



NO MORE EVICTIONS!

Indigenous Peoples in Guatemala
in defence of nature, lands
and territories

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On March 27th 2012, several thousand people marched into the Guatemalan capital in solidarity with the struggles of the indigenous farmers and landless workers who had made the 214-kilometre, nine day journey along the highway from the town of Cobán on foot. The main objective of the *Marcha indígena y campesina en defensa del agua y de la Madre Tierra*², organized primarily by the *Comité de Unidad Campesina* (CUC) and the *Comité Campesino del Altiplano* (CCDA), was to bring emerging and ongoing land struggles to national attention and demand a solution to some of the most pressing problems facing small farmers in Guatemala, including violent



evictions, landlessness, and crippling debt. These are all symptoms of a highly unequal land ownership structure now being compounded by a corporate land grab driven by extractive industries and agribusiness.

The march was scheduled to coincide with the one-year anniversary of the first of many forced evictions that occurred in the Polochic Valley in eastern Guatemala where fourteen Mayan Q'eqchi communities numbering over 800 households were dispossessed throughout 2011, some of them multiple times. For example, the community of Paraná, initially numbering over 92 families, was evicted a total of three times off lands recently purchased by *Chabil Utzaj*, a sugar growing and processing company operated by the powerful Widmann family³. The lands had previously been idle and overgrown, its owners long absent, and over the years local Q'eqchi Mayans founded a community and planted their crops. *Chabil Utzaj* apparently tracked down the absentee landlords, acquired the land titles and proceeded to evict the community.





CROPS BURNED FOR 'DEVELOPMENT'

During the 2011 eviction in Paraná, homes were pillaged and destroyed and crops burned by national police and *Chabil Utzaj*'s private security forces. As the cleared land lay idle, some families returned to the site of their former village to rebuild their homes and re-plant their crops. In August, however, police and security guards returned to carry out a second eviction. Still some families subsequently returned to attempt to grow one last crop before the year's end but were again evicted in October. These lands are now a sugar cane monoculture and the families who fought until the end now maintain a roadside vigil by the last remnant of their community: the skeletal remains of their former community centre, its zinc roof, supported by six remaining bamboo beams, riddled with bullet holes, a testament to the violence of the evictions.



Samuel Cucul, one of the leaders of the Bellaflor community which was also evicted a total of three times, tells a similar story of pillage and destruction. He estimates that the evictions cost his community a total of 3,000,000 Guatemalan Quetzales (€300,000/\$390,000) in lost revenues. Bellaflor's residents now live in poverty, having to pay rent for lodging in neighbouring communities and unable to send their children to school. Furthermore, several families took out loans in order to be able to re-plant their crops when they attempted to re-occupy their communities. When these second and third crops were destroyed, families found themselves indebted and with no harvest or property to their name.

In the name of 'progress' and 'development', *Chabil Utzaj* has destroyed the homes and livelihoods of 800 families throughout the Polochic.

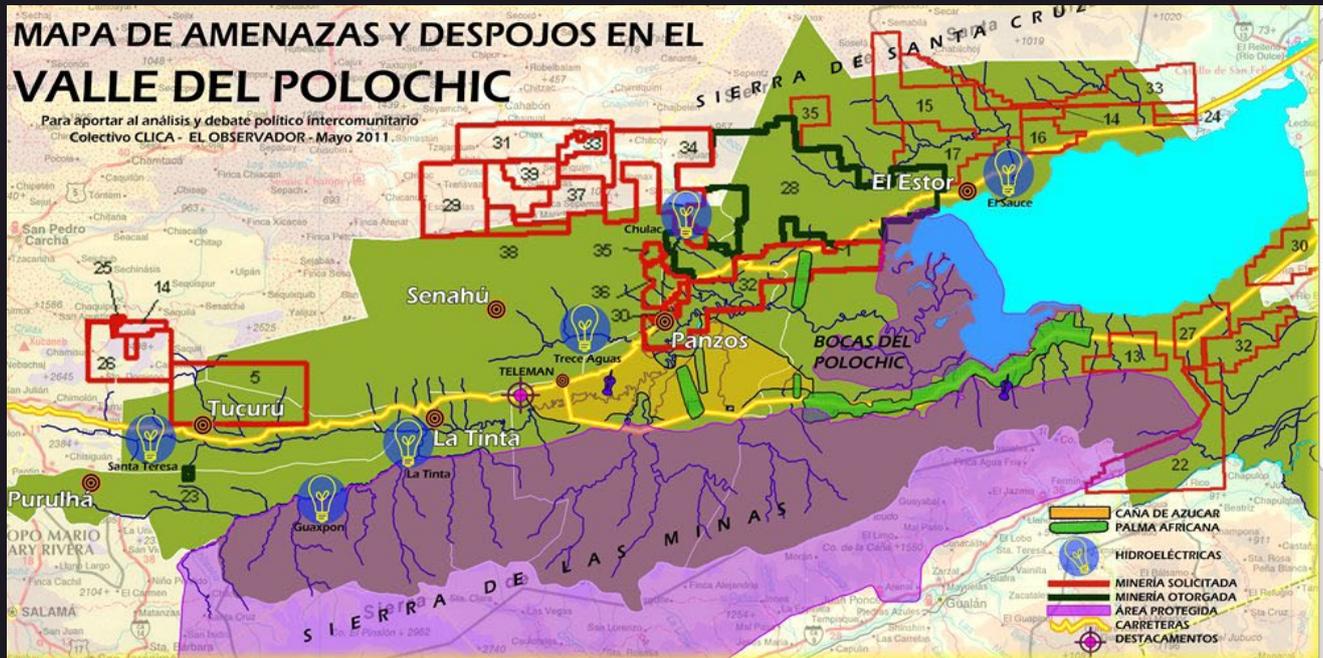
CRIMINALISATION OF DISSENT AND TARGETED ASSASSINATIONS

All across the valley, community leaders are being laden with vague charges such as usurping the peace and their non-violent actions to retain their lands are met with charges of trespassing and illegal occupation. The indebted families whose crops were destroyed by the company also face jail sentences for their inability to repay their loans.

When two men, widely believed by community members to be from *Chabil Utzaj*'s private security force, rode into Paran on a motorcycle on the night of June 4th and shot to death community leader Margarita Chub Ch, the police responded by charging her husband and a friend of his with her murder, alleging a crime of passion. Antonio Beb Ac and Oscar Reyes are two other indigenous campesino leaders assassinated in similar fashion in 2011.

The March, which brought their cause to other impoverished communities of farmers and landless workers that lie along the route, also denounced the constant and violent persecutions that Indigenous leaders face and the overall criminalization of dissent and social movements. Cries of "No more evictions! No more violence!" rang out throughout the nine day trek.

WIDER CONTEXT OF CONFLICT OVER LAND: MINES AND DAMS



Map of government and corporate-imposed 'megaprojects' in the Polochic Valley!

The Polochic evictions of 2011 are not however an isolated incident. Within the Polochic itself, Chabil Utzaj's sugar cane plantation is not the only company exerting pressure on land: the entire valley is also covered by African oil palm and rubber plantations owned by local and international capital, its tributary rivers are pockmarked with proposed hydroelectric projects while the surrounding highlands and significant parts of the lowlands have been claimed by mining companies.



Only one mining concession is actually active: the *Compañía Guatemalteca de Nickel* (Guatemalan Nickel Company or CGN), currently a subsidiary of the Russian multinational Solway Investment Group, is renovating an old nickel processing plant that was abandoned in the early 80s and is actively exploring its massive 400 km² concession in search of the highest-yielding ores. This lone concession however has caused several violent confrontations as CGN,

backed by police forces and in some cases the military, tried to evict the communities that had established themselves on the concession during its 30 years of inactivity. During a confrontation in *La Unión*, a poor neighbourhood on the outskirts of the city of *El Estor*, CGN security abducted teacher and community leader Adolfo Ich. His body was found minutes later in a ditch outside a company building with a single bullet wound to the back of the head. One of the so-called "warning shots" fired into the community that day also left local resident German Chub Choc paralyzed from the chest down.

In another incident, a swarm of pick-up trucks filled with CGN security and police forcibly evicted the *Lote Ocho* community, razing their homes with chainsaws and stealing all belongings left behind. Eleven women from *Lote Ocho* report that they were gang raped by groups of up to 12 men as they tried to defend their homes. Due to police participation in the raid,



the women fear making an official complaint to the authorities. They are however suing HudBay Minerals, the Canadian company that owned CGN at the time, for compensation in Canadian courts. The location of the original *Lote Ocho* is now pockmarked with drill holes, signs that the company is testing the ground in the hopes of developing an open pit mine. The people of *Lote Ocho* have since rebuilt their community higher up in the mountains at an hour's walk from the dirt road for the simple reason that from their new location they could see the trucks coming and have advance warning to flee into the mountains should CGN attempt another eviction.

With over 1000 km² granted to mining companies in the *El Estor* area⁵, at the mouth of the Polochic river, as of 2006 and more concessions further upstream, local communities fear that similar incidents could become common-place.

Throughout the country, indigenous farmers are facing the same pressures from mines, quarries, and hydroelectrical dam projects. This was evidenced by the fact that *La Marcha* was composed not only of Polochic residents but also of people from all corners of the country, demanding an end to the corporate land grabbing that they are experiencing in their communities. Land and resources are being converted into profits for national and transnational capital. Guatemala is a net electricity exporter despite the fact that 20% of Guatemalan households have no access to electricity⁶. Critics therefore argue that the projected increases in hydroelectric production are meant to boost exports as well as government and private revenues rather than provide electricity to households and local needs. In the mining sector, the government is attempting to charge a 4% royalty on gold mining on an ad-hoc basis, with this royalty being largely voluntary⁷. Despite low revenue, the government has continued granting concessions to mining companies at the expense of the population currently living on the land. It was indeed a national march against the commodification of the land and natural resources which indigenous campesino communities have relied on and respected for generations.

CAPITALISING ON HISTORICAL INEQUALITY

The history of the Polochic Valley, and of Guatemala in general, is a history of dispossession and land grabs. Indigenous Mayan communities lived in the valley until the Liberal governments of the late 19th century invited European settlers, mostly Germans, to occupy and 'develop' the Polochic. Land titles were handed out to the settlers who then turned the valley into plantations, absorbing the local indigenous population into a system of peonage and indentured labour which, in some cases, still persists today in a slightly updated format. Additional indigenous labour was imported from the rest of the country to work on the Polochic's plantations.

As tropical commodity prices went from boom to bust, so did the plantations. Many were converted to pasture or simply abandoned, though in many cases the land titles are still in the hands of the descendants of the 19th century European settlers. In the meantime, indigenous "mozo-colonos" (a term for the labourers brought into the valley) reclaimed some of the idle lands, building homes, establishing communities, and planting subsistence crops. Some of these communities even had written or oral agreements with the absentee landlords giving them permission to establish themselves on the idle lands, while the landlords still held on to the land titles.

Since 2005, however, *Chabil Utzaj* started seeking out the absentee landlords and buying up their land with the intent to establish sugar cane plantations in the Polochic Valley. Lands were acquired without consulting the communities living there and eviction notices were issued without advance warning. In addition, some of these transactions are riddled with irregularities such as unclear ownership or unclear delineation of the property. A government initiative called RIC (*Registro de Información Catastral*), created in fulfilment of the 1996 peace accords, is mandated to collect as much data as possible on the ownership of the lands in the Polochic Valley by looking at colonial records, land titles issued by

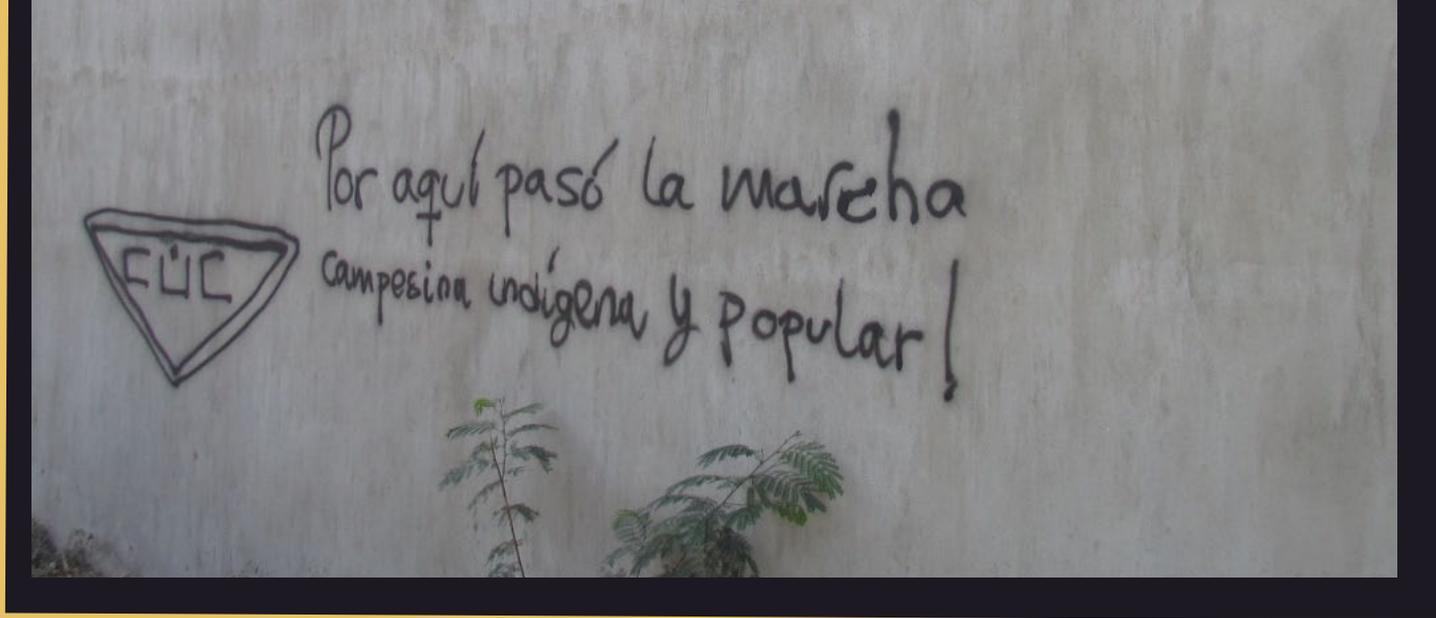
different historical governments, and written or oral agreements made between owners and tenants. Community leaders fear, however, that due to high local corruption and influence from the landlords and corporations, the RIC process may only end up locking in the current unequal land ownership structure.

Regardless, the Widmann family recently sold a commanding share of Chabil Utzaj to the Nicaraguan Pellas Chamorro family which is slowly building a regional agro-food empire with holdings in several Central American countries. Carlos Pellas Chamorro's Nicaragua Sugar Estates Ltd. is already a regional player in the agrofuel business whose expansion was helped along by World Bank loans in 2006⁸. By 2009, it was exporting US\$89 million of ethanol produced from its Nicaraguan holdings alone, which amount to almost 25,000 hectares of sugar cane⁹. A coordinator from the *Comité de Unidad Campesina* (CUC), Daniel Pascual, commented in that time, "It's clear that the interest here lies in developing agrofuels and that they do not care for indigenous Q'eqchi farmers that live in the area"¹⁰. Indeed, a history of expropriation and exploitation is now benefiting national and transnational capital, which is finding ever more ways to accumulate both land and the wealth it generates.



Agrarian reform to address this historical injustice was a pillar of the revolutionary government of 1944-1954 but this programme was axed by the 1954 military coup. Agrarian reform continued to be a demand of campesino movements as well as the different guerrilla factions during the 36-year civil war. However, as guerrilla troops were defeated and peasant communities massacred by the military's "scorched earth" policy in the early 80s, agrarian reform fell off the national political agenda. The 1996 Peace Accords purported to bring a solution to the land issue by mandating land reform. However, the resulting programme, called FONTIERRAS, was based on the World Bank-approved "market-led agrarian reform" (MLAR) model, a notoriously ineffective and inefficient model¹¹. In the end FONTIERRAS resulted in very few land transfers and, in cases where land transfers did occur, the program saddled the supposed beneficiaries with unsustainable debt which led to the current campesino debt crisis.¹²

A common phrase uttered by the Polochic residents who were dispossessed in 2011 is "I thought we had Peace Accords, I thought this wasn't supposed to happen anymore". The feeling is clearly that the war was about land and that the pre-war, state-backed oligarchies still control the land and its resources. Indeed, according to the 2003 agricultural census, 3% of Guatemalan farms account for 65% of the country's arable land while two thirds of the country's farmers are stacked on 8% of the land¹³. These figures do not take into account landless on-farm wage labourers: some studies estimate that up to 85% of the rural population is landless or near-landless and that almost 90% of all farms are too small to provide a decent living¹⁴. The census demonstrates that land inequality was actually slightly higher in 2003, seven years after the Peace Accords, than it was in 1965 when the civil war was in its initial phases. Today, despite the climate of violence, fear, and impunity, indigenous communities are again organising, resisting, and demanding their ancestral rights be fulfilled through an integral land reform.



DEMANDS FROM BELOW

The organisers of *La Marcha* state:

"We are marching because of the urgent need to resolve the agrarian question on behalf of indigenous and campesino communities, so that territorial rights and the rights of Mother Nature may be upheld in all those place where we declared that we do not want mining, oil extraction, the construction of megaprojects or the establishment of monocultures, to end persecution of those of us who fight for our rights, for the annulment of debts accrued through FONTJERRAS, and for the approval of an Integral Rural Development Law."¹⁵

La Marcha's stated purpose was to bring the ongoing land struggles to public attention and to pressure the government to respond to the demands formulated by the grassroots membership of the campesino groups. The final set of demands that the marchers brought to the capital were:

- **An Integral Agrarian Reform Law**, for lands and territories are the base of the livelihoods, cultures and food sovereignty of the majority of Guatemalans.
- **An immediate stop to evictions, persecution and criminalization**, specifically to stop the on-going impunity in Guatemala and to respect the ILO Convention 169, the UN Declaration on the Rights of Indigenous Peoples, and articles 67 and 68 of the Guatemalan Constitution.
- **The annulment of mining and oil concessions for exploration and extraction, for the construction of hydroelectric projects and the establishment of monocultures;** based on the respect of the community consultation processes
- **The approval of Laws that benefit the people and impoverished communities;** specifically a new agrarian reform policy that facilitates/increases access to land, without the use of market mechanisms, the creation of an Agrarian Tribunal that would put an end to the criminalization and marginalisation of indigenous and campesino struggles, and the legalisation of community radios.

LEGITIMIZING LARGE-SCALE HYDRO DAMS: GUATEMALA IN THE CARBON MARKETS

Carbon markets, and specially the offset schemes, are mechanisms often used to legitimize the kind of land-grabbing projects that La Marcha opposes. Carbon credit schemes are used to give megaprojects an “environmentally-friendly” makeover while allowing governments and corporations to keep business as usual and create extra profits. Instead of reducing pollution at source, corporations can implement ‘emission saving’ or offset projects in the Global South in order to generate carbon credits which effectively act as licenses to pollute. These offsets merely provide a ‘green’ veneer to projects that intensify land grabs, social and environmental conflicts, criminalization of protests, and forced evictions, among many other impacts¹⁶. The historical responsibility of cutting emissions in the wealthy Global North is used to trample the rights of local communities in the Global South.

Guatemala currently has 11 offset projects registered under the UN carbon market, six of which are hydroelectric energy projects. This is without counting the projects under the voluntary carbon markets. Hydroelectric dams, which were identified by the march as one of the drivers for land grabs, evictions, and privatisation of water sources, are popping up throughout the region under the false pretence that renewable energy equals sustainability. Some of the companies earning credits from the hydro projects in Guatemala are: Iberdrola (Spain), ENEL (Switzerland), CAF (Netherlands), the Government of Canada and Finland, among others.¹⁷ There are 13 more projects at the validation stage, seven of which are also hydroelectric projects. The carbon markets are allowing corporations to have various benefits from these large-scale infrastructure and offset projects in general while legitimizing them to continue their abusive practices at the expense of local communities.

A BEGINNING

Since the beginning of the march, the government has paid lip service to the demands of the peasants. The March unfolded peacefully with minimal police surveillance and President Otto Perez Molina, a former military colonel accused of human rights violations, even made an appearance and gave a vague speech to the marchers on Day 5. When the march finally arrived in Guatemala City, now numbering 15,000 people, a 25-member committee of indigenous campesino representatives was received by delegations from all three branches of government. The final discussions with the executive carried on well into the night. An agreement was reached just after two in the morning on March 28th.



The final declaration, signed by campesino leaders, the president, and witnesses including Bishop Ramazotti, offered a mixed bag of results. The clearest victories, at least on paper, were a promise that *Ocho de Agosto*, one of the fourteen evicted communities of the Polochic Valley, would get legal titles to their land and that certain regions of the country where land conflict had erupted would be de-militarised. But these were moot points. *Ocho de Agosto* is the only one of the fourteen communities to have been established on abandoned state-owned land. From the government's point of view, it was the easiest concession to make and it allows them to show good faith while at the same time not at all challenging the power of the landowners. It is also the community where the CUC has built model homes for 125 of the 800 evicted families. Farmland, however, is only available to the 11 original families that comprised the community. The promise of de-militarisation of San Juan de Sacatepéquez and Santa María Xalapan, two other communities that erupted in social protest over land, were countered by fresh evictions of 24 families from communities in the *Santa Valeria* area near the Polochic Valley.

As for the remaining points, the government promised debt relief for indigenous campesinos who had bought their land through the FONTJERRAS programme, committed to passing a rural development law (which within two weeks was again delayed by congress), offered vague guarantees that the land ownership question would be resolved for 300 of the 800 dispossessed families in the Polochic, and promised that the mining moratoriums would be proposed at a parliamentary committee. The contents of the rural development law, and the plight of the remaining 500 evicted families are an open question. In his speech in front of those who stayed up until 3am, Daniel Pascual, CUC coordinator, assured the marchers that campesinos have a foot in the door and that the government is listening, but warned that they must stay vigilant and keep putting pressure on the government lest it not follow through with its promises or block further negotiations.

Endnotes

1. This article is based on Konforti's own on-the-ground research in Guatemala, which includes many interviews and conversations with local actors.
2. Indigenous peoples' and farmers' march in defense of water and Mother Earth
3. According to local residents, the Widmanns exert a large amount of influence over local authorities, including mayors and the police force, which are often seen collaborating with Chabil Utzaj private security. The Widmanns have built an alliance with the Maegli family, who have been a long-standing fixture in local politics and also own large African palm plantations in the Polochic Valley which have since benefitted from the irrigation scheme built by the Widmanns. The Widmanns also have national-level political connections. Carlos Widmann, owner of Chabil Utzaj, is also the son-in-law of former president Oscar Berger.
4. Call, T. and Savage, K. (2011), "Guatemala: Food Crisis in the Polochic Exacerbates as Government Repression Continues", <http://upside-down-world.org/main/guatemala-archives-33/3162-food-crisis-in-the-polochic-exacerbates-as-government-repression-continues>
5. Mining Watch Canada (2006), "Land Conflicts in El Estor, Izabal Guatemala & the Rights of the Maya Q'eqchi' People", <http://www.miningwatch.ca/land-conflicts-el-estor-izabal-guatemala-rights-maya-qeqchi-people>
6. Compendio Estadístico Ambiental Guatemala (2010), <http://www.scribd.com/doc/81963973/Compendio-Estadistico-Ambiental-2010-Guatemala>
7. Parelada R. (2012), "Acuerdo Voluntario de Regalías Mineras", *Siglo 21*, <http://www.s21.com.gt/opinion/2012/03/29/acuerdo-voluntario-regalias-mineras>
8. International Finance Corporation, World Bank Group, www.ifc.org/ifcext/spiwebsite/lnsf/0/003485F8D867C2E852576BA000E2900
9. Nicaragua Sugar Estates Limited, www.nicaraguasugar.com/es/modeo-agroenergetico/, y Central América Data (2009), "Nicaragua Sugar Estates exportaría \$56 millones en etanol", www.centralamericadata.com/es/article/home/Nicaragua_Sugar_Estates_exportaria_56_millones_en_etanol
The company actually owns only half of the cited 25,000 hectares, the rest being either rented or under contract production.
10. Quiñones, F., June 2011, 'Grupo Pellas compra ingenio y creará 2 mil empleos', *Siglo 21*, <http://www.s21.com.gt/pulso-economico/2011/06/21/grupo-pellas-compra-ingenio-creara-2-mil-empleos>
11. See Borrás, Kay, and Akram-Lodhi (2008), "Market-led agrarian reform: critical perspectives on neoliberal land policies and the rural poor", London: Routledge.
12. Coordinadora Nacional de Organizaciones Campesinas (2002), FONTIERRAS: Structural Adjustment and access to land in Guatemala. An analysis and future perspectives" http://webidrc.ca/uploads/user-5/10522310920FONTIERRAS_Executive_Summary.pdf, y Una visión crítica de FONTIERRAS (Ponencia de la Plataforma Agraria en el Foro Mundial sobre Reforma Agraria, Valencia, España, 5-8 de diciembre 2004).
13. <http://www.ine.gob.gt/np/agropecuario/index.htm>
14. <http://www.nelson.wisc.edu/lrc/docs/guatemalabrief.pdf>
15. Declaración de la marcha por la resistencia, la dignidad, en defensa de la tierra y el territorio, January 19, 2012, <http://marchaindigenacampesinaypopular.wordpress.com/2012/03/19/L9/>
16. In order to find out more on carbon markets, offsets and their implications, visit: www.carbontradewatch.org
17. CDM Pipeline, retrieved in April 2012, <http://www.cdmpipeline.org/>

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