

Xalalá Dam: Communities maintain opposition as project moves forward

For nearly a decade, NISGUA has walked alongside those threatened by the Xalalá Hydroelectric Dam, providing human rights accompaniment to local communities during referenda, workshops, public forums and delegations to Guatemala City. NISGUA brought the threatened communities' story of resistance to our network on two US speaking tours, in 2006 and in 2008. We are proud to announce that our 2014 fall tour will feature the Association of Communities for Development, Defense of Territory and Natural Resources (ACODET), the organization at the forefront of the resistance to the Xalalá Dam.

Thank you for staying alert to developments around the Xalalá Dam and for participating in our actions and tours. As dam construction moves forward, it is increasingly important to demonstrate ongoing solidarity with communities defending their territory and right to self-determination.



Fertile banks of the Chixoy River would be flooded by the Xalalá Dam.
Photo: NISGUA

THE XALALÁ DAM, declared a renewed national priority under Otto Pérez Molina's administration, is now one step closer to construction. Late last year, the National Electrification Institute (INDE) bypassed the standard bidding procedure and signed a so-called "emergency contract" with Brazilian company Intertechne Consultores S.A. to conduct the geological feasibility studies required to begin dam construction.

The back-door deal became a necessity to move the project forward given that twice in the past six years the Guatemalan government attempted and failed to fill the contract. On both occasions, foreign companies cited strong community opposition and lack of social license for the mega-project as key factors in their decision not to bid. Facing forced displacement, loss of land and destruction of livelihoods, communities from the three affected municipalities in northern Guatemala - Ixcán,

Uspantán and Cobán - made their voices heard, rejecting the project through community referenda in 2007 and in 2010.

JUST HOW FAR WILL INDE GO?

Since 2012, the Ministry of Energy and Mines (MEM), INDE and President Pérez Molina have expressed their intention to construct the Xalalá Dam no matter what the cost. They are committed to using government resources to gain the support of local communities, and have indicated willingness to use military pressure against those who continue to resist. The government recognizes that strong community opposition is a barrier to the advancement of the dam and, through a revamped "social work" program, is attempting to exploit the economic needs in the region in order to push the project through.

The so-called social work carried out by INDE has been denounced by the communities and organizations opposing the dam. Billed by MEM in 2012 as “state accompaniment to promote dialogue and give support,” communities describe INDE’s work as calculated, manipulative and often unlawful. Indeed, INDE began by bribing and co-opting community leaders, who would then form part of the regional development team in charge of promoting the project.

Later, INDE representatives began conditioning social programs on the acceptance of the dam while continuing to intentionally withhold and misrepresent information requested by affected communities. On six occasions documented in 2013 alone, INDE personnel offered solar panels, equipment for processing cardamom and the construction of roads, in return for support of the Xalalá project. These benefits were proposed only to select individuals, families or communities, serving to create division, mistrust and conflict in the region.

tary and police vehicles were dispatched to the communities of Xalalá and Las Margaritas Copón. Earlier in the day, Defense Minister Mauricio Lopez Bonilla stated on local radio that an indigenous leader, well known by the communities, had reported drug activity in the region and had requested military presence. Community members refuted the claims and gathered on the road to block the advancement of the security forces, who eventually returned to base without incident. In a statement release shortly after, The Association for Development, Defense of Territory and Natural Resources (ACODET) denounced the attempt to intimidate and delegitimize the peaceful resistance. They pointed out that the community of Xalalá was the location of the initial feasibility studies for the project carried out in the 1980s, and is the likely location of the new studies slated to begin in March 2014.



Communities surrounding the proposed location of the Xalalá depend on rivers for their way of life.
Photos: Graham Hunt, ACOGUATE/NISGUA

In November 2013, INDE attended a meeting in San Juan Chactelá, Ixcán, supposedly to present the information about the dam that communities had been requesting for nearly a decade. INDE employees, including Project Manager Widthmark Estrada, arrived in helicopter, and representatives from 46 communities gathered to hear INDE’s update. After serving lunch, INDE employees left without informing the communities that the contract for the feasibility studies had been granted just days before.

On more than one occasion, INDE representatives have stated that communities that refuse to accept the dam will be pressured to do so by the army. This strategy was confirmed on February 25, 2014 when a convoy of mili-

“One would have to ask the INDE executives: How much has this institution spent on social studies and paying consultants who direct the ‘social work’ of promoting the Xalalá project? How much has it cost the Guatemalan people to sustain a large team of developers, the vehicles, the frequent helicopter travel, the parties and the gifts to win the trust of the communities? Why not invest this money in compensating the communities affected by the Chixoy dam?” -- the Ixcán Community Consultation Monitoring Committee, December 2013

NATIONAL INTEREST FOR WHOM?

The Xalalá Hydroelectric Dam, to be located at the convergence of the Chixoy and Copán Rivers, was first conceived in the 1970s. Declared, even then, a project of “national interest,” the dam was seen as a key part of Guatemala’s Master Plan for National Electrification and the development of the Northern Transversal Strip (FTN), an East-West super-highway to transport exports to Mexico and the Atlantic Ocean.

Placed on hold during the war, plans for the dam resurfaced again in 2006 as part of the Mesoamerican Integration and Development Project, formerly known as Plan Puebla-Panama, which seeks to facilitate resource extraction and trade across the region. Under this development plan, the Xalalá Dam’s estimated annual production of 181 MW would be used primarily for export and to fuel factories and large-scale commerce, not for the energy needs of the surrounding rural communities.

More than the inequitable distribution of energy distribution, Xalalá would flood the most fertile lands of 58 communities and displace at least 10,000 people, the majority Maya Q’eqchi’. The dam would also disrupt the habitat and migration of native animals, decrease water quality and diminish fish stocks.

“No civil servant directly addresses the damages that communities will suffer; INDE announced the bidding processes as if the communities don’t exist. The communities’ position is not to reject something that would bring benefits - the Xalalá Hydroelectric Dam would flood the best lands and lead to the disappearance of entire communities - we support the right to life and the respect for lands which historically belong to us.”
- ACODET

Carlos Chen, survivor of the 1982 Río Negro massacre, and founding member of COCAHICH expressed solidarity with communities opposing the dam: “we call on our brothers and sisters who populate the lands of the proposed Xalalá dam to not be fooled and to not permit the construction of any project,” given that those affected by the Chixoy dam have not received reparations.

Recognizing that this project will cause more harm than good, indigenous communities organized local consultations, evoking their right to free, prior and informed consent as articulated by national and international law. On April 20, 2007, 21,000 people, 90% of participants, from the municipality of Ixcán voted “No” to mega-development projects like the Xalalá Dam. Three years later, the municipality of Uspantán celebrated similar results when another 90% of participants, or 25,260 people, voted against the project.



Children from the Ixcán proudly display their handmade signs saying: “No to the hydroelectric dam! Yes to rivers and life!” Photo: NISGUA

ALL EYES ON XALALÁ

The organized resistance that formalized with the Ixcán community consultation in 2007 has expanded to keep pace with the government’s renewed efforts to impose the dam. Communities and local leaders have strengthened their capacity, analysis and organization. Emphasis has been placed on educating one another about the project’s negative impacts, conducting workshops and community forums to gather information, and to develop non-violent strategies aimed at halting the dam’s advancement.

The opposition to Xalalá and our solidarity with the affected communities have entered a critical phase. INDE has indicated that the studies necessary to begin dam construction will be completed in less than one year. The government’s decision to secretly grant the contract represents the blatant disregard, not only of communities’ right to self-determination and consultation, but also of transparency in government decision-making around this project. It signals a willingness to do whatever it takes to see the Xalalá project move forward.

THE CHIXOY DAM: A LEGACY OF VIOLENCE IN THE NAME OF “DEVELOPMENT”

During the height of Guatemala’s internal armed conflict, the military carried out a series of brutal massacres against the Maya Achi people living on the banks of the Río Negro River. The army killed over 440 men, women and children and displaced hundreds more. Almost immediately after the final massacre, the government, with funding from the World Bank and the Inter-American Development Bank, began construction of the Chixoy Dam. Today, Chixoy remains Guatemala’s largest hydroelectric dam, at nearly 275 MW annually, it produces 15% of the country’s electricity.

In 2005, the Coordinator of the Communities Affected by the Construction of the Chixoy Dam (COCAHICH), representing the 33 communities impacted by the dam, successfully pressured the Guatemalan government to negotiate reparations for the massacre victims. In 2010, an agreement was reached; the Guatemalan government would accept responsibility for the damages caused by the dam and agreed to pay approximately \$154,000,000 in reparations to the victims. While the deal represented an unequivocal victory for communities, the reparations plan has yet to be implemented.



What was once the community of Río Negro is now flooded by the Chixoy dam. Photo: James Rodríguez, mimundo.org

Nonetheless, COCAHICH persisted and most recently lobbied the US Congress for support. In January, President Obama passed the 2014 Appropriations Bill, internationally recognizing state responsibility for the violence related to the Chixoy Dam. The Bill includes groundbreaking language calling on the Guatemalan government to take credible steps toward delivering the reparations, and states that the US will continue to withhold military aid to Guatemala until it does so. The Bill further requires US representatives to the World Bank and Inter-American Development Bank to oppose funding for any large-scale hydroelectric dam.

The actions of the US Congress inject hope into the ongoing struggle for justice. According to Juan de Dios, massacre survivor and leader of COCAHICH: “This law sets a historic precedent in the world, preventing governments and multilateral financial institutions from continuing to violate the human rights of indigenous peoples, including the right to self-determination, free, prior and informed consent, and control over their territories.”

About NISGUA

The US-based Network in Solidarity with the People of Guatemala (NISGUA) employs strategic, creative and coordinated grassroots activism and advocacy to pursue justice for war crimes, to change harmful US policies and to promote sustainable communities in Guatemala. NISGUA provides human rights accompaniment to Guatemalans whose work puts them at risk of threats and attacks.

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