

PUBLIC

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03 July 2008

UA 192/08 Fear for safety/Death threats

GUATEMALA **Rafael González (m), peasant rights activist**
María Martín Domingo (f), member of the Semaú community
Fabiana Ortiz Sales (f), member of the Semaú community
Other members of the Semaú peasant community

Peasant rights activist Rafael González was threatened with death at a demonstration he was helping to organise against a company occupying land that a local peasant community believes is vacant. Two women from the community, María Martín Domingo and Fabiana Ortiz Sales, were briefly held prisoner by company security guards after they fired shots to disperse the crowd.

Early in the morning of 1 July Rafael González joined members of the Semaú community gathering on the outskirts of the neighbouring village of Telemán, in the northern department of Alta Verapaz. They were preparing for a demonstration against a local company because their security guards had blocked the community's attempt to occupy part of the farm rented by the company.

At around 9am two men working for the company, and security guards, came to the gathering. One of the men went up to Rafael González and told him: "So here you are, you son of a bitch, now you're going to die." (*Aquí estás, hijo de puta, ahora te vas a morir*). Rafael González immediately sought refuge in the house of a local family.

Moments later the private security guards started firing their semi-automatic fire arms in the air to intimidate the demonstrators, who scattered immediately. They seized María Martín Domingo and Fabiana Ortiz Sales, and took them to a private house. The guards menaced and questioned the women for around three hours, after which the police freed them, acting on the orders of the human rights ombudsman and a local judge.

The Semaú indigenous community is made up of about 60 families. They say that the land available to them is not large enough for them to grow their own food. On 30 June company security guards stopped them from occupying a piece of land that the community claims is vacant, but the company claims to be occupying legitimately.

BACKGROUND INFORMATION

Rafael González runs the umbrella organization of Guatemalan peasant groups, the National Peasant Organizations Coordinating Body (*Coordinadora Nacional de Organizaciones Campesinas*, CNOC). He is also Deputy Coordinator of the Committee of Peasant Unity (*Comité de Unidad Campesina*, CUC).

The CNOC and the CUC work to promote labour rights in the countryside, the land rights of indigenous communities and agrarian reform. They also help peasant communities, mainly indigenous people, facing forced eviction.

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

- expressing concern for the safety of the Semaú peasant community, two of whom were briefly abducted on 1 July;

- urging the authorities to take immediate and effective measures to guarantee the safety of María Martín Domingo, Fabiana Ortiz Sales and the rest of the Semaú peasant community, and also Rafael González, Coordinator of the National Peasant Organizations Coordinating Body (*Coordinadora Nacional de Organizaciones Campesinas*), in accordance with their wishes;
- calling on the authorities to carry out a swift, impartial and full investigation into the death threat, intimidation and illegal detention that took place on 1 July, publish the results and bring those responsible to justice;
- reminding the authorities that human rights defenders have the right to carry out their activities without any restrictions or fear of reprisals, as set out in the UN Declaration on the Rights and Responsibilities of Individuals, Groups and Institutions to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms.

APPEALS TO:

Acting Minister of the Interior

Sr. Angel Rodríguez Tello
Ministro de Gobernación en funciones
6ª Avenida 13-71, Zona 1,
Ciudad de Guatemala, GUATEMALA

Fax: +502 2413 8546

Salutation: Dear Minister/Estimado Sr. Ministro

Attorney General and Head of the Public Prosecutor's Office

Lic. Juan Luis Florido
Fiscal General de la República y Jefe del Ministerio Público
8ª Avenida 10-67, Zona 1, Antiguo Edificio del Banco de los Trabajadores,
Ciudad de Guatemala, GUATEMALA

Fax: +502 2411 9124

+502 2411 9326

Salutation: Dear Attorney General/Estimado Sr. Fiscal General

Secretary for Agrarian Affairs

Ing. Alfonso de León
Secretario de Asuntos Agrarios
12 avenida 19-48, Zona 1
Ciudad de Guatemala, GUATEMALA

Fax: +502 2285 2938

Salutation: Dear Secretary/Estimado Sr. Secretario

COPIES TO:

Comité de Unidad Campesina (CUC)
c/o Daniel Pascual
31 avenida "A" 14-46, Zona 7
Ciudad de Guatemala, GUATEMALA

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 14 August 2008.