

URGENT ACTION

INDIGENOUS FARMER KILLED OVER LAND DISPUTE

On 21 May, Indigenous farmer, Oscar Reyes, was killed, and three other farm workers were injured, while tending crops in the Valle del Polochic, in Panzos, north-eastern Guatemala. In March, local indigenous communities were evicted from the land, over which a local company claims ownership. They are at grave risk of being attacked for continuing to cultivate the land.

On the morning of 21 May 2011, 35 – 40 members of local Indigenous Q'eqchi communities were cultivating land that they claim to own through a co-operative, the Actela R.L. Cooperative of the Samilha-Canlún I village in Panzos. At around 9:45 AM, they noticed three tractors from the Chabil Utzaj sugar refinery, a local company which also claims to own the land. The members of the Indigenous community approached the tractors and encountered 18 security guards and their leader, appointed by the sugar refinery. When the farmers asked the men what they were doing, they were allegedly told that the security guards were digging a hole in which to bury the Indigenous farmers.

Following this exchange, the person leading the security guards working for the refinery reportedly ordered the guards to fire their rifles at the farmers. **Oscar Reyes**, a farmer, was shot in the stomach at close range. Some shotgun pellets also hit him in the leg, damaging the femoral vein and causing him to die from loss of blood. **Miguel Choc Cucul, Marcelino Ical Cub** and **Arnoldo Caal Rax** also suffered wounds from the gunfire.

The members of the Q'eqchi communities claim to have cultivated the disputed land for many years, but a local judge issued an eviction order in February this year, and 12 communities were forcibly evicted between 15 and 19 March 2011. The community members were not provided with alternative accommodation and the evictions were carried out in a way that left the community members vulnerable to other human rights violations, in particular, their right to food. The community members of the Valle del Polochic continue to be at risk of attacks as they rely on cultivating the disputed lands for their survival, and continue to harvest crops there.

PLEASE WRITE IMMEDIATELY in Spanish or your own language:

- Urging that the authorities provide protection for all community members in the Valle del Polochic, in strict accordance with their wishes.
- Demanding that the authorities take the necessary steps to guarantee that people who have been forcibly evicted have access to adequate food, clothing and housing, and that no evictions take place without due process, adequate notice, consultation and without ensuring access to adequate alternative accommodation.
- Urging the authorities to carry out an impartial and thorough investigation into the death of Oscar Reyes and the injuries suffered by Miguel Choc Cucul, Marcelino Ical Cub and Arnoldo Caal Rax, with the results made public and those responsible brought to justice.
- Urging the authorities to ensure that they adhere to the law that regulates private security companies.

PLEASE SEND APPEALS BEFORE 13 JULY 2011 TO:

Minister of the Interior

Lic. Carlos Menocal
Ministerio de Gobernación
6ª Avenida 13-71, Zona 1,
Ciudad de Guatemala,
GUATEMALA

Fax: +502 2413 8658

Salutation: Dear Minister/Estimado Sr.Ministro

Secretary of Agricultural Affairs

Lic. Sergio Iván Contreras de León,
Secretaría de Asuntos Agrarios,
Presidencia de la República, 5ta
Avenida 8 – 50 Zona 9, Ciudad de
Guatemala, GUATEMALA.

Fax +502 2312 1205

Salutation: Dear Secretary/Estimado Sr. Secretario

And copies to:

National Indigenous NGO

Coordinadora Nacional Indígena y
Campesina (CONIC),
6ª Calle 0 – 40 Zona 1,
Apartado Postal 7B,
Sucursal El Trébol,
Ciudad de Guatemala,
GUATEMALA.

Fax +502 22511562

Also send copies to diplomatic representatives accredited to your country. Check with your section office if sending appeals after the above date.

**AMNESTY
INTERNATIONAL**



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ADDITIONAL INFORMATION

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". Under the same covenant, Guatemala is obliged to guarantee respect for "the right of everyone to an adequate standard of living for himself and his family, including adequate food".

On 15 March 2011, the police and the army forcibly evicted a farm called Miralvalle, following a failed mediation effort between the community and the authorities, regarding the possibility of harvesting some crops before leaving. According to some reports, the police and the army used teargas to carry out the eviction. Antonio Beb Ac, a member of the evicted community, was killed during the eviction and two people allegedly suffered from health complications because of teargas. On the same day, the authorities evicted a farm called Agua Caliente. On 16 March, the police and the army evicted a farm called Quinich and there are reports that the houses were set on fire. On 17 March, six further farms were evicted: Río Frío, Bellaflor, Ocho de Agosto, Los Recuerdos, Paraná, Santa Rosita. According to civil society reports, the Bellaflor and Ocho de Agosto communities were mistakenly evicted. On 18 March three further farms were evicted: El Sauce, Las Tinajas and Semau.

The law that regulates private security services (Ley que regula los servicios de seguridad privada) was passed in December 2010 and came into force three months later. It states that it is the responsibility of the state to regulate security services provided by private companies, the functioning of which must be in harmony with the Peace Accords and the broader concerns of public and citizen security.

UA: 157/11 Index: AMR 34/005/2011 Issue Date: 1 June 2011

