**ChildFund International**

**Humanitarian Situation Report Template**

**Humanitarian Situation Report [#]**

**[Local Land Conflict] – [Guatemala]**

**[22/09/2021]**

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Part 1: The Overall Situation

* Local Land Conflict in Guatemala
* Municipalities of Nahualá and Santa Catarina Ixtahuacán, department of Sololá.
* At the moment, homes have been affected in the municipality of Santa Catarina Ixtahuacán because the aggressor communities of Nahualá are forcing families to leave the communities of Pasacuach and Tzamjuyub; they have burned the houses.
* Any relevant background information about areas affected
* 125 families have been affected (Total 750 people affected, 144 children enrolled in the CF sponsorship area have been affected).
* As reported by the guide mothers of the development programs, there are injured, deceased and missing people, but so far the exact information is not available.
* So far there is no position on the part of the national government and neither of the departmental government of Sololá. The National Civil Police delegation in the territory does not have enough resources to bring order and fear to the people who are armed (500 people). At the moment, the municipality of Santa Catarina Ixtahuacán has only provided basic food to families in shelters.
* Today in the morning a technical security table has been activated at the departmental level but there is still no knowledge of how this space is working.

Part 2: The Situation in Areas Where ChildFund Works

***Context Analysis:***

Officially, according to the 1779 título of Santa Catarina Ixtahuacán, Nahualá and Santa Catarina Ixtahuacán share their territory according to ancient custom. Today, the vast territory of the two municipios covers 218 square kilometers, about 2/3 of which is under the control of Nahualeños (or AjNawala'iib'), the "people of Nahualá". Disputes between the two towns have been common, especially since 1999, when the government of Guatemala arranged for the cabecera of Santa Catarina Ixtahuacán to be moved to the site of Chwi' Patan within Nahualá's territory, after the original cabecera of Ixtahuacán in a remote piedmont site was damaged by [Hurricane Mitch](https://en.wikipedia.org/wiki/Hurricane_Mitch) in 1998. Publicizing photos of houses with large cracks that made homes unsafe, Ixtahuacanecos (i.e., the Inhabitants of Ixtahuacán) had claimed that the hurricane had totally destroyed their cabecera, yet in doing so, they failed to mention that most of the homes that exhibited such damage were located on unstable land within an area that had been swamp well into the 1980s.

Officials of the national government negotiated a treaty between the mayors of Nahualá and Ixtahuacán to allow for the re-location of Ixtahuacán's cabecera. However, residents of Ixtahuacán occupied the land in question early, before the treaty was completely negotiated, before the land had been surveyed, and before any compensation had been paid to the town of Nahualá and to the private owners of land in the area. Several Nahualeños were killed and injured by Ixtahuacanecos during conflicts that resulted from Ixtahuacán's precipitous occupation of the Chwi' Patan, which many Nahualeños consider a theft. The national government and the elected local governments or Nahualá and Ixtahuacán subsequently agreed to a modification of the original agreement, but compensation has still not been paid completely. Many Nahualeños refuse to accept the agreement, arguing that neither the general population nor Nahualá's local elders have been given an opportunity to approve the treaty, even though both traditionally hold a higher authority than the elected local officials *(such as the town mayor)*. Nahualeños insist that Ixtahuacanecos have been increasing the size of Nueva Ixtahuacán by illegally seizing farmland from Nahualeños living near the settlement. They also report that Ixtahuacanecos have repeatedly harassed Nahualeño farmers, blocked their access to fields, and destroyed their crops and sheds in the area of Chwi' Pataan.

Since 1999, the government of the Republic of Guatemala has repeatedly attempted to resolve the conflict between the communities by fixing a border between their respective territories, but its efforts have been thwarted not only by continuing confrontations and land-invasions, but also by a misunderstanding of the complexity of indigenous systems of land-use and property.

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***Current Situation:***

Since 2019, a series of confrontations have begun between the population of Nahualá and Santa Catarina Ixtahuacán, leaving people dead but without triggering a humanitarian crisis as is currently happening. At that time, the government decreed a State of Exception in which all constitutional guarantees in the population were suspended. According to national law, the executive can decree the state of emergency for reasons of "terrorist, seditious or rebellious" acts that pose the potential for [public violence](https://www.telesurenglish.net/news/President-Morales-to-Negotiate-Safe-Country-Agreement-with-US-20190911-0012.html), or when serious events "endanger the constitutional order or state security. " The emergency can also be called when "acts of … kidnapping, murder, armed attacks against individuals" are occurring. The decree obliges the public to provide the military authority "with the assistance and cooperation required of them, within the scope of their capabilities," and citizens’ rights, movement and ability to protest will be restricted by state security forces.

Now, two years later the confrontations between both populations have arisen again. On Sunday, September 19th, the conflict was generated again in the Chirajcalbal communities of both municipalities. Among which three of the communities where we have coverage are fighting with firearms.

CASERIO - PASACUACH

There are some families that resisted leaving their houses burned as a result there are two houses and a pic-up burned, they forced the families to leave their houses. The families are refugees in the Chiquisis community. Currently, this community is threatened by giving refuge to families from other communities.

TZAMJUYUP IXTAHUACAN

They burned a house

There is a deceased by a stray bullet (It is not from our population)

They are under threat from the Patzutiquim village (Nahualá) who have caused the conflict, according to the information of the leaders there are (500 people organized to attack the Chiquisis community)

CHIQUISIS:

A mother guide reported that families from the Pasacuach and Tzamjuyub communities continue to arrive, who are taking refuge in the Chiquisis communal hall (temporary shelter) and there are approximately 170 refugee people; the electric power service is irregular. Some families from Chiquisis plan to leave the community tomorrow to go to Cantel with their relatives to take shelter, due to the threat of the people of the Patzutiquim village (Nahualá).

There is a seriously injured father (inscribed dad). Refugee families in the churches in the community. The men of the community are organizing to defend the community who are under threat from the Nahualá communities. Communication with the families is becoming difficult, the authorities are very upset and the municipalities did not provide information when called.

***Reference:***

* UNHCR Guatemala: <https://www.acnur.org/guatemala.html>
* CONRED: [www.conred.org.gt](http://www.conred.org.gt)
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* [Fox, John W.](https://en.wikipedia.org/w/index.php?title=John_W._Fox&action=edit&redlink=1) (1978). [*Quiche conquest: Centralism and regionalism in highland Guatemalan State development*](https://archive.org/details/quicheconquestce0000foxj)
* Titular Prensa Libre (21/9/2021): <https://www.prensalibre.com/ciudades/solola/vuelve-la-tension-entre-pobladores-de-santa-catarina-ixtahuacan-y-nahuala-por-conflicto-territorial-breaking/>

Part 3: ChildFund’s Response

The particularity of the current conflict is that the people of the Patzutiquim village (Nahualá) are well armed, they are burning houses and they are taking families from their homes, this has not happened in other opportunities.

CF and the local partner "Renacimiento" we are in constant communication and coordination regarding this situation. The greatest concern is the protection of children because they are very vulnerable to violence. We are evaluating the possibility that the families can be located in other safe communities outside the jurisdiction of Nahualá and Santa Catarina Ixtahuacán, but their displacement also represents many risks.

The first actions that CF is taking are the following:

* Activate CF security protocol and Renaissance security protocol for the protection of personnel. Field activities have been suspended regarding the regular programs and sponsorships.
* Communication with municipal authorities to address this situation.
* Communication has been established with the defender of indigenous women from the Office of the Human Rights Ombudsman and has suggested mapping the institutional actors in the area and identifying the scope of each organization to contribute to mitigating the immediate needs of the families.
* Coordination has been initiated with the agencies that make up the Child Protection Sub Cluster to monitor this situation in the face of a potential humanitarian crisis.

It has been difficult to enter the temporary shelters due to the insecurity crisis but the preliminary needs detected are:

- Food

- Personal hygiene kits

- Shelter cleaning kits

- Blankets

- Pyscosocial support for childrens.

It is considering supporting these detected needs, positioning of key messages regarding the protection of children and women; also do advocacy with the central government and the National Congress for an immediate response to this situation, trying not to resort to repression by the armed forces.

Actions in the next few hours:

* Mapping of key territorial actors to activate a network that generates advocacy with the guarantor institutions regarding child rights. Through this space, prepare a position paper aimed at the national government and local authorities.
* Coordinate with the technical security committee activated today to locate refugee families in Chisquisis towards a safer community in another municipality in the department of Sololá.

There are several challenges, this situation of approach more from the political and security spheres but the humanitarian dimension has not yet been addressed, for which the actors that make up the Humanitarian Country Team and mainly the Protection Cluster have adopted a cautious stance without action concrete yet.

Below Sections for Internal Use Only

* Staffing and Security
	+ Jorge Bejarano, Specialist Sr., Disaster and Operational Risk Management, jbejarano@childfund.org Jorge provides the backstopping to the Guatemala office and guides the local partners. CRDO and Renacimiento partners activate their own security protocols but aligned with the CF security plan.
	+ Pablo Urrutia, DRR and Humanitarian Specialist of Guatemala and Honduras CO´s (tel. +502 47709357, purrutia@childfund.org). At the moment, Pablo Urrutia will be coordinating humanitarian actions with local partners and with the support of the CF staff. At the moment, Pablo Urrutia will be coordinating humanitarian actions with local partners and with the support of the CF staff.
	+ At the moment, only the humanitarian needs and the approach to the conflict are being identified to ensure the protection of children. Subsequently, a risk analysis will be carried out and mitigation mechanisms will be defined when implementing humanitarian response.
* Sponsorship and Grants
* Donors
	+ At the moment, the humanitarian network has not been activated and therefore it is very premature to be able to explore funds with donors, it will depend on the evolution of the crisis. We are preparing a response plan with the possible activities; we are making a preliminary budget that will include: funding target, pipeline, secure funds and funding gap. Based on this, we will be evaluating whether it is necessary to request and activate an NSP and a fundraising strategy if necessary.

Due to the nature of the crisis, IO, GSS or Global Teams support is not needed. Only the backstopping of the remote international office.

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