

Indigenous leaders targeted for repression in Guatemala, as President Morales and high-level officials defy law

<https://mailchi.mp/rightsaction/indigenous-leaders-targeted-for-repression-in-guatemala>

- Article by Sandra Cuffe, Earth Island Journal

*Why will U.S. and Cdn gov'ts & media NOT address
how "international community" helps create & perpetuate these conditions?*

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10s of 1000s of Guatemalans flee every year in refugee caravans or alone as the “international community” –U.S., Canada, European Community, World Bank, IADB, global companies and investors– maintain full relations with corrupt, repressive government in power

Indigenous Leaders at Risk Amid Guatemalan Political Crisis

What is already a bad situation for land defenders and human rights activists could be getting worse

Sandra Cuffe, EarthIsland Journal, November 21, 2018

<http://www.earthisland.org/journal/index.php/articles/entry/indigenous-leaders-at-risk-amid-guatemalan-political-crisis>

Cristóbal Pop was on his way to a meeting when he was attacked. The president of the Small-scale Fishers Guild of El Estor in Guatemala, he and other Maya Q'eqchi' residents had scheduled the August 21 meeting to discuss the criminal charges and arrest warrants local fishermen face as they struggle to address Lake Izabal pollution they link to nickel mining activities. Guild vice president Eduardo Bin has been in jail since June, and hearings for Pop and others who have been charged in connection to their political organizing have been repeatedly postponed since February.



El Estor residents attend the May 2017 burial of Carlos Maaz, an Indigenous Maya Q'eqchi' fisherman shot and killed by police as they broke up a protest against mining pollution in eastern Guatemala. Photo by Sandra Cuffe.

All of a sudden, a grey truck carrying six men in civilian clothing stopped the vehicle in which Pop and others were traveling. Two armed men got out and ordered Pop to get into their truck. “One of them aimed his weapon at me and I said they had no right,” Pop told Earth Island Journal. Pop refused to get out, and when he and his uncle began raising alarm and drawing public attention to what was happening, the armed men struck them in the face and then left.

“The criminalization and persecution are cause for concern,” said Pop. Two other fishers guild members have since also been attacked.

More than 20 human rights activists and social movement leaders have been killed so far this year in Guatemala, and more than half of them were Indigenous leaders organizing to protect community and regional lands and natural resources. Guatemala is already well on track to become the country with the highest per capita rate of killings of environmental and land defenders this year.

What is already a bad situation for Indigenous leaders in Guatemala could be getting worse. Ten days after Pop’s experience, Guatemalan president Jimmy Morales announced steps to shut down a UN-backed anti-impunity commission — the International Commission Against Impunity in Guatemala (CICIG) — that has played a key role in the arrests and prosecution of high-level officials for corruption. The decision seemed to stem from the commission’s investigation of his own potentially illicit campaign financing. He then barred the head commissioner Iván Velásquez from re-entering the country, sparking political instability, protests, and court challenges, all of which continue.

Indigenous leaders and human rights activists worry the resulting political crisis is sowing the seeds for increased and more generalized repression across the country, and that it could place activists and

community leaders across the country further at risk. The political crisis is a setback for recent advances in upholding the rule of law in Guatemala, which have been due in no small part to the establishment of the anti-impunity commission that is now under attack. As checks and balances on power are eroded, so too are the institutions that would hold perpetrators accountable for attacks on Indigenous leaders, land-defenders, and community activists.

Under Velásquez' leadership, CICIG has played a key role in investigating high-level corruption and assisting the Office of the Public Prosecutor to bring cases forward against government officials, lawyers, judges, and business executives. Together they brought down a sitting president, Otto Pérez Molina, in 2015, along with his vice president and much of his administration.

Current president Morales campaigned on an anti-corruption platform and promised to renew CICIG's mandate throughout his administration. After he took office, however, he, his brother, his son, and his party all came under investigation for corruption. In the case of President Morales, the investigation revolves around allegations of illegal campaign financing during his successful 2015 run for office. After the investigation into Morales began, he tried to take action against CICIG commissioner Velásquez, declaring him *persona non grata*. The country's Constitutional Court, the highest authority on all constitutional matters, quickly reversed the declaration. After Morales' new attempt to ban Velásquez this year, the court once again declared the move unconstitutional and ordered the government to refrain from any further actions or statements against Velásquez.

Morales and most, but not all, high-level executive branch officials are openly defying the Constitutional Court and the agreement with the UN that created the CICIG, which also gives the UN the unilateral right to appoint the commissioner. The president's break with constitutional order and rule of law has plunged the country into an ongoing political crisis, sparking all kinds of legal challenges, protests, and uncertainty.

CICIG and Velásquez have the support of approximately 70 percent of Guatemala's population, [according to polls](#), which have revealed higher levels of public support for CICIG and its commissioner than for any Guatemalan politician or institution. There is overwhelmingly strong support for the commission in majority Indigenous areas of the country.

Traditional Indigenous authorities have been united in their vocal rejections of Morales and their calls for CICIG and Velásquez to remain in the country and to ramp up their activities outside of the capital, to address local and regional networks of corruption operating in Indigenous territories and threatening Indigenous rights.



A protester holds a sign proclaiming zero tolerance for corruption outside the National Palace gates in Guatemala City on September 1, 2018, the day after President Jimmy Morales announced he would not renew the mandate of an international anti-impunity commission.. Photo by Sandra Cuffe.

There is a bit of a dichotomy going on within the Office of the Public Prosecutor, according to Maya Qanjobal leader Rigoberto Juárez. On the one hand, prosecutors from the Office of the Special Prosecutor Against Impunity are working closely and effectively with CICIG to bring down high-level corrupt officials. Prosecutors have also been bringing cases to court to seek justice for genocide and other atrocities committed by state armed forces against Indigenous Maya civilians during the 1960-1996 armed conflict in Guatemala.

But on the other hand, the Office of the Public Prosecutor has been advancing the increasing criminalization of Indigenous leaders, activists, and community members, said Juárez. He would know. A representative of the Qanjobal, Chuj, Akateka, Popti, and Mestizo Plurinational Government, Juárez was arrested in 2015 and jailed for more than a year for his role in community struggles against hydroelectric dams in the northern area of the Huehuetenango department.

“In this country, it would appear there are two Offices of the Public Prosecutor,” Juárez told Earth Island Journal. One advances the prosecution of corruption and crimes against humanity, and the other targets Indigenous leaders and community members for defending their lands, territories, and resources while many corrupt corporate executives go free, he said, adding: “The justice system operates for corporations.”

United Nations Special Rapporteur on the rights of Indigenous peoples Victoria Tauli-Corpuz says that the fact more than half of the country’s population is Indigenous is a major factor in the high level of killings and criminalization of indigenous leaders, but it is not the only thing at play.

“There’s a very high level of discrimination,” Corpuz said. Government institutions that are supposed to address racism and other systemic issues are under-resourced or even non-existent. “There is no body in government that addresses displacement” she added. Displacement in Guatemala is often related to mega-projects, land conflicts, and organized crime.

During a May visit to Guatemala, Tauli-Corpuz visited five departments around the country, meeting with communities, organizations, and government officials. She found many of the same patterns and causes of criminalization, attacks, and killings of Indigenous people and activists in Guatemala as elsewhere in the world. Struggles for lands, natural resources, and territories are often at the heart of conflicts that result in violence by state and other actors.

“The failure to ensure land rights constitutes the core underlying cause for violation of Indigenous peoples’ rights,” Tauli-Corpuz wrote in an August 2018 report focusing on the criminalization of Indigenous peoples worldwide.

The impacts of this discrimination and criminalization are felt collectively, Tauli-Corpuz said. The loss of a community leader to violence or jail has a direct impact on their family, and even more so if they were the primary breadwinner. The resulting need for economic and social support are often shared by the community. But another key collective impact is fear, which can affect communities’ abilities to continue resisting injustices. “I have seen this in Guatemala,” Tauli-Corpuz said.

Lolita Chávez has been living it. An outspoken member of the Kiche Peoples’ Council in the western highlands of Guatemala, Chávez is unable to go home. Due to her role in the defense of Indigenous Maya Kiche community lands, forests, and women’s rights, she has been the target of frequent threats, defamation campaigns, and intimidation, especially from men with links to logging companies and state security forces. She has also been a subject of more than two dozen criminal complaints and investigations, and may face arrest or worse if she returns to her territory.

“Due to the defense of the territories and to our position with a way of life that is completely different to that of the neoliberal model imposed primarily by transnational companies, we have been in conflict over territorial disputes,” Chávez told Earth Island Journal. “The territorial dispute is focused mainly on the transnational companies that are illicitly profiting from the water, the land, and the natural resources — especially the minerals — in our territories. So we rise up in opposition. Of course, as a result, they come and attack entire communities that defend territory, ancestral authorities, and rights defenders.”

Indigenous community leaders have long been targeted in Guatemala, but in many cases now, judges issue mass arrest warrants for community members as well. Legal reforms over the past several years have enabled the further criminalization of Indigenous leaders and their communities, threatening them with more serious charges and stiffer potential jail sentences.

“In the majority of territories, the justice system has become an entity that defends the interests of the oligarchy and transnational corporations,” said Chávez. As the political crisis shows no signs of receding in Guatemala City, Chávez and others fear that things could get worse for them before they get better. But they hope a robust CCIG can be restored, and that the Office of the Public Prosecutor will turn its attention to investigating the networks and companies behind attacks on Indigenous leaders rather than prosecuting them for their efforts to defend their lands.

[Sandra Cuffe is a freelance journalist based in Central America. You can find her on twitter at [@sandra_cuffe](https://twitter.com/sandra_cuffe).]

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