

Congress of the United States
Washington, DC 20515

March 17, 2005

H. E. Guillermo Castillo
Ambassador of Guatemala
2220 R St. N.W.
Washington, DC. 20008

Dear Ambassador Castillo:

We write with grave concern regarding the current situation in Guatemala.

As you know, many social sectors mobilized for a national strike this week to protest the passage of the Central American Free Trade Agreement (CAFTA) by the Guatemalan Congress last Friday. The National Police have responded by violently dispersing marchers with rubber bullets and tear gas. From the pictures we have seen in Prensa Libre and reports from sources we consider reliable, they have also been beating protestors in their custody.

Last week, fourteen protestors were detained in what was fairly called a "temporary disappearance." Their release was only secured following international pressure and activism.

On Tuesday of this week, two protestors were shot and killed by police when they fired live rounds to disperse a march of teachers and farmers near Huehuetenango. Organizers say a male victim was shot at close range, and local hospital staff said four others were receiving emergency care for bullet wounds from police rounds, one of them in critical condition. Mayor Mauro Guzman, of Huehuetenango, said police were fired upon, but it is not clear that he was actually present, and the only eyewitness we have seen quoted, Fabiola Hernandez, whose office is near the site of the killing, said only that she saw police shoot toward protestors. Also, a witness who identified himself as Marvin Rivas told Guatemala City's Radio Sonora that two people were killed when police fired on the teachers and farmers.

Given the long history of the Guatemalan state's violent responses to protest, we regard official claims that police were fired upon and that the heavy-handed response was necessary because of the threat of violence with a healthy degree of skepticism. While there is more yet to be learned about what occurred in Huehuetenango, we feel, based on what we already know, that the overall response from authorities has been disproportional to a simple demand for dialogue with the government.

While the Guatemalan Congress offered a hearing to CAFTA opponents, they did so when Guatemala City was still under heavy guard, making it highly improbable that CAFTA opponents could reach the Congress and actually make use of this audience.

Furthermore, to offer one day of hearings when the Congress is on the verge of voting on the agreement typifies the indifferent attitude of the Guatemalan government to public concern. A last-minute audience, that was only granted under pressure and inaccessible due to military security is not a credible attempt at participatory democratic dialogue.

We hope that Guatemalan authorities will affirm their respect for the basic rights of freedom of assembly and free speech and respond to protests accordingly. We ask that the appropriate Guatemalan authorities to begin investigations into the death, injuries and beatings that have

occurred and make clear that there will be no impunity for those found to have unlawfully killed or assaulted protesters.

While we are cognizant of your government's responsibilities with regard to public safety, we must advise you that we feel strongly that the Guatemalan Military should not be involved in internal security in general and in responding to the anti-CAFTA protests in particular. Placing the Guatemalan armed forces in this role is alarming to outside observers, frightening and intimidating to large sectors of the Guatemalan population, and a violation of the peace accords that ended the civil conflict in 1994. This decision is particularly disappointing in light of President Berger's stated renewal of his commitment to observing those accords.

Finally, it is our understanding that arrest orders have been issued for some protest organizers, not because they have been credibly accused of violent acts, but because of their leadership roles. Arrests that are aimed at detaining organizers and ending protests rather than prosecuting actual crimes is inappropriate in a participatory democracy.

We thank you for your consideration of our concerns and look forward to hearing an official response.

Sincerely,



Raúl M. Grijalva



Sherrod Brown



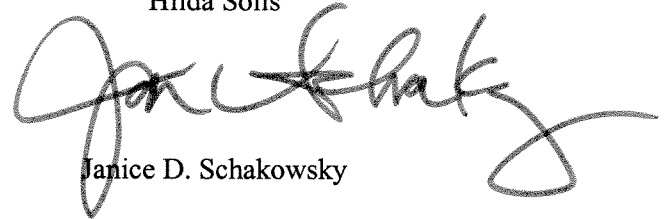
Lane Evans



Hilda Solis



Barbara Lee



Janice D. Schakowsky



James P. McGovern



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Lynn Woolsey



Maxine Waters