

**Solidarity needed: See below for actions**

September 16, 2010

Two weeks after armed members of the wealthy family of Maria Ilena Garcia Ical violently attacked unarmed members of the community Saquimo Setaña and School of the Americas Watch activist Palmer Legare, the public prosecutor's office has declared that they will seek jail time – for the victims of the attack.

Legare, as volunteer coordinator of the Guatemala Solidarity Project (GSP), was in the community on August 31 when the most recent violence began. He filmed Ms. Garcia and members of her family as they burned a latrine and shouted threats at unarmed members of the community. He was then assaulted by the family, his camera was stolen, and he was threatened at gunpoint along with other members of the community.

The following day, five members of the community and Legare traveled several hours to Cobán to file a complaint. They asked to speak with public prosecutor Sebastian Cucul, and were told to wait. Ms. Garcia then entered the building and went directly to meet privately with the public prosecutor. Shortly after the group was told that they would not be able to meet with Mr. Cucul. On September 2, the family of Ms. Garcia attacked again. This time they came by horseback, dumping gasoline on a house and then igniting it while 9-month old Jorge Armando Lopez Cuc slept inside. His parents were barely able to get him out alive, but lost everything except their grinding stone. The family of Ms. Garcia later attacked with dogs, prevented community members from harvesting their corn, and threatened that “if anyone tells we will kill them and throw their bodies in the river.”

Now Cucul is saying he will obtain an arrest warrant not for Ms. Garcia and her family, but for Legare. Ms. Garcia and two of her employees filed a complaint against Legare on September 4, accusing him of being the “leader” of “invaders” of her land. It goes on to accuse him, another unnamed “northamerican,” and at least eight community leaders of taking several women hostage and telling them that if they didn't permanently leave their houses they would be “physically eliminated.” Legare is also accused of “training invaders of other lands.”

Legare and leaders of the Committee of Peasant Unity had already accused Cucul of corruption, and say that the latest charges against them are a result of Ms. Garcia's bribing of government officials, as well as attempts by the national government to repress the peasant movement. At least seven community leaders from Saquimo Setaña already had arrest warrants on baseless charges. Fifty-five year old Jesus Yat is well into his sixth month in the Cobán prison, where they have recently had food shortages (beyond the already meager rations) because of overcrowding.

Community members believe they are being persecuted for being indigenous Q'eqchi and for not having money to bribe the authorities. Legare has a long documented record of commitment to nonviolent organizing, and strongly denies and is horrified by the charges of taking hostages and threatening to kill employees of Ms. Garcia.

As long as the attacks against the community of Saquimo Setaña remain in impunity, the family of Ms. Garcia is likely to attack again soon. The assumption is that they want to evict the community in time to harvest their cardamom. The cardamom harvest begins this week.

**ACTION NEEDED URGENTLY** (Already responded to previous alerts about the community Saquimo Setaña? Please respond again with your concern about the continued negligence of

the authorities.)

\*Please immediately call the governor of the department of Alta Verapaz at 011 (502) 7951 4311

\* Please immediately email President Alvaro Colom at [cbarrientos@presidencia.gob.gt](mailto:cbarrientos@presidencia.gob.gt)

It is very important to please also cc: [goberaltaverapaz@gmail.com](mailto:goberaltaverapaz@gmail.com) , [esay@oj.gob.gt](mailto:esay@oj.gob.gt) , [solidaridadguatemala@yahoo.com](mailto:solidaridadguatemala@yahoo.com)

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If possible please also cc your members of congress.

The demands of the members of Saquimo Setaña and CUC are that:

1. The Attorney General examines and evaluates the actions of Prosecutor Sebastian Cucul concerning this case.
2. The President of the Supreme Court of Justice evaluates the role of the Judge of the First Instance of Penal Cases with office in Cobán Alta Verapaz.
3. The Human Rights Ombudsman and COPREDEH (Presidential human rights commission) closely monitor the situation in the community.
4. The Secretary of Agrarian Affairs uses all tools available to find a solution to the land conflict that is injuring this Q'eqchi community of Cobán.
5. The Governor of the Department of Alta Verapaz guarantees the safety of the members of the community.
6. Jesus Yat is immediately released from prison and all outstanding arrest warrants against members of the community are dismissed until a thorough investigation is completed regarding

the charges against them and the possibility of corruption in the case.

7. Ms. Garcia is investigated for defamation for her recent accusations against Saquimo Setaña leaders and Legare.

8. The Attorney General's office should immediately and thoroughly investigate and prosecute those responsible for case numbers 2010-7367 and 2010-7443, filed in Cobán. These are the formal complaints made by community leaders and Legare regarding the violent attacks by the family of Ms. Garcia. The public prosecutor's office in Cobán has thus far refused to investigate the attacks.

Please write in English or Spanish your concern about the situation. Your email can be brief or long but it is important that government officials know they are being monitored. If possible, please write an email in your own words. Please include your location in the email.

\*Financial contributions are also greatly needed for the legal defense and emergency relief of the community. Donations of any size small or large are extremely helpful. Checks should be made out to "UPAVIM Community Development Foundation" and mailed to UPAVIM, c/o Laurie Levinger, 28 McKenna Rd, Norwich, VT 05055. If you want your funds to be used as emergency relief and support in case of an eviction, write the word "eviction" in the memo/note section of the check. If you wish the donation to be used for any purpose determined by the community Saquimo Setana, write "Saquimo Setaña" in the notes/memo section. Or leave the notes/memo section blank and with leaders from various communities we will determine the most urgent need for the funds. The GSP is completely volunteer driven, and all funds received will go directly to support the communities. We are also hoping to purchase another camera to help document similar cases. Write the word "media" in the notes section of your check if you would like to support this fund.