

PUBLIC

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Fear for safety/Possible extrajudicial executions

GUATEMALA

Edwin Juan Colindres (m), local leader of the *Comité de Unidad Campesina* (CUC), Committee for Peasant Unity
Other members of the CUC

Killed:	Edi López Oiliva (m)] CUC members
	Santiago Soto (m)]

Edwin Juan Colindres, a leader of the peasant organization, the *Comité de Unidad Campesina* (CUC), Committee for Peasant Unity, is among a number of CUC members in Izabal department who have reportedly been intimidated by paramilitaries. Two other CUC members in the department have recently been killed. Amnesty International is concerned for the safety of all CUC members in the Morales area of Izabal department.

The intimidation of Edwin Juan Colindres and the deaths of peasant farmers and CUC members Edi López Oiliva and Santiago Soto appear to be the latest in a series of incidents related to land disputes in the department. Paramilitaries have threatened, intimidated and lethally attacked CUC members involved in land disputes, and those who witness these attacks. It is believed the paramilitaries may be employed by local cattle-owners wanting to take land from CUC members.

Edwin Juan Colindres, a local CUC leader in the community of Los Andes, near Morales in Izabal department, is among a group of peasants involved a land dispute with a local land-owning company. The Los Andes peasant community won the ownership of disputed national lands via a government adjudication process, but since the decision, heavily armed men who had been occupying the land, allegedly at the behest of the land-owning company, have refused to vacate it and have been joined by other apparent paramilitary agents. Edwin Juan Colindres' home is reportedly being watched by these men.

Edi López Oiliva, a farmer from the Lanquín II community in Morales, where the community is also involved in a long-standing land dispute, this time with local cattle-owners, died of gun-shot and machete wounds inflicted by unknown assailants on the evening of 21 April. Another farmer from the same community, Santiago Soto, was killed by unidentified individuals in the same way on 4 May, as he travelled from the Arapao Nuevo community in Morales to the nearby community of Cebol. The CUC has reported the killings of Edi López Oiliva and Santiago Soto to the Attorney General's offices in Guatemala City and Puerto Barrios, but Amnesty International has not yet received any indication that there will be an official investigation. This brings to five the number of local CUC members apparently extrajudicially executed in the last year. The Guatemalan Attorney General's office and the National Civil Police from Puerto Barrios, the capital of Izabal, had previously undertaken to ensure protection for the Lanquín II community, but no protection was given. According to eyewitnesses, previous paramilitary killings of Lanquín II community members were actually carried out within full view of the National Civil Police (see UA 90/02, AMR 34/020/2002, 25 March 2002). This suggests that the police may either be complicit in the string of abuses and killings of CUC members in the Morales area, or may themselves be in the pay of local landowners, and leads Amnesty International to believe that the killings may therefore be extrajudicial executions.

BACKGROUND INFORMATION

CUC members appear to be targeted by paramilitaries because of the organization's role in organizing peasant farmers to claim or retain lands which they believe are theirs by law. The group has also pressed for implementation of the land rights components of Guatemala's 1996 United Nations (UN)-brokered Peace

Accords. Peasants in Lanquín II have been particularly targeted in the context of an ongoing dispute between local cattle ranchers and the community. The dispute arose when, in the wake of the destruction wrought by Hurricane Mitch in 1998, BANDEGUA, the Guatemalan subsidiary of multinational fruit producer Del Monte Fresh Produce, decided that rather than sustain rebuilding costs, it would instead sell off its Lanquín lands to local cattle ranchers, and pay them to grow and package bananas (see UA 90/02, AMR 34/020/2002, 25 March 2002). Local peasants who had lived on and worked on the Lanquín II estate for many years refused to leave on the grounds that they have the right to continue to cultivate these lands under an earlier collective agreement reached with BANDEGUA by their union.

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

- expressing grave concern for the safety of CUC member Edwin Juan Colindres, who is reportedly being intimidated by heavily armed men occupying community land in Los Andes, and at reports that CUC members Edi López Oliva and Santiago Soto may have been extrajudicially executed;
- calling on the authorities to investigate all reported attacks on and intimidation of CUC members, to make the results of the investigation public and to bring those responsible to justice;
- urging that immediate measures, including the promised police patrols of Lanquín II lands, be undertaken to ensure the security of all CUC members and other threatened land activists;
- pressing the government to move speedily to resolve the outstanding land disputes that have given rise to the abuses directed at CUC activists in recent years including these incidents, and to implement the agreed award of national lands to the Los Andes, Morales community;
- 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 government that it is committed under the 1996 Accord on Socio-economic and Agrarian Issues 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.”

APPEALS TO:

Attorney General

Lic. Carlos David de León Argueta,
Fiscal General de la República, Fiscalía General distierio Público, 8a. Avenida 10-67 Tercer Nivel Zona 1,
Ciudad de Guatemala, GUATEMALA

Fax: + 502 221 2718

Salutation: Dear Attorney General/ Señor Fiscal General

Minister of Agriculture, Livestock and Nutrition

Lic. (Ingeniero Agrónomo) Carlos Sett Oliva,
Ministro de Agricultura, Ganadería y Alimentación
Edificio Monja Blanca, 7ª Avenida 12-90 Zona 13, Guatemala, GUATEMALA

Fax: + 502 332 8302

Salutation: Dear Minister/ Señor Ministro

Director of Land Trust

Lic. Manuel de Jesús Godines, Director del Fondo de Tierras
7 Avenida 8-92 Zona 9, Ciudad de Guatemala, GUATEMALA

Fax: + 502 334 6373/ 334 6376/ 334 2422 (if someone 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 / 9500 (if someone answers, please say “fax por favor”).

Departmental Auxiliary Human Rights Procurator

Waldemar Barrera Trinidad

Procuraduría de los Derechos Humanos, Departamento de Izabal, 4a Avenida 11 Calle Esquina, Puerto Barrios, Izabal, GUATEMALA

Fax: + 502 948 0028 (If someone 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 25 June 2003.