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A New Front Against Racism

by LADB Staff

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A "tribunal of conscience," designed to bring attention to the problem of racism against the indigenous population of Guatemala, took place on Sept. 30. The exercise, convened at the Guatemalan National Theater before a packed house, did not carry the force of law. It was a presentation of nine "paradigmatic cases" of crimes of genocide and racism against the indigenous majority. Survivors of massacres presented testimony against the military for the thousands of civilian murders committed in the name of the government's counterinsurgency policy during the 36-year civil war that ended in 1996.

Much of the testimony attributed responsibility for the massacres to retired Gen. Efraim Rios Mont, former president-by-coup (1982-1983) and currently president of the National Congress. The survivors sought through the event to bring Rios to the judicial system to answer for the period of genocide that began in 1980. A group of 13 "witnesses of honor," headed by 1992 Nobel Peace Laureate Rigoberta Menchu, heard evidence of the army-sponsored wave of terror that swept the departments of Baja Verapaz, Quiche, Huehuetenango, and Chimaltenango in 1982.

These were specific cases from among the estimated 200,000 killed or disappeared during the war. War atrocities are the cases for which Guatemala is best known, but the tribunal also called attention to, and heard, cases of discrimination for ethnic reasons, like the case of four schoolgirls and a student at a private university who were expelled for wearing "traje," the traditional clothing worn by most indigenous women.

The event was organized by several civic organizations, among them the Asociacion Politica de Mujeres (Moloj). Moloj is the Kaqchikel word meaning association. Moloj leader Maria Lopez explained that the need for greater awareness of racism stems from the failure of the December 1996 peace accords (see NotiCen, 2002-02-07) to address the problem directly in its section titled, "Accord on Identity and Rights of Indigenous Peoples." The accords constitute the terms of the post-war social and political restructuring of the country, and the government is legally bound to implement its provisions but, by most accountings, it is woefully behind schedule in the process (see NotiCen, 2001-01-18).

Said Lopez, "With all the ethnic inequality in Guatemala, laws and juridical mechanisms are needed that regulate and reduce the inequality." Lopez pointed out that the indigenous are the population having least access to education despite being the majority of the country's population. There is only one indigenous woman who heads a government ministry, Otilia Lux, Minister of Culture. In the Congress, of the 113 seats, indigenous people hold 13, of these, three are women. Of the approximately 3,000 municipal offices throughout the country, native Guatemalans occupy only 144. "More than six million inhabitants (of a total of 12 million) are Mayas, but the participation in decision-making doesn't reflect it," she said. "And that is not democracy, but inequality."

UN representative reports on human rights

The tribunal follows by just a few weeks a visit by Rodolfo Stavenhagen, the UN special rapporteur on the situation of human rights and fundamental freedoms of indigenous people. The official spent ten days in the country to gather information from government officials, indigenous people, nongovernmental organizations, and UN personnel. He will present a report of his findings and recommendations to the UN Commission on Human Rights (UNCHR) in April 2003.

At a press conference at the conclusion of his tour, Stavenhagen read a statement strongly supporting the concerns of the tribunal. The statement was larded with statistics: 74% of indigenous people live in poverty; 40% in extreme poverty. Fifty percent of indigenous are illiterate; in some communities illiteracy of indigenous women reaches 90%. Indigenous children in the countryside average less than two years of schooling, girls less than one year. Seventy-four percent of indigenous households are without water or sewerage services. Speaking directly to the subject of discrimination, Stavenhagen said, "Discrimination was manifested in the attitudes of the authorities toward indigenous people, the prejudices associated with traditional dress and other aspects of the culture, and verbal abuse. The pending legislation relating to racial discrimination currently before the Congress and the proposal to submit to the monitoring mechanism of the Committee on the Elimination of Racial Discrimination are necessary and urgent measures that will contribute to a society fully respectful of cultural diversity as reflected in the Constitution and the Peace Accords."

Stavenhagen also addressed the fundamental issue of land and of growing tensions arising from lack of access to land, the nonresolution of land claims, the failure to respect traditional territories historically recognized as collective property, forced evictions, and war-related loss of lands. He cautioned that, "If the land issue continues to fester without proper solutions the possibility of increasing social conflicts is high with serious implications for democratic governance and stability." He criticized government fiscal policy and the tendency of officials to excuse inaction on these issues with "lack of funds." He singled out FODIGUA, a fund for indigenous community development as an example. The fund has a budget of about US\$3 million, which severely limits its capacity, and he said that initiatives aimed at fulfilling the Peace Accords are largely made ineffectual by the absence of resources and political will to implement.

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