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**Briefing note**  
**relating to the economic and social root causes of the violence in connection**  
**with the**  
**Alternative Report on Guatemala to the**  
**Committee Against Torture**

Preparing alternative reports is one of the primary activities of the World Organisation Against Torture (OMCT) and a vital source of information for United Nations Treaty Bodies including the Committee Against Torture.

The alternative report on Guatemala is submitted to the Committee Against Torture and was prepared by the Movimiento Nacional por los Derechos Humanos (MNDH), Casa Alianza, Instituto de Estudios Comparados en Ciencias Penales de Guatemala (ICCPG) and Oficina de Derechos Humanos del Arzobispado (ODHAG).

The present briefing note contains conclusions and recommendations drawn from the Alternative Report on Guatemala (21 April 2006) relating to the economic and social root causes of the violence in Guatemala today, including torture and cruel, inhuman and degrading treatment.

This note was prepared pursuant to the conclusions and recommendations of the study prepared by the OMCT entitled "*Poverty, inequality and violence: The Economic, social and cultural root causes of violence, including torture, a human rights perspective*" and the international conference "*Poverty, Inequality and Violence: is there a human rights response?*" organized by the World Organisation Against Torture (OMCT) Geneva, 4 to 6 October 2005 (see [http://www.omct.org/pdf/escr/2006/intl\\_conference2005/00\\_conference\\_documents\\_webpage\\_rev2.pdf](http://www.omct.org/pdf/escr/2006/intl_conference2005/00_conference_documents_webpage_rev2.pdf)).

### **Conclusions relating to the economic and social root causes of violence**

1. Conflict over ownership and use of land leads to violence as the majority of the population is excluded from the benefits of their work on the land. Violence is also involved in connection with the forceful eviction of farmers from their land and attacks on those who try to come to their assistance. Unemployment, the high cost of living and the clearly negative impact on living standards of several government policies clearly demonstrate the economic, social and cultural root causes of violence in Guatemala.
2. The situation today is the same as noted by the Committee in its previous conclusions relating to Guatemala “The Committee also takes note of the wide disparity in the distribution of the economic wealth in the country creating conditions that may tend towards confrontation between the law enforcement organs and those parts of the population which are at the lowest end of the economic and social scale.” (A/51/44, para. 51)
3. The victims of torture and cruel, inhuman and degrading treatment in Guatemala as evidenced by the sections of the report dealing with social cleansing, violence against young people, violence against women and violence against children are persons of low economic resources, low levels of schooling, of indigenous origins, unemployed or with precarious employment.
4. Attacks on human rights defenders in 2005 shifted from those defending access to justice and against impunity to the human rights defenders promoting economic, social and cultural rights.
5. The detailed information presented in this report clearly shows that there are many economic, social and cultural factors, including discrimination against the indigenous peoples in Guatemala, which are at the root of much of the violence in the country and which, in addition, are within the powers of the Government to address and ameliorate. Doing so would be an investment in reducing violence and an investment in the future for all people in the country.
6. The authors wish to refer to the concluding observations of the Committee on Economic, Social and Cultural Rights in relation to Guatemala’s Second Periodic Report (E/C.12/1/Add.93) of 12 December 2003 in which the Committee expressed concern at the insufficient progress made in implementing effectively the Peace Agreement of 1996, including the Agreement on Social and Economic Aspects and the Agrarian Situation which had led to persistent serious problems, such as violence at the national level (para.10). The Committee expressed its concern on a number of particular matters including, among others, discrimination against indigenous peoples, inequality between women and men, the high level of unemployment and the high level of poverty (paras. 11 – 27).
7. Many of the recommendations made by the Committee on Economic, Social and Cultural Rights are directly relevant to reducing the violence, including torture and cruel, inhuman and degrading treatment as described in the present report. Of particular importance is the Committee’s recommendation that the “State party intensify its programmes and activities to combat poverty and to improve the living conditions of the population of Guatemala, in particular of the marginalized and vulnerable groups, including indigenous peoples” (para.40). The Committee requested

the State party to provide in its next periodic report detailed information on the progress made in that regard; that report was requested for 2008.

### **Recommendations relating to Economic, Social and Cultural Rights**

1. The Committee against Torture may wish to explicitly recognize the link between the economic, social and cultural problems identified by the Committee on Economic, Social and Cultural Rights and the violence taking place in Guatemala and encourage the State party to effectively implement those recommendations as a central part of its actions against torture and cruel, inhuman and degrading treatment.
2. In addition, since the vast majority of the victims of violence, in particular victims of violence by state officials, can be identified in terms of their economic, social and cultural situations and in particular their place of residence, the Committee may wish to recommend to the State party that it undertake preventive measures to protect those groups by identifying the areas where persons are at risk of violence and establishing focussed programmes of economic development and poverty reduction, implement specific training and educational programmes for officials serving in those areas and establish a permanent monitoring function in those areas to ensure official compliance legal standards and good practices. These preventive measures may be taken in coordination with non-governmental organisations.
3. The Committee against Torture has been informed of many individual cases of violations of human rights falling within its mandate by non-governmental organizations in alternative reports. While those cases do not fall as such under the complaints procedure, the State party may wish to make available publicly information on the investigation and solution to those cases including the identification of those responsible, the sanctions taken and reparations made.

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