

Via Fax: 011 502 2413 8658  
**Lic. Carlos Menocal**  
 Minister of the Interior of Guatemala

Via Fax: 011 502 2312 1205  
**Lic. Sergio Iván Contreras de León**  
 Secretary of Agricultural Affairs of Guatemala

June 11, 2011

Dear Sirs:

We are deeply distressed at the killing of indigenous farmer, **Oscar Reyes**, and the injury of three other farmers of the indigenous Q'eqchi' communities in Valle del Polochic, municipality of Panzós, Alta Verapaz Department.

On the morning of May 21, thirty-five to forty members of local Indigenous Q'eqchi communities were cultivating land that they claim to own through the Actela R.L. Cooperative of the Samilha-Canlún I village in Panzós. Ownership of the land is also claimed by industrial agriculture company Chabil Utzaj, which operates a local sugar refinery company. At 9:45 AM, when Q'eqchi farmers approached three tractors on the land, they encountered 18 security guards and their leader, appointed by the sugar refinery, who told them that the security guards were digging a hole in which to bury the farmers.

Following this exchange, the leader ordered the guards to fire their rifles. Oscar Reyes was shot in the stomach at close range and in the femoral vein of his leg, which caused him to die from severe blood loss. Miguel Choc Cucul, Marcelino Ical Cub and Arnaldo Caal Rax also suffered wounds from the gunfire.

The Q'eqchi communities claim to have cultivated the disputed land for many years, but a local judge issued an eviction order in February of this year, and 12 communities were forcibly evicted March 15-19. The community members were not provided with alternative accommodations; the evictions have left them vulnerable to other human rights violations, in particular, their right to shelter, food and water (cf our letter of April 3, 2011). Because they continue to cultivate the disputed lands for their survival, they continue to be at risk of attacks.

We have expressed concerns about human rights violations committed by Chabil Utzaj, which has received US government funds, in previous letters to Guatemalan officials (cf our letter of January 13, 2011): firing at unarmed peasants with assault rifles, burning down houses, and other abuses. There have been several attacks in the region led by private and government security forces in attempts to take land from peasant communities.

Therefore, **we strongly urge** that you

- provide protection for all community members in Valle del Polochic, in strict accordance with their wishes;
- take the necessary steps to guarantee that people who have been forcibly evicted have access to adequate food, clothing and housing, and that no evictions take place without due process, adequate notice, consultation and access to adequate alternative accommodations;
- carry out an impartial and thorough investigation into the death of Oscar Reyes and the injuries suffered by Miguel Choc Cucul, Marcelino Ical Cub and Arnaldo Caal Rax, make the results public, and bring those responsible to justice;
- adhere to the law that regulates private security companies.

Sincerely,

Brian J. Stefan Szittai, Coordinator

cc: CONIC ~ via fax: 011 502 2251 1562  
 Francisco Villagran de Leon, Guatemalan Ambassador to the US ~ via fax: 202 745 1908  
 Stephen McFarland, US Ambassador to Guatemala ~ via fax: 011-502-2334-8477  
 Dinah Shelton, US member of the Inter-American Commission on Human Rights~ via fax: (202)458-3992  
 Guatemala Desk, US State Dept ~ via fax: 202-647-2597  
 US Senators Brown and Portman and US Representatives Fudge, Gibbs, Johnson, Kaptur, Kucinich, LaTourette, Latta, Renacci, Ryan, Sutton ~ via email

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**The following people hereby urge you to take action on this matter as indicated in this letter:**