

PUBLIC

AI Index: AMR 34/014/2006

21 April 2006

UA 101/06 Forced eviction/starvation/health concern

GUATEMALA **Approximately 400 members of the San José La Mocá farm community**

Approximately 400 indigenous peasants living and working on the San José La Mocá coffee farm, in the municipality of Senahú, Department of Alta Verapaz, were forcibly evicted on 6 April, and are living in the open by the side of a nearby road. They have no access to clean water, food or shelter.

On the morning of 6 April approximately 200 police officers and 80 soldiers arrived to carry out the eviction. There was dialogue and negotiations with the community until around midday when the community were escorted from the property. There was no violence.

The only source of water is reportedly contaminated and many are becoming ill and developing skin conditions. Very few of them have received medical attention; a local NGO took 15 people to hospital during the weekend of 8-9 April, and managed to supply them with a small amount of bottled water. The community has also been cut off from their sources of food as they no longer have access to land where they grew vegetables: some are reportedly beginning to show signs of malnutrition.

These farm workers are among 800 families who have been living on the farm all their lives. They have been in a labour dispute with the farm owners since 2002, when most of the workers were dismissed when world coffee prices collapsed. They had been living by a river on the farm, where they also had some land allocated for their own farming. This land was flooded during Hurricane Stan in October 2005 and their homes and crops were destroyed.

In November 2005 the farm owners apparently offered ownership of some land in lieu of money they owed to some of the workers, without specifying how much land each family would receive, or where it would be. The community occupied a central part of the farm to protest and pressure the farm owners into resolving the labour dispute. They were then accused of seizing the land illegally by the farm owners and forcibly evicted on 1 February. They resisted, and the security forces beat some of them, and used tear gas. The temporary shelters they had built were destroyed and set alight, along with their remaining belongings, including their new crops. The following day the families returned to the farm and set up new shelters.

Two days later four members of the community were shot and wounded by the farm's security guards when they tried to collect water. The four men went to hospital but soon went into hiding in fear that they would be arrested. Manuel Federico Cu Bol, who was shot in the abdomen, has since gone back to hospital to have surgery. Gerardo Bol, Domingo Caal and Matias Chpe Tox also sustained bullet wounds. Some of the security guards were also apparently wounded in the incident.

Guatemala is a party to the International Covenant on Economic, Social and Cultural Rights (ICESCR), and is therefore obliged to ensure that "evictions should not result in individuals being rendered homeless or vulnerable to the violation of other human rights".

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

- expressing concern that 400 people have been evicted from the San José La Mocá farm, in the Department of Alta Verapaz;

- urging the authorities to immediately provide the evicted families with suitable and safe accommodation until such time as their dispute with the farm's owners is resolved, as well as food, water and access to medical attention;
- reminding the authorities that as a party to the ICESCR they are obliged to ensure the wellbeing and safety of anyone evicted from their place of residence;
- urging the authorities to ensure just and fair resolution of the labour dispute between the community of San Jose la Moca and the farm owners, with the results made public;
- urging the authorities to carry out and impartial and thorough investigation into the shooting incident of 3 February, with the results made public and those responsible brought to justice.

APPEALS TO:

Minister of Agriculture

Ministro de Agricultura, Ganadería y Alimentación

Ing. Alvaro Aguilar Prado

7ª Avenida 12'90, zona 13

Edificio Monja Blanca

Ciudad de Guatemala 01013

GUATEMALA

Fax: +502 2472 4302

Salutation: Dear Minister / Señor Ministro

President of the Republic of Guatemala

Presidente de la República de Guatemala.

Licenciado Oscar Berger Perdomo

Casa Presidencial, 6 a. Avenida, 4-41 zona 1

Ciudad de Guatemala

GUATEMALA

Fax: +502 2239 0090

Salutation: Excelentísimo Sr. Presidente / Dear President Berger

COPIES TO:

Office for land issues of the local church

Pastoral Social

1a Avenida, Convenio Santo Domingo

zona 1, Cobán

Alta Verapaz

GUATEMALA

Fax: +502 7951 2914

Email: pastoralsoc@itelqua.com

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 2 June 2006.