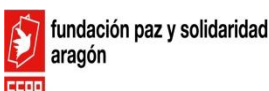


**Plataforma
Holandesa
contra la
impunidad**



VIOLENT RESPONSE TO INDIGENOUS MOBILIZATION IN GUATEMALA

On October 4, 2012, residents of Totonicapán, K'iche' citizens of Guatemala, shut down the Inter-American Highway to protest against a hike in electricity rates, a series of constitutional reforms that indigenous peoples were not consulted about and the threat of restrictions on access to education in rural areas through a proposed change to the teaching curriculum. The day ended with confrontation between the protesters and State security forces, leaving more than 40 peoples injured and Santos Hernández Menchú, José Eusebio Puac Baquix, Arturo Félix Sapón Yax, Jesús Baltasar Caxaj Puac, Jesús Francisco Puac Ordóñez, Rafael Nicolás Batz, Domingo Pascual Solís, and Jesús Domingo Caniz murdered. The mourning K'iche' people call for justice for these actions.

INTERNATIONAL PRESS RELEASE

We, the below signed networks, who are made up of organizations that defend and promote the respect and guarantee for the exercise of human rights in the world, express our profound concern for the actions that took place in Guatemala on October 4, when seven members of the indigenous K'iche' community lost their life as a consequence of the disproportionate response to their protests by State security forces who used firearms against the protesters.

The peaceful protest on the highway was organized as a way to support and give visibility to the dialogue that traditional indigenous authorities from the 48 communities of Totonicapán were trying to promote in the capital. That day, the indigenous authorities had traveled to Guatemala City, roughly 200 kilometers from their communities, to express their concern to the government for the increase in electricity rates affecting the people of their region, as well as their rejection to changes in the education system and constitutional changes related to rights of indigenous peoples who had not been previously consulted, as is defined by the international human rights standard.

Totonicapán, with a population of almost 500,000, is one of the departments of Guatemala with the highest indigenous population with Maya origin: the K'iche' people make up 97%¹. In this region of the country, high levels of poverty prevail. Five of its most populated municipalities (San Andrés Xecul, Momostenango, Santa María Chiquimula, Santa Lucía la Reforma and San Bartolo Aguas Calientes) have between 73 and 94% of the population living in conditions of poverty and between 21 and 55% in extreme poverty². At the same time, with Guatemala being one of the most violent countries in the Americas, Totonicapán is one of the departments where the least number of murders are committed (6 for every 100,000 inhabitants in 2011, while the national rate is 39 per 100,000³). Some analysts have explained that the low rates of violence in the region are linked to the levels of local cohesion that has been maintained thanks to the strength of their traditional indigenous organizing. This has been a key to the survival and to the peaceful co-existence of this group of people historically marginalized by the Guatemalan State.

¹ See: http://www.desarrollohumano.org.gt/fasciculos/cifras_v4.html

² Según datos oficiales de la Secretaría General de Planificación de la Presidencia de la República de Guatemala –Segeplan- en http://www.segeplan.gob.gt/downloads/IndicePobrezaGeneral_extremaXMunicipio.pdf, consultados el 6 de octubre de 2012.

³ Datos del Central American Business Intelligence, de febrero de 2012, publicados en <http://www.plazapublica.com.gt/sites/default/files/rankingdeptos2011b.pdf>, consultados el 6 de octubre de 2012.

The tragic events of October 4, which the K'iche' people of Totonicapán have mourned, were a direct result of the use of armed military as part of the public forces meant to "preserve order" during the protest, under the logic of criminalization of social protest; and as an indirect consequence of the lack of adequate spaces for dialogue and for channeling demands by excluded groups in Guatemala. In this case in particular, one of the latent triggers has been the lack of mechanisms for expression and participation of indigenous peoples in decisions on matters that affect them.

Those who have signed below do so in solidarity with the families of the victims and with the Maya K'iche' of Totonicapán. We manifest our rejection of violence and exclusion that have driven these serious human rights violations which shame the global community. We demand the following:

- 1) Truth: That the truth of what happened be investigated and shared and that the legitimate right to protest⁴ and that human rights of all Guatemalans be recognized.
- 2) Justice: That these violations against life and physical integrity of the victims are not left in impunity; for which an independent and impartial investigation will be required - observed by the Human Rights Ombudsman of Guatemala - that will identify and point to those who are criminally liable and which offer security guarantees for victims, witnesses, traditional indigenous authorities and those working in justice.
- 3) Reparations: That compensation and other means of comprehensive reparation be given to the families and K'iche' People of Totonicapán by the Guatemalan State.
- 4) Guarantee against repetition: We insist that the Guatemalan State avoid employing military personnel and the use of firearms in social protest; we urge the government to develop and promptly establish a genuine dialogue mechanism to address the demands of the K'iche' People and that in the meantime, all of the pertinent measure be taken for Guatemala to guarantee the application of and exercise of the rights recognized in ILO Convention 169 and in the UN Declaration of Rights of Indigenous Peoples.

The attentive and systematic international observation will be indispensable to achieve advances in this process; being of special relevance the role of diplomatic missions represented in the country that will participate in the Periodic Universal Review of Guatemala on October 24, the Office of the UN High Commissions for Human Rights and the Special Relators of the UN and Inter-American System, particularly those responsible for issues related to the protection and defense of human rights and of indigenous peoples. We, non-governmental actors who accompany Guatemalan society, will be attentive of your actions and support you in the context of our respective demands and capacities.

Guatemala, Canada, the United States and Europe, October 8th, 2012

⁴ 33rd Article of the Constitution of the Republic of Guatemala

THE NETWORKS:

Plataforma Holandesa contra la Impunidad
Maritimes-Guatemala Breaking the Silence Network (Canadá)
Atlantic Regional Solidarity Network (Canadá)
Foro de ONG Internacionales de Guatemala -Fongi-
FIAN International
Guatemala-Netz Zürich
Red Europea de Comités Oscar Romero
Oxfam
Iniciativa de Copenhague para Centroamérica y México -Cifca-
Asociación Latinoamericana de Organizaciones de Promoción al Desarrollo A.C. -Alop-
Center for Human Rights & Peace Studies, Lehman College, City University of New York
Mujeres de Guatemala -AMG-
Fundación Paz y Solidaridad CCOO Aragón
Protection International
Asociacion de Investigación y Especialización Sobre Temas Iberoamericanos
World Organisation Against Torture -OMCT-
Federación Internacional de Derechos Humanos -FIDH-
Guatemala Solidarity Network -GSN- (Reino Unido)
Red en Solidaridad con el Pueblo de Guatemala -NISGUA- (Estados Unidos)
Maritimes-Guatemala Breaking the Silence Network -BTS-RES- (Canadá)
Atlantic Regional Solidarity Network -ARSN-
El Movimiento Sueco por la Reconciliación -SweFOR- (Suecia)
Collectif Guatemala (Francia)
Projet Accompagnement Quebec-Guatemala -PAQG- (Canadá)
La Plataforma de Solidaridad con Chiapas y Guatemala de Madrid
Fundación Pau i Solidaritat PV CCOO País Valenciano
CIDSE

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