

PUBLIC

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UA 48/03 Fear for safety and death threats

18 February 2003

GUATEMALA Manuel de Jesus García (m),]
Roberto Mendez (m),] CUC members from Lanquín, Morales,
Gregorio Vasquez (m),] Izabal Department

Members of CUC from San Basilio, Rio Bravo, Suchitepéquez Department

In the past two weeks, the Guatemalan peasant farmers' association, *Comité de Unidad Campesina*, (CUC), Committee for Peasant Unity, has reported renewed threats and intimidation directed against its members in two areas of the Guatemalan countryside that have already seen a wave of abuses against CUC members.

On 4 February, an attack was made on the life of CUC member Manuel de Jesús Garcia from the community of Lanquin, Morales, Izabal. However, he managed to disarm his assailant and hand the gun and its cartridge chamber of 12 shells over to the local National Civil Police. The gun was registered in the name of a local landowner known to have employed paramilitaries to attack peasant workers from the Lanquin estate in March 2002. During that incident, which took place in full view of the police, CUC member Jose Benjamín Perez Gonzales was killed (see UA 90/02, AMR 34/020/2002).

On 9 February, just days after he survived the armed attack on him, Manuel de Jesús Garcia and two other CUC members from Lanquin, Roberto Mendez and Gregorio Vasquez, were reportedly threatened by the landowner and his brother. They allegedly told the peasants they had 15 days in which to return the gun (which is now being held by the police), or they would be killed.

On 13 February, in another incident directed at CUC members, three carloads of National Civil Police, accompanied by high ranking military, arrived at the San Basilio farming estate (*finca*) in Rio Bravo, Suchitepequez Department. They allegedly threatened CUC members there with death if they didn't abandon their efforts to obtain land in the area. The army claims that it retains the right to nationally owned lands on the San Basilio estate. The military had been allowed to occupy the lands in the course of Guatemala's long-term civil conflict, but under the 1996 Peace Accords which ended the conflict, the lands were to have been made available for peasants to purchase. Over the past two years, the army and the administrator of the estate have been regularly intimidating and threatening peasants, including CUC members, trying to get them to abandon their efforts to purchase San Basilio lands.

BACKGROUND INFORMATION

These latest reports of threats and abuses directed at members of CUC come in the wake of a wave intimidation, threats and abuses, including apparent extrajudicial executions, directed at members of the organization over the past several years (see for example UA 315, AMR 34/43/00 and follow-ups; UA 265/01, AMR 34/038/2001; UA 200/02, AMR 34/041/2002; UA 205/02, AMR 34/042/02). CUC appears to have been targeted in retaliation for its role in organising peasant farmers to claim or retain lands which they believe are theirs by law, and for pressing for the implementation of the land rights components of the United Nations (UN) - sponsored 1996 Peace Accords. Despite repeated denunciations by CUC of these abuses, and the evidence it has gathered and made available to the authorities which it believes clearly identifies the perpetrators, there appears to have been no genuine effort to investigate the reported threats and attacks in order to bring those responsible to justice.

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in Spanish or your own language:

- expressing grave concern at the series of abuses directed at members of CUC in the past several years, including these latest incidents against Manuel de Jesus Garcia, Roberto Mendez, Gregorio Vasquez from

Lanquin, Morales, Izabal Department and the members of CUC from San Basilio, Rio Bravo, Suchitepequez Department;

- calling on the authorities to investigate all of the reported abuses including these two latest incidents and bring those responsible to justice;
- urging that immediate measures be taken to ensure the security of all members of CUC and other land activists that have been threatened or intimidated;
- calling on the government to move speedily to resolve the outstanding land disputes that have given rise to the series of abuses directed at CUC activists in recent years, including these latest incidents;
- urging the government to implement the land-related aspects of the 1996 Peace Accords as a necessary step towards eliminating the tensions that have led to so many abuses against peasant farmers and their leaders in recent years in Guatemala;
- reminding the authorities that under the 1996 Accord on Socio-economic and Agrarian Issues, the government is to "develop an integrated strategy in rural areas that will facilitate the access of peasant farmers to the land and other productive resources, offer judicial redress and promote the resolution of conflicts." (*"Que en el área rural es necesaria una estrategia integral que facilite el acceso de los campesinos a la tierra y otros recursos productivos, que brinde seguridad jurídica y que favorezca la resolución de conflictos."*)

APPEALS TO:

Minister of the Interior

Lic. Adolfo Reyes Calderón
Ministro de Gobernación,
Ministerio de Gobernación,
60 Avenida 4-64, Zona 4
Ciudad de Guatemala, Guatemala

Telegram: Ministro de Gobernación, Ciudad de Guatemala, Guatemala

Fax: +502 362 0237

Salutation: Dear Minister, Señor Ministro

Minister of Agriculture, Livestock & Nutrition

Lic. Edin Barrientos, Ministro de Agricultura Ganadería y Alimentación
Ministerio de Agricultura Ganadería y Alimentación
Edificio Monja Blanca, 70 Avenida 12-90 Zona 13
Ciudad de Guatemala, Guatemala

Telegram: Ministro de Agricultura, Ganadería y Alimentación, Ciudad de Guatemala, Guatemala

Fax: + 502 332 8302

Salutation: Dear Minister/Señor Ministro

Director of Land Trust Fund

Lic. Manuel de Jesús Godines
Gerente General,
Fondo de Tierras
7 Avenida 8-92, Zona 9,
Guatemala City, Guatemala

Telegram: Director, FONTIERRAS, Ciudad de Guatemala, Guatemala

Fax: + 502 334 6373/334 6376/334 2422 (if a voice answers please say, "fax por favor")

Salutation: Dear Director/Señor Director

COPIES TO:

Peasant Farmers Association

Comité de Unidad Campesina (CUC)
31 Avenida A 14-46 Zona 7,
Ciudad de Plata II Guatemala, Guatemala

Fax: + 502 434 9754 (if a voice answers please say, "fax por favor")

and to diplomatic representatives of Guatemala accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 31 March 2003.