

INTERNATIONAL SEMINAR

WHAT IS THE FUTURE OF REPARATIONS IN GUATEMALA?

On 8 and 9 May 2018, Impunity Watch launched an International Seminar on Reparations in Guatemala, with the purpose of promoting a critical debate about the scope, obstacles, and challenges of reparations policies in Guatemala, and producing recommendations to impel an integral reparations plan.

This Seminar was organised within the remit of the 15th anniversary of the National Reparations Program (PNR, by its Spanish acronym), which was created by the Government in 2003 to provide reparations to victims of human rights violations that were perpetrated during the internal armed conflict. However, until now, the PNR has achieved only scant results. Victims' and human rights organisations are concerned about the stagnation of the PNR and the future of reparations in Guatemala.

During the Seminar's opening ceremony, the new United Nations Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence, Fabián Salvioli, pointed out that: "The State is under the obligation to repair damages caused by past human rights violations. It is fully capable of dealing with past violations, without neglecting to address present problems or losing sight of the future".

Human Rights Ombudsman, Jordán Rodas, said: "There is not enough money in the world that will prove sufficient to compensate the victims' suffering, but the State must act responsibly with its citizens [...] A program without resources would be just words [...] It is a shame that the Government grants such a high budget to the Army, despite there is no longer being an armed conflict, instead of assigning those resources to reparations programmes". The Ombudsman urged the Government and the Peace Secretariat to strengthen reparations policies, stating that: "We are still in time for the resources needed for reparations to be allocated in the budget. Victims cannot be given crumbs; reparations are not a favour granted by the State, it is an obligation of the State".

The Executive Director of Impunity Watch, Marlies Stappers, highlighted that: "there appears to be an intention of imposing a policy of forgetting the atrocities that happened during the internal armed conflict. Justice and reparations are very slow; despite the Ríos Montt trial, there is stagnation in justice and reparations".

Head of the Peace Secretariat, Lourdes Xitumul, the President of the Human Rights Commission of Congress, Ronald Arango, the Representative of the Office of the High Commissioner for Human Rights in Guatemala, Liliana Valiña, and indigenous leader, Rosalina Tuyuc, also participated in the opening ceremony.



Marlies Stappers, Executive Director of Impunity Watch, during the Seminar's opening ceremony

Over 150 people participated in the Seminar, including public officers, human rights defenders, victims, and members of the diplomatic corps.

The Seminar included three panel discussions:

- 1) 15 years of the PNR: scope, obstacles and challenges.
- 2) Integral and transformative reparations.
- 3) The future of reparations in Guatemala.

Among the panellists were national and international experts, public officers, and victims' representatives. Six working groups were organised, as well, with victims' representatives from eight regions of the country affected by violence—Alta Verapaz, Baja Verapaz, Chimaltenango, Quiché, Escuintla, Izabal, San Marcos and Retalhuleu—in an effort to formulate recommendations on how to impel a dignified integral reparations policy.

The victims played a central role in the panel discussions. During his presentation, Juan Pérez, from the National Victims' Network, expressed that: "After 15 years of struggle for the programme, we are still pushing for it to include the participation of victims. This will not be possible so long as a programme that includes the active participation of the beneficiaries for whom the programme is not conceived."



Juan Pérez and Feliciano Macario, victims of the armed conflict, present conclusions of the Seminar

María José Ortiz, reparations expert, explained that: “Individuals who are responsible for events related to human rights violations should not - or no longer – work in public posts”. She reiterated the need to see a national reparations programme that engages actively in the search for the disappeared.

Reparations were presented from an integral and transformative perspective. Carlos Beristain, international expert on reparations, explained in his intervention: “We cannot speak of reparations as if we were speaking of ‘fixing’ something, we are speaking here of a profound commitment to restituting victims’ rights and facing the consequences of past violations”.

Paula Barrios, from the organisation Women Transforming the World, stated: “There are certain things that cannot be repaired, above all, human lives”. In her presentation she spoke about the importance of reparations for victims of sexual violence. She highlighted the contribution of the Sepur Zarco case, in that regard. The sentence of the case included measures such as the health care for the victims, access to land for women, and improving the living conditions of the communities. For Susana Navarro, it is important to change the perception of victims, because “if we burden the victim with weakness, then it is the perpetrator who has the strength”. We should see victims as citizens with full rights.

Among the proposals for the future of reparations in Guatemala, Dosia Calderón, international expert from Mexico, stated that: “It is important to incorporate the distributive justice perspective is reparations because [...] distributive justice guarantees the victims’ access to goods, resources, services, and rights”.



Victoria Tauli-Corpuz, Special Rapporteur on the rights of indigenous peoples, during the Seminar's closing ceremony

The United Nations Special Rapporteur on the rights of indigenous peoples, Victoria Tauli-Corpuz, who was an official visit to Guatemala at the beginning of May, provided the Seminar's closing remarks. The Special Rapporteur expressed concern about the neglect of victims of the internal armed conflict in Guatemala and called for the State to guarantee their right to justice, reparations, and a life with dignity.

In the coming weeks, Impunity Watch will publish a policy brief about the future of reparations in Guatemala, which will include the seminar's main conclusions and recommendations.



Victims of the internal armed conflict with the UN Special Rapporteurs Victoria Tauli-Corpuz and Fabián Salvioli at the end of the Seminar.