



On the Record: The Rio Negro Campaign

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Graves and Monuments

After fleeing the site of the March 13, 1982, massacre, Carlos Chen spent five years hiding in the forests and mountains, dodging army patrols and bombing runs. He eventually emerged and went to work on the south coast of Guatemala. It was not until 1992 that he returned to Rabinal to rejoin those who remained of the Rio Negro community and were now living in Pacux.

Jesus Tecu, one of the 18 survivors of the March 13, 1982, massacre, lived in a state of slavery with his captor for two years before he managed to escape. By 1986 he too had returned to Pacux along with some of the other survivors. They found patrolmen living in the houses that had been promised to the villagers by INDE (Guatemala's National Institute of Electrification).

Pacux was situated in the lee of a military base, which treated the survivors like suspects, not victims. According to one March 1999 investigation on Chixoy by Reform the World Bank Campaign (Italy), the men and boys were detained and interrogated every time they came and went. Sometimes, the inhabitants of Pacux went without food and water for as long as 12 days.

In 1993, Carlos Chen joined with Jesus Tecu and Pedrina Burrero Lopez, a survivor of massacres in another village, to form the Widows and Orphans Committee of Rabinal. Their goal was to work for justice and improve the terrible living standards in the Pacux settlement. The committee evolved into a broader organization known as Adivima (Association for Development for the Victims of Violence in Maya Achi Verapaz), which now covers between 20 and 30 communities that suffered from violence in the 1980s.

The creation of the committee, and the start of its public campaign, lifted morale among the survivors. By 1994, the committee had about 800 members.

Rights Action, which has supported Adivima since 1995, lists some of the committee's achievements in the last seven years. These include forcing a review of the Chixoy resettlement plan and securing new farm land; building an income-generating carpentry workshop;

establishing a scholarship fund for indigenous youth; giving hundreds of popular education courses in human rights; training courses to run local enterprises and self-help organizations; establishing a legal aid clinic; carrying out exhumations; erecting monuments to the truth; opening a mobile museum to celebrate the Achi culture; pursuing legal causes against civil defense patrolers who participated in massacres.

In some respects, this is a model community campaign against impunity. It began with exhumations. Once a community locates a mass grave, it works through a human rights group in the capital Guatemala City to request an exhumation. The actual work is carried out by one of three forensic teams operating in Guatemala.

The victims of the March 13, 1982, massacre at Rio Negro were exhumed in late 1993. One hundred and forty bodies were recovered, but only a few could be positively identified. In June 1994, the remains were given a Mayan burial, and the survivors erected a small monument at the site that carried the names of the perpetrators.

On June 2, 1994, the monument was torn down. Given that it was situated next to a military base, the survivors assumed that those responsible were from the military, and they protested vigorously through the press -- a small sign of the changing times in Guatemala. They then erected a second, larger monument, with support from EPICA, the Washington-based **Ecumenical Program on Central America and the Caribbean** organization.

Exhumations are now a well-established part of the process of peace-building, but they never fail to have a shocking impact on those immediately affected. In deference to their mother earth, which has been doubly defiled -- first by the crime and now by the exhumation -- the Mayan-Achi place simple votive offerings at the lip of the gravesite. This can be a lit candle or even a bottle of soda.

According to Carlos Chen, 65 graves have been located in the Rabinal area and registered with the public prosecutor. Eight have been exhumed, and Adivima plans to apply for another 15 this year. But, says Carlos, there is often obstruction and foot-dragging from the authorities.

Pursuing the Legal Remedies

Jesus Tecu Osorio had been an eye-witness to the March 13, 1982, massacre, and in 1993 he accused three former leaders of the Xococ civil defense patrol of participating in the killing. This was a brave thing to do at a time when the wounds were still raw and a peace agreement was still three years away. But, like the exhumations, it lifted the spirits of the survivors.

It took several years to bring the case to court. Based on evidence from the exhumation and testimony from Jesus and other witnesses, the three accused men were sentenced to death. This was then reduced to 50 years on appeal last October, with the full agreement of the survivors who were worried that the death penalty would create more tension between them and Xococ.

Carlos Chen recalls the drama that surrounded the appeal hearing when it opened in the regional court of Salama. Seventy-five survivors and an estimated 300 villagers from Xococ had travelled to Salama for the hearing. The two groups started jeering at each other and had to be separated

by the police. Carlos pushed the survivors into a church where they spent the night before returning to Rio Negro under a police escort. The case is now awaiting deliberation by Guatemala's Supreme Court.

Undeterred by the threats, the survivors are calling for the prosecution of another dozen patrolmen. More importantly -- and at some risk to themselves -- they are also calling for the prosecution of the 'intellectual authors' of the massacres, namely the army officers and soldiers stationed in Baja Verapaz who were present at, and participated in, all the massacres.

The latest and perhaps the hardest phase of the campaign involves seeking reparations for lost income and land. It rests on the fact that the community has never received adequate compensation from INDE, in accordance with the terms of the 1978 agreement. Angered by what they view as years of indifference by the government and attempts by INDE to wriggle out of its obligations, the survivors are now more determined than ever. They have also concluded that the World Bank and Inter-American Development Bank share responsibility, because both agencies loaned money to INDE to build the Chixoy dam that has caused them so much grief. The argument for reparations will be reviewed later in this series.

International Allies

The tenacious, uphill struggle by the survivors of the March 13 massacre could not have got this far without allies at home and abroad.

The campaign drew encouragement and legitimacy from two prestigious reports in Guatemala. On April 24, 1998, the Catholic Church's truth commission (the Recovery of Historical Memory -- REMHI) released a report that attributed over 90 percent of the human rights violations to the Guatemalan army and other government forces. Bishop Juan Jose Gerardi, a leading human rights advocate and coordinator of the REMHI, was murdered two days later.

In February 1999, the UN-supported Truth Commission released its own massive report, which included a case study on Rabinal. Going a step further than the Catholic Church report, the UN Truth Commission concluded that the state repression of the late 1970s and 1980s had in some areas amounted to genocide. One of those regions was Baja Verapaz, where the Chixoy dam was situated.

Currently, a coalition of 60 human rights groups in Guatemala, working in conjunction with the office of the human rights ombudsman (another product of the peace accords), is developing the text of a law calling for restitution for victims of violence and repression.

The Rabinal survivors have received support from Rights Action, which has funded a wide range of projects including exhumations and the establishment of Adivima's legal aid center in Rabinal. Adivima's work received international recognition and funds when Jesus Tecu Osorio was awarded the Reebok human rights prize. He gave \$10,000 of the prize money to Adivima; another \$15,000 was used to establish the 'New Hope' Education Fund that provides scholarships for children victims and survivors of the repression.

The Dam Fuels the Flames

Nothing has done more to keep the campaign alive internationally than the controversy over the Chixoy dam.

A decisive moment occurred in 1996, when the US-based Witness for Peace visited the region and conducted a thorough investigation of the Chixoy dam. The hard-hitting report was critical of the World Bank. The Bank responded quickly and sent a high-level mission down to Guatemala to investigate. The mission found that INDE had bungled resettlement, and that massacres had occurred. But it also claimed that World Bank officials had not known of the precise details and could not be held responsible.

In spite of this, the Bank did not lose interest in the Rio Negro survivors. Instead, it began pressing the Guatemalan authorities to improve the resettlement package. INDE (which was notoriously corrupt) lacked the money. Adding to the complications, INDE was partially privatized in 1998.

The Bank then identified another conduit in the shape of the foundation for peace (FONAPAZ), a social fund that was established following the 1996 Guatemalan peace accords. A tortuous search for new land then ensued until in March of 1999, FONAPAZ purchased 350 hectares of land for the Rio Negro survivors on a farm that lies about five hours drive from the settlement at Pacux.

This was a breakthrough, but the settlers still face a host of problems in trying to exploit the farm, as Peter Lippman found after a recent visit. His report will feature in a future issue of this series.

The Campaign Moves to Washington

This series will also discuss the way that the Chixoy dam has turned into something of a litmus test of the Bank's policies on dams, indigenous people, and involuntary resettlement.

All tree policies have been controversial since the early 1980s, when nongovernmental organizations (NGOs) first began to point out the social and environmental cost of large infrastructural projects such as dams and roads.

The Bank has since toughened its guidelines. One of its operational directives (4.30) now requires that anyone resettled against their will should receive compensation that is equal to or better than the standard of living they enjoyed before. Another (4.20) demands that indigenous people affected by a Bank loan be fully consulted and that their cultural and social needs be fully respected.

The Bank's critics remain deeply unsatisfied, and the Chixoy controversy confirms their worst suspicions. Some organizations, like the California-based **International Rivers Network**, see Chixoy as a strong argument for suspending loans to dams that uproot people against their will.

The Washington-based **Center for International Environmental Law** (CIEL) also feels that

the Bank should suspend support loans to projects that involve involuntary resettlement until it can demonstrate an ability to enforce its own guidelines. CIEL also sees Chixoy as an argument for giving more teeth to a Bank inspection panel, which is the Bank's main vehicle for hearing complaints against its projects. Many environmentalists feel that Chixoy is an argument for a new energy strategy, based around energy conservation and clean sources (solar, wind) as opposed to large, destructive hydroelectric dams.

Finally, consensus seems to be growing among some groups -- and the Rio Negro survivors -- that the Bank should accept responsibility for damage resulting from its past loans. The campaigners are using Chixoy to call for reparations and insisting that the Bank should contribute.

This legal and moral concept is very different from compensation. The reason for its emergence is simple. In the first place, campaigners argue that the original compensation package was totally inadequate. Second, it was never respected. Third, and most important, the community suffered from genocide. This has placed the demand for compensation firmly in the context of impunity, which elevates it to an altogether different level.

Chixoy provides a common thread to all of these campaigns, which will all -- to a greater or lesser degree -- find their voice in Washington this week as activists gather for the spring meeting of the World Bank and International Monetary Fund. Carlos Chen's presence adds a powerful human dimension.

It remains to be seen how much progress Carlos and the other Rio Negro survivors will make in Washington. The Bank refuses to accept legal responsibility for its projects, and its charter also appears to protect it from lawsuits. But the speed with which the Bank responded to the powerful 1996 report by Witness for Peace, and the fact that it has fought behind the scenes to secure the new farm for the Rio Negro survivors, shows that it can be swayed. The key question is how much more it can be persuaded to give.

There is a risk that the practical concerns of the Rio Negro community will be drowned out by this week's protests in Washington. The survivors and their NGO allies may also find the Bank less inclined to cooperate, if they are seen as being associated with the movement to abolish the Bank.

But they respond that it is pressure that has brought them this far and that it is their task to hold the Bank accountable -- one of the major themes behind the growing campaign against globalization. The Bank must also know that it will invite further pressure if it is seen to dismiss the survivors' demands out of hand.

There is, in short, much at stake for both parties.

Guatemala's Uncertain Peace Process

However important the Washington dimension, the answer to Rio Negro's problems ultimately lies in Guatemala. Here the political and economic climate recently took an uncertain turn following the election in January of a new Congress and president. The new president, Alfonso

Portillo, has pledged support for the proposal of the Truth Commission that survivors of repression receive restitution. But nothing has happened in three months.

Moreover, the president of the ruling party -- the Republican Front of Guatemala -- is none other than former president Efraín Ríos Montt, who presided over some of the worst killing, in 1981 and 1982.

Many former killers have vaulted to power on Ríos Montt's coattails. The mayor of Rabinal was a former Civilian Defense Patrol (PAC) commander. The mood among Guatemalans seems distinctly ambivalent when it comes to the peace process and giving concessions to Guatemala's indigenous people. Last year, the Guatemalan electorate decisively rejected a proposal to give semi-autonomy to indigenous people, as recommended by the peace agreement.

This is an unfriendly context in which to demand accountability and reparations, and the survivors of Rio Negro will need all the support they can get in Guatemala itself. Over the last week, several have told Peter Lippman that the World Bank has an important and constructive role to play in pressing the government to abide by its promises and fully implement the peace process.

In a wider sense, Guatemala's economy is still devastated by the years of war and corruption, and badly in need of social justice. This argument will be made by a delegation from the Washington-based **Network in Solidarity with the people of Guatemala** (NISGUA), which is currently in Guatemala, meeting with unionists, politicians, and others. The outcome will be reported in this series.