

AMNESTY INTERNATIONAL

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Guatemala: Killings must not go unpunished

Amnesty International calls on the Guatemalan authorities to thoroughly investigate the killings of two indigenous rural workers shot and killed in separate incidents in the last two weeks.

One rural worker was killed and two were injured on October 12 when an unidentified gunman who shot into to a crowd of indigenous rural workers in Guatemala City protesting against government agrarian policies, according to rights organizations.

That incident follows the killing of an indigenous man on 27 September which witnesses have alleged was carried out by security guards from the Guatemalan Nickel Company (CGN), a subsidiary of Canadian company HudBay Minerals Inc., after locals gathered to resist a possible forced eviction.

Witnesses and rights activists said the guards violently dispersed members of the local community in El Estor, in the Department of Izabal, in North-eastern Guatemala during the incident on 27 September.

According to witness statements, CGN security guards hacked at a local schoolteacher, Adolfo Ich Chamán, with a machete, and then shot and killed him.

Another seven people from the local community were reportedly wounded by shotgun fire in the violence.

HudBay Minerals Inc. has denied threatening or carrying out any forced evictions in the area and asserted that protestors attacked government vehicles, ransacked a local police station, stole weapons, attacked a CGN-sponsored hospital, and that members of its security forces were injured by protestors.

HudBay Minerals Inc. has also stated to Amnesty International that it does not believe CGN personnel were involved in the death of Adolfo Ich Chamán.

“The violence must be investigated and those responsible cannot go unpunished” said Javier Zúñiga, Special Advisor at Amnesty International.

Amnesty International wrote to the authorities urging them to investigate and identify all those responsible for violence that occurred in the context of a dispute in El Estor.

“The allegations are very serious, and amnesty International calls for a swift, full and impartial investigation into the death of Adolfo Ich Chamán and other incidents of violence, to make the results public and to bring those responsible to justice” said Javier Zúñiga.

Approximately 120 people (20 families) of Mayan Q'eqchi ethnicity live in the community of Las Nubes.

The community have been in dispute over the ownership of the land on which they live, for a number of years, with CGN.

Amnesty International has repeatedly urged the Guatemalan authorities to implement judicial, legislative and policy reforms aimed at eliminating a common pattern of injustice that appears to favour large landowners, often very wealthy, to the detriment of poor, overwhelmingly indigenous, rural workers.

Indigenous rural workers face ineffective avenues for resolution of labour disputes, a slow justice system and inaccessible and ineffective systems for resolution of land disputes.

The lack of access to legal redress is exacerbated by an absence of due diligence of the Public Prosecutor's Office and judicial authorities to thoroughly investigate criminal complaints that have the intended result of a forced eviction, and instead authorize evictions often after superficial consideration of the facts and context.

The major disparity between the access to legal counsel of landowners and marginalized rural worker communities has not been addressed by the state.

Public Document

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