

October 31, 2011

Ambassador Arnold Chacon  
U.S. Embassy, Guatemala City  
Guatemala

Dear Ambassador Chacon:

We write to congratulate you on your recent appointment as the United States' Ambassador to Guatemala. As a coalition of human rights and policy organizations based in the United States, we closely follow the human rights situation in Guatemala and the impacts of U.S. policy in the region. We appreciate the steps the U.S. Embassy has taken in recent years to support justice and accountability in Guatemala and fervently believe that the defense of human rights must continue to be a top priority.

The nation currently suffers from increasing violence, impunity, organized crime, land conflict, poverty and corruption. Guatemala's next Head of State will be a deciding factor in Guatemala's ability to confront these challenges, strengthen the rule of law, and promote respect for human rights. Neither presidential candidate, however, has a strong record of support for human rights. Otto Pérez Molina is facing allegations of crimes against humanity. Meanwhile, Manuel Baldizón has been formally accused of corruption and illegal land appropriation. In this political panorama, it will be especially important for the U.S. Embassy to focus its engagement with the new government on justice sector reform, expanding government transparency, and improving protections for human rights defenders.

To that end, we hope the positive initiatives launched by the U.S. Embassy under former Ambassador McFarland continue under your leadership.

### **Promote Justice and Accountability**

It is imperative that the United States continue to show public support for victims and survivors of human rights violations and for prosecutions in cases from the internal conflict. The prosecutions of perpetrators of the massacre at Dos Erres and forced disappearances in El Jute, for example, were successful in part due to international pressure. Mr. McFarland's personal support for these judicial processes was especially important. In many cases, Mr. McFarland attended key hearings and spoke publicly in defense of victims' rights. There are many more cases waiting to be heard and we encourage you to continue this strong and visible support for justice.

A continued focus on institutional development, transparency, and support for public officials who respect human rights will be crucial. The U.S. government has provided essential support for the strengthening of the judicial system and the rule of law, including efforts by Attorney General Claudia Paz y Paz and the International Commission Against Impunity in Guatemala (CICIG). We hope to see those partnerships continue.

The United States should also support full implementation of international law. This includes, among others, the American Convention on Human Rights and the International Convention on the Elimination of Racial Discrimination, both ratified by Guatemala, which requires that the Government of Guatemala obtain the consent of indigenous peoples for projects carried out on their land. The United States should also demonstrate its support for the Inter-American System on Human Rights by urging Guatemala to comply with the precautionary measures granted by the Inter-American Commission on Human Rights and rulings by the Inter-American Court.

The U.S. Embassy should encourage the Guatemalan government to resolve land conflicts peacefully and in a manner consistent with international standards, and support efforts to address the underlying issues of access to land. The issue of land tenure continues to be one of the root causes of conflict in Guatemala. The Guatemalan government has maintained a policy of carrying out violent, forced evictions of indigenous and peasant communities in violation of international human rights standards. Forced evictions leave men, women and children without access to food, shelter or protection from future attacks. The series of recent evictions across Guatemala has been condemned by local, national, and international human rights bodies.

### **Support Human Rights Defenders**

We ask the U.S. Embassy to take action to protect human rights defenders—including labor leaders, women’s rights leaders, indigenous rights leaders, and journalists. Specifically, we ask that the Embassy respond publicly to threats or attacks on human rights defenders, encourage the Public Prosecutor’s Office to prioritize investigation and prosecution of those who commit such acts, and support mechanisms that protect human rights defenders.

Community leaders, human rights defenders, and members of civil society organizations are often threatened or killed if they speak out against ongoing abuses and violations. Sixteen human rights defenders were killed in the first eight months of 2011 alone. These attacks often go unpunished, perpetuating a cycle of violence. Increasingly, the Guatemalan government has also used the criminalization of community leaders as a tactic to quell social movements.

Furthermore, it will be critical to reach out to civil society organizations and human rights defenders for ongoing analysis. We hope the U.S. Embassy will continue to consult with Guatemalan civil society experts to ensure that U.S. policy plays a positive role in the defense of human rights.

## **Enforce the Military Ban**

Finally, it is essential to continue the ban on military funding to Guatemala through the Foreign Operations appropriations law. We are deeply concerned by recent news reports linking the *Kaibiles* Special Operations force to the *Zetas*, a criminal organization involved in drug trafficking and other illicit activities, especially considering the ongoing training provided to the *Kaibiles* by the U.S. Department of Defense. As Guatemala increasingly uses military force to address rising crime rates and the spread of organized crime, it will be important to ensure that the U.S. government does not support inappropriate use of the military for domestic law enforcement purposes. In addition to full enforcement of the military ban, we urge increased transparency of U.S. funds used to train or support Guatemalan security forces and the application of Leahy Law provisions, which are in place to ensure U.S. assistance does not go to security forces that violate human rights with impunity.

Thank you for your time and attention to these important issues.

Sincerely,

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