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## [Semuc Champey, Guatemala: Where the River Hides](#)

### **They are not invaders, they named this territory**

It was the indigenous Maya Q'eqchi communities that named this magical place in the forest, "Semuc Champey," which in Spanish means "the river that hides in the mountain." This is also the name by which it was registered with the National Council of Protected Areas (CONAP, by its Spanish acronym). This happened without consulting the communities that inhabited and cared for these lands long before the idea of protected areas existed, and before it was declared a Natural Monument in 2005.

The Natural Monument management category honors the scenic beauty of the place; but unfortunately since its inception, it has excluded indigenous communities from the conservation model. This became clear in August 2016, when government authorities brutally evicted communities, adding to a series of historical violations of their rights and dispossession of their lands by landowners and the government.

Today, CONAP unjustly calls the communities that inhabit Semuc Champey invaders, even though these communities have been living in the area for hundreds of years, and are demanding the right to manage their land. Instead of being protagonists in the area's management, communities are treated as spectators in the process and receive few benefits; meanwhile they watch "development" bring income to hotels, foreigners, travel agencies and to CONAP itself. After eleven years, their living conditions have not improved, in spite of living in this beautiful land.

CONAP's attitude is questionable, to say the least. This case shows how in its 27+ years of existence, the institution has evolved little in its vision of managing the country's protected areas. To meet its goal of "protecting biodiversity," CONAP should prioritize the participation of local communities living near or within the protected areas, and not see or label them as enemies of conservation.

### **Historical Background of the Q'eqchi' Peoples of Lanquín Semuc Champey**

For several centuries, these lands belonged to Q'eqchi grandfathers and grandmothers. Much later, a German arrived and occupied the lands, then abandoned them during the government of Jorge Ubico in the 1940s. The estate as a whole was called Actelá. During the German finquero's time on these lands, our grandparents and parents were used as low-level laborers, working without pay in exchange for not having their homes removed from the estate.

After the farmer left, indigenous peoples organized to manage the lands. Years later, some cooperatives obtained titles to their lands; one of these was the Actelá cooperative.

During this time, community members cared for the land, planting beautiful trees and taking care of the animals that inhabited the area, which today is known as Semuc Champey.

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Around 2000, a mayor from a nearby municipality became interested in supporting the community to buy the lands from the Actelá Cooperative. The community approved the idea, and the land was purchased for Q 375,000 (about US \$50,000) and officially titled "Chicanus y Santa María." In communal agreement, they improved the care of the Semuc Champey area.

The elders at that time, who trusted the mayor, decided that the municipality would coordinate with the communities to manage the two most beautiful areas of the land (Semuc Champey). It was on this understanding that they transferred the management of those two areas to the municipality. They did not think that over the course of the years, their land would be completely taken away from them. At this time, a member of the national Congress presented a new bill (25-2005) to declare Semuc Champey a protected area, without consulting the communities or the mayor. This violated the Republic's Constitution, which guarantees indigenous peoples the right to their territories. It also violated international conventions, considering that Convention 169 of the ILO—which establishes the right to Free, Prior, Informed Consent—was already in force. The municipal code was not followed either, and it was a violation of municipal autonomy; in fact, the mayor didn't even know!

Eight days before it was approved, the mayor was notified that Congress would be approving the bill. Two days after its approval, the mayor filed an appeal, which was not validated, and Decree 25-2005 came into effect.

In 2005, Semuc Champey was declared a protected area under the Natural Monument category. The law assigned CONAP as area administrator, automatically excluding the municipality and communities from territorial management. Communities demanded the right to manage their lands; since part of their territory had been snatched away from them without warning. CONAP later negotiated with the Q'eqchi communities to give them management rights, in exchange for development projects. They reached an agreement in which 60% of park revenues would go to CONAP, 10% to the municipality and 30% to the community; and there would be work for families.

Over the years, the established agreement has not been fulfilled. In July 2015, authorities from Catastro (RIC) and CONAP came to survey lands, with the intention of expanding the area of Semuc Champey Park. This increase (of 119 hectares) encroaches on the territory where communities live.

That day we asked CONAP and RIC to leave. We asked them to sign an agreement, in which we stated our objection to them surveying our lands and making decisions about our territory; and we demanded that they leave.

From that moment on, the communities once again took over management and administration of Semuc Park, since CONAP had failed to deliver on its commitments, and the municipality had disrespected the communities by not engaging in dialogue.

A Q'eqchi leader said: "na' qaj naq te' suqesi chaq li q'a ch'och" (since CONAP took our lands, and the municipality snatched them away without dialogue, we want our lands back).

"Li qa maak sa' ru eb' ahan ix b'anaq in k'a ix q'a kanab'eb' ix b'isb'al li ch'och' ut naq in k'a ix q'a kanab' naq te oq' sa chijunil li q'a na'je]" (according to CONAP and the municipality, our sin was not letting them take the additional 119 hectares to expand the Park and divide up the land).

### **Park Management in the Hands of Communities**

During their administration, the four Q'eqchi communities living in the area organized. Every week,

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52 people looked after Semuc Champey Park, including women, the elderly and youth. Every family had work to do, such as weeding and picking up garbage, and a community rescue group organized to assist visitors. Of course, because some people had secure jobs with CONAP, attempts were made to discredit our image and the work we were doing.

“Ixq’a kut’ ix xutan laj CONAP, ix q’a kut’ naq lao laj ral ch’och na ko trabajik chi chab’il chiru heb’ a an” (52 people work every week. We are putting CONAP to shame by showing them that the children of the earth manage the park better).

We used incoming funds to pay each worker's time, and we cleaned and repaired the road, filling the potholes.

"If we need to do the accounting we will; we have the paperwork to back us. It was easier for CONAP and the authorities to hold us at gunpoint and threaten our lives, because they did not want dialogue. They know that if we initiate legal proceedings we will win and they will lose. What is valid for us are the native people, indigenous authority, and the Q’eqchi community's own indigenous legal system," expressed a Q’eqchi community leader.

On March 4, 2016, seven indigenous leaders were arrested on charges of usurpation, coercion and aggravated theft. The community showed there was no evidence of these crimes, and they were released shortly afterwards.

## **Eviction**

Early in the morning on July 4, 2016, sixty riot police and National Police officers (PNC, by its Spanish acronym) showed up to evict the inhabitants of Semuc Champey. The communities resisted and asked the authorities to leave, but in the resistance two young people were injured. The women, who had placed themselves on the frontlines, got upset and fainted in fear as they started to flee, while police threw tear gas and fired into the air.

The police did not achieve their purpose that day. The next day at 6:00 am, "125 riot police and more than 300 PNC police officers returned unexpectedly to evict the communities of Santa María Semuc Champey, Chi Q’anus, Semil and Chisub’in in Semuc Champey, Lanquín Alta Verapaz. Upon arrival they began shooting, from 6:00 to 8:00 am, as if we were at war again. The animals, frightened, were screaming; and people were running everywhere. Most people from the Santa María Semuc Champey community took refuge in the forest to protect themselves. They talk about not polluting the environment. They say they protect the lives of living beings. So why so much pollution with their guns? Why do they threaten our lives? They may have hit animals with their gunfire—we don't know.”

They are now coming into homes in the communities, repressing Q’eqchi families through excessive force and violence, and invading their lands. These families are unarmed and fear for their lives.

There is also a media campaign against the communities, claiming they are inciting violence, when it is the police who have used excessive force and lethal weapons against unarmed villagers. The communities have always preferred dialogue, but local CONAP staff did not take them seriously, and today the police are perpetrating state violence. The communities explain that they are not invaders and are within their property.

Local, native and indigenous communities have proven faithful guardians of their territory and of nature, from the forests of Totonicapán and Palin, to the mangroves of the southern coast, to mention

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just a few examples. Without local communities' contributions and work, CONAP could not guarantee the conservation and protection of the Guatemalan System of Protected Areas. Through its actions against Q'eqchi communities in Semuc Champey, CONAP is clearly taking a step backwards in the collective management of protected areas, and is violating indigenous peoples' rights to their territories.

Meanwhile, as communities fight for their territories in Semuc Champey Park, government institutions are approving studies to exploit the Cahabón river, to favor private interests.

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