

Citizens as criminals.

Citizenship, violence and criminalization in national resource conflicts in Guatemala



Elisabet Dueholm Rasch

Wageningen University



**Jeremy Abra
Barrios Liu**



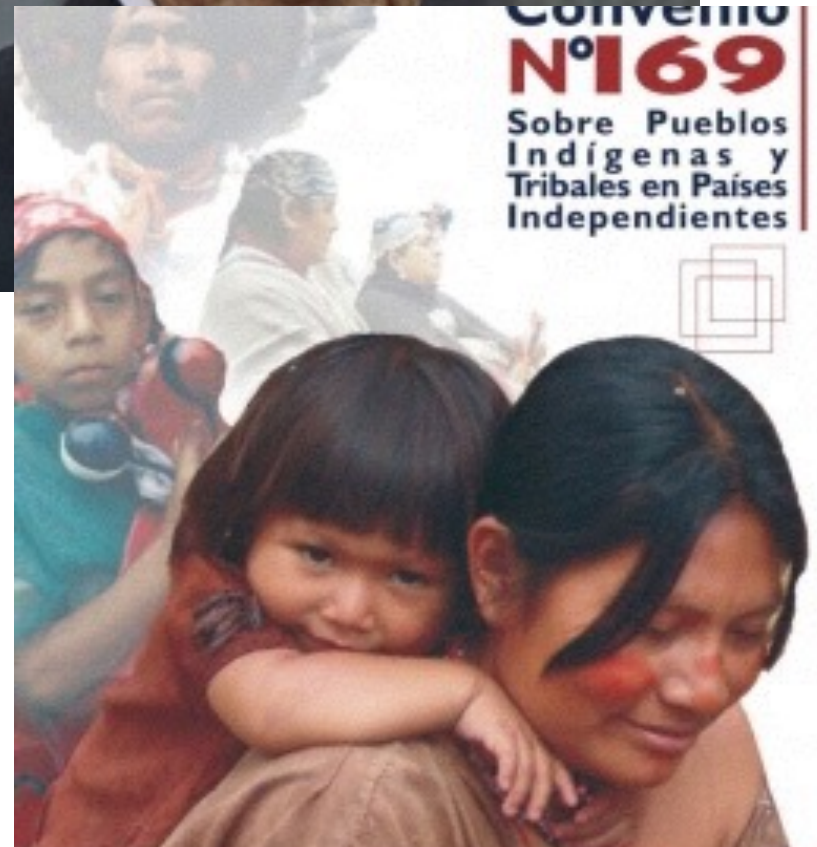


Natural resource conflicts are spaces (or frontiers if you like) where people not only resist possible expulsion of their land, environmental degradation, etc, but are also involved in struggles of participation in decision making processes and defending their human rights.

In doing so they not only face foreign companies, but are also caught in the middle of armed and non-armed actors that contest the same territory and its natural resources.

(Inter)national conte

- History of violence and exclusion of indigenous population (genocide)
- Peace accords and (indigenous) citizenship
- Mining Law of 1997 and the 'neoliberal project'
- Globalisation of indigenous rights



Activists as citizens

The right to say NO!

The right to be agents of our own the development

The right to be listened to as indigenous people

The right to water and a clean environment



Citizens as criminals

“They use penal law against leaders that defend natural resources and their territories towards mega-projects, accusing them of committing crimes as encroachment, kidnappings, aggressive resistance, public disorder, illegal detention, illicit association, among others, but in the worst case of being terrorists” (Ruben Jiménez).



Criminalization - citizens as criminals

HOW:

- The use of penal law
- States of emergency

WHO:

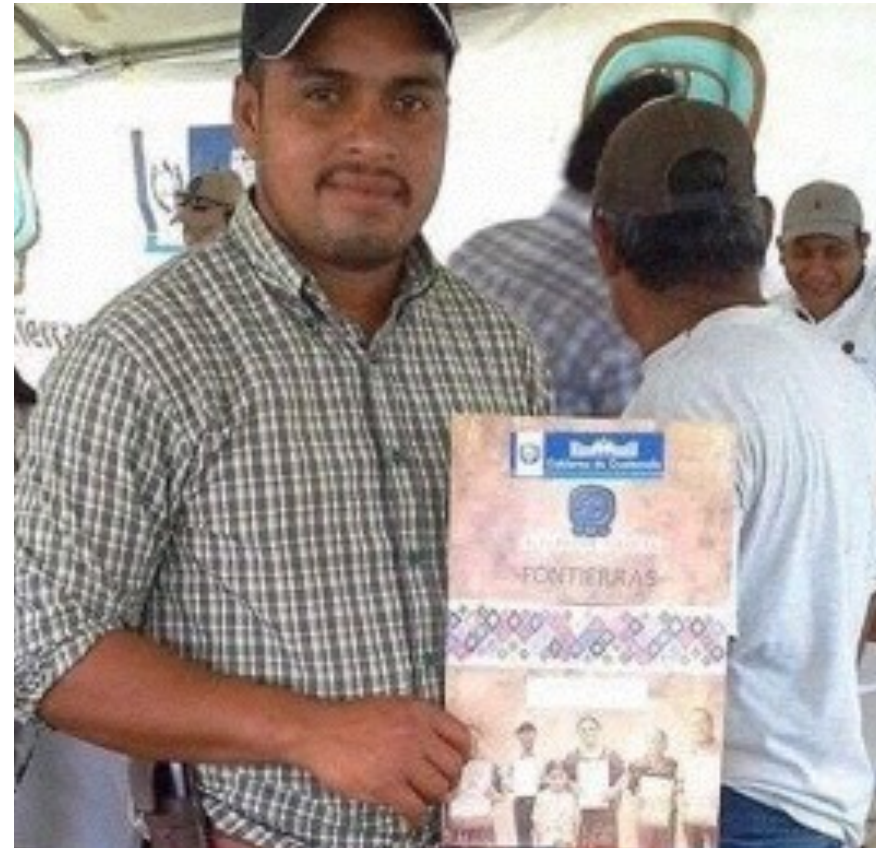
- Local and national state institutions
- Police, military
- Companies

Criminalisation refers to a wide range of practices ranging from demonisation in the press and police violence, to criminal prosecutions and disproportionate sentences.

Van der Borgh and Terwindt (2012)

Criminalization goes hand in hand with ...

- ... violations of human rights of citizens and activists;
- ... increased violence towards citizens and activists;
- ... increased militarization and armed actors
- ... stigmatization of vulnerable groups.



Criminalization is justified by stigmatization

- *They obstruct development*
- *They are barbarians and alcoholists*
- *They are violent and they easily kill*
- *They are payed and controlled by finqueros and/or international NGO's*
- *They use manifestations to hide drug traffic*
- *They violate the right to life*



Criminalization - citizens as criminals

- Harrassments, death threats, killings, which are not investigated nor punished, i.e. human rights of activists are not protected - **impunity**;
- Activists often are **accused of several crimes** that are not in proportion with the actions they have undertaken;
- Activists are detained without a proper process (possible during states of emergency);
- Offices of human rights organizations are searched, computers confiscated;
- Large groups, often living at the margins of the state are stigmatized and demonized in the press and social media

To conclude

