in the Chixoy Dam harmed communities.

The Rabinal stadium itself is built on land that used to be an Army outpost, separate from the former base across from where the helicopters landed. This outpost controlled the entrance and exit of the Pacux refugee camp, built on the edge of the town of Rabinal with Chixoy Dam project funds to house the surviving Rio Negro villagers. Just beyond the white wall, behind the stage, the FAFG exhumed yet another mass grave in the early 2000s, and dug up the remains of 70 local Mayan people that the Army had kidnapped from throughout the Rabinal region, brought into the outpost, and murdered.

In the background, looms a hill on the edge of Rabinal. On top of this hill, one finds the remains of Caj'yup, a Mayan village dating back 1000 years. Caj'yup, witness to 500 years of brutal atrocities against the original peoples of these lands, is witness to the resistance and resilience of those same people.



Present in the crowd of thousands are representatives of the 32 Dam harmed communities - 27 up river from the Dam wall, 5 more down river. The Mayan Achi village of Rio Negro suffered the most repression due to their opposition to being illegally and forcibly evicted from their riverside community and lands.

**This Banner: "Survivors from Rio Negro / Pacux Are Present!"**

- On March 4, 1980, 7 villagers were massacred by Chixoy Dam private security guards.
- On June 10, 1981, 2 Rio Negro community leaders were kidnapped and killed in Pueblo Viejo [where the Dam wall was being constructed].
- On February 13, 1982, 73 Rio Negro villagers were massacred in the village of Xococ by government forces.
- On March 13, 1982, 70 women and 107 children were massacred in Rio Negro.
- On May 14, 1982, 80 women and men, boys and girls were forcibly taken from Los Encuentros in military helicopters to the Coban military base where they were disappeared.
- On September 14, 1982, 91 campesinos were killed and burnt in the hamlet of Agua Fria by soldiers and civil defense patrollers.
- The largest and most marvelous dam in Guatemala is the most violent, costing the lives of 444 villagers from Rio Negro.



Bruna Perez Osorio survived the March 13 massacre of 177 children and women. After they had been forced marched by soldiers and civil defense patrollers up the mountain from the Rio Negro village on the edge of the Chixoy River, and were gathered in the spot known as Pacoxom where the 177 were savagely massacred, Bruna escaped from the group and fled down the steep mountainside, through thorns and bushes, under a hail of bullets from the soldiers. She miraculously and courageously survived. Hers is one of the most powerful testimonies being used in multiple lawsuits in Guatemalan and international courts against the former military leaders.

Here in the stadium to hear the words of the President, Bruna is proud of their 32 year struggle for truth and memory, justice and reparations, she is beyond tired and worn out with the endemic poverty, landlessness and hopelessness of the massacre survivors

living in Pacux, and she is wary of the struggle that lies ahead to ensure actual implementation of the law. She hopes that if the government actually complies with the law, she will be able to move back to Rio Negro, away from the entrenched poverty, landlessness, violence and desperation of Pacux.



Finally, President Perez Molina signs copies of the law into legally binding force.



### **World Bank And Inter-American Development Bank Nowhere To Be Seen**

Even as the Guatemalan government now begins to stop doing the wrong thing, the investment banks that financed, implemented and profited from the Chixoy Dam project – the World Bank and IADB (Inter-American Development Bank) - maintain that they complied with the terms of the Chixoy Dam project (in which they invested almost \$1 billion in from 1975-1985) and that they have no outstanding commitments! Their brazen denials are testament to their immunity from accountability that the major investor nations (United States, Japan, western European countries, Canada, etc.) have given them.

Going forward, there will be on-going efforts to pressure the World Bank and IADB to:

- enable fully impartial and public investigations into what they knew and when, of the massacres and other killings, and illegal evictions that their Chixoy Dam project caused;
- fully and publicly acknowledge their co-responsibility, along with the Guatemalan government, for the violations and harms; and
- pay (in direct funds, not loans) their share (one-third each ?) of the Reparations costs.

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This is a precedent setting and monumental achievement after a 20 year struggle spear-headed by the Chixoy Dam victims themselves, particularly by surviving victims of the Rio Negro/ Chixoy Dam massacres.

This struggle for truth, justice and reparations began with the exhumation of the Rio Negro mass grave in 1993, carried out by the EAFG (precursor to the FAFG), and carried forward from there. In 2004, the first 10 years of struggle coalesced into the formation of COCAHICH, the Coordinator of Communities Harmed by the Chixoy Dam, that led the negotiation process for the next 10 years until the Reparations Plan became law on November 8, 2014.

Like Bruna, none of the victims and reparations advocates believe the struggle is over. Though they finally have this reparations law in place, that current and future governments are obliged to comply with, everyone knows that ensuring the implementation of the law, starting in 2015, will present another series of obstacles, lies, deceptions, and even cases of repression.

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### **For more information:**

about this 20 year struggle; about how to pressure the World Bank and IADB to acknowledge their co-responsibility for the violations and harms and to pay for part of the \$154 million; and, about how to support COCAHICH and the Chixoy Dam harmed communities as they work to ensure implementation of the law, contact:

- COCAHICH, Juan de Dios Garcia, [info@adivima.org.gt](mailto:info@adivima.org.gt); Carlos Chen, [chenosorio.carlos@gmail.com](mailto:chenosorio.carlos@gmail.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>