



**“SOMOS DE LA TIERRA”  
LAND AND THE GUATEMALA REFUGEE RETURN**

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**Abstract**

January 1993 marked the beginning of the return of Guatemalan refugees from Mexico on a large scale and in an organized, voluntary and collective manner. In contrast to earlier repatriations under a government sponsored program, the returns which began in 1993 were organized by the refugees themselves and took place under a set of accords signed between the refugee leadership and the Guatemalan government. These accords were designed to facilitate the return of the 46,000 refugees living in camps in southern Mexico on a large scale -- the refugees themselves predicted that some 15,000 refugees would return in 1993 alone. However, the return has proceeded much slower than expected. Less than 4,000 refugees returned in 1993 and by October 1994 only 7,000 had returned in 5 collective returns. There were a number of reasons for the slow pace of return, including continued concern on the part of the refugees about security issues. The massacre of 11 returned refugees in Xaman, Alta Verapaz shows that these concerns are justifiable. Another major reason for the slow pace of return, is associated with the land issue. Most of the refugees are small farmers of Maya descent who seek to return to an agricultural lifestyle in their homeland and thus need to secure access to productive land. In terms of the land issue, the returning refugees fall into two categories. In the first category are refugees who had land when they fled Guatemala and are now trying to regain their lands. In the second category are refugees who have no land and need to find and purchase suitable tracts of land. The problems faced by those in the first category are related to the fact that, in many cases, their lands have been taken over by other farmers, often encouraged to do so by the Guatemalan military. The problems faced by the second category relate mainly to trying to find large tracts of good land at an affordable price. Refugees in both categories are returning to face very difficult conditions, not the least of which is the difficulty of returning to highly militarized zones of conflict. Despite these difficulties, the refugee leadership have cast their return as part of the broader struggle for peace, justice and democratic development in Guatemala. The success of this larger struggle will largely determine the success of the refugee return.

## Introduction

In her treatment of the Guatemala refugee crisis, *Refugees of a Hidden War*, Beatriz Manz noted that access to land was one of the key factors within which that country's refugee problem must be considered (Manz 1988, 30). Indeed, the land issue was of central importance to the country's many political and economic struggles. This issue has deep historical roots, starting with the Spanish conquest of Mesoamerica in the 16th century. Throughout the colonial period the Spanish sought to amass wealth through the exploitation of Indian (Maya) land and labour to produce exotic crops for export. During the coffee boom of the late 19th century, this form of exploitation was codified as a strategy of national economic development thus legitimating the concentration of lands into the hands of Spanish landowners -- a process that involved the confiscation of communal and Indian lands by fiat and force.

Throughout the 20th century, the agro-export economy developed a succession of cash crops -- bananas, sugar, cotton, and cattle -- which led to further concentration of land ownership. By the 1970s the process of land concentration had proceeded to the point where the distribution of land in Guatemala was considered to be more unequal than in any other nation in Latin America (USAID 1982, 83). Agricultural census data from this period (1979) indicate that sixty-five per cent of the country's farmland was controlled by just two per cent of the farmers. On the other side of the land divide were some 288,000 farming families trying to eke out an existence on just over four per cent of the land base -- these farms all being under 1.4 hectares in size, far too small to support a family. The absence of any kind of serious land reform program has meant that this pattern of land distribution remained skewed during both the violence of the 1980s, and the return of the refugees in the late 1980s and the first half of the 1990s.

To a large extent, Guatemala was still a rural country with an economy heavily reliant on agriculture. According to figures provided by the United Nations Development Program (UNDP), sixty per cent of Guatemalans lived in rural areas and agriculture accounted for twenty-five per cent

of the country's GDP and fifty per cent of all employment (UNDP 1994, 180). Land and farming were especially important to the indigenous population for, as Manz notes, in Guatemala, "land is central to Indian life and culture." In Guatemala, land was also central to economic exploitation, conflict, and the struggle for justice.

The land issue was closely linked to Guatemala's refugee crisis for several reasons. For one, the inequitable distribution of land was central to the political conflict which produced large numbers of Guatemalan refugees in the 1980s. For another, the vast majority of the Guatemalans who sought refuge in Mexico during the 1980s were small farmers of Maya descent: for these returning refugees (returnees), gaining access to productive land was a critical factor in satisfying their economic needs. As will be discussed later, the issue of land for the refugees was intimately linked with human rights issues, militarization, and the attitudes of Guatemalans towards the returnees.<sup>1</sup>

This chapter examines the issue of land in Guatemala and its relation to the refugee return process. More specifically, it focuses on the problems returnees had in securing access to farmland in the Ixcán and the Petén, two of the areas most hard hit by the violence of the 1980s and which generated the largest number of refugees (Manz 1988, 255).<sup>2</sup> Both of these areas saw large-scale and organized returns of refugees during the first half of the 1990s. This chapter reviews the process of colonization of these areas, the exodus during the counterinsurgency period, and the resettlement of these areas by new colonists. These events set up the difficult conditions faced by refugees who wished to return to the Ixcán and the Petén areas to reclaim old lands or gain access to new lands.

I have based my findings on observations,

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<sup>1</sup> The land issue was also linked to environmental issues. Large groups of returning refugees settled in ecologically sensitive areas and concerns were expressed by environmentalists and others about the impact of these settlements on the local ecosystems. At the same time, given the general unsuitability of these areas to conventional agriculture, there were also concerns about the long-term sustainability of the return communities.

<sup>2</sup> Manz notes that the Ixcán generated the largest number of refugees with the second largest number coming from the west Petén.

interviews and documents collected during three separate trips to Guatemala -- in May and June 1993, November through December 1994, and January and February 1995. During the first trip I visited the Ixcán and the return community of Victoria 20 de Enero in my role as accompanier (human rights observer) with Project Accompaniment, a Canadian NGO working with the Guatemalan refugees. The latter two trips were part of my field work for my Masters thesis through the Faculty of Environmental Studies and the Centre for Refugee Studies at York University. The bulk of the field work during these trips took place in the Petén.

### 1. Regions of Flight: the Ixcán and Petén

Occupying 1,575 km<sup>2</sup> of the northern lowland portion of the department of Quiché, the Ixcán was largely uninhabited rainforest until the 1960s. Colonization of the area began in 1966, organized by Maryknoll priests from Huehuetenango with the support of Guatemala's National Institute for Agrarian Transformation (INTA). The first colonists of the area were indigenous people from the western highlands, mainly Mam and Q'anjob'al from the department of Huehuetenango. Each family was granted 17.5 hectares of land upon arrival in the region. Life was hard for these pioneers; clearing the dense forest to create farms and communities was backbreaking work. Even so, for many it was a big improvement over life in the highlands, for after the forest was cleared the land produced well (AVANCSO 1992, 35).

In 1970, the colonists formed the Ixcán Grande cooperative, which included five settlements in the area -- Mayalán, Xalbal, Pueblo Nuevo, Los Angeles, and Cuarto Pueblo -- and some 8,098 hectares of state and privately purchased (by the Catholic church) land lying between the Xalbal and Ixcán Rivers. The Ixcán Grande cooperative officially became owner of the land in 1974. The population of the area grew quickly and by 1970, INTA estimated that there were some 5,000 people living in the Ixcán. By the mid 1970s, the communities in the area were thriving (AVANCSO 1992, 88).

A few years later (beginning in the 1970s), the area to the east of the Ixcán Grande cooperative began to be colonized. This was the **Playa**

**Grande** colonization project, sponsored by INTA and supported with funds from the United States Agency for International Development (USAID). The Playa Grande project was carried out with the help of Spanish priests from the Diocese of Santa Cruz del Quiché (Manz 1988, 127).<sup>3</sup> Most of those who colonized this area were Kekchí and Pocomchí from the nearby departments of Alta and Baja Verapaz. Many poor *ladinos*, mainly from the south coast, also took part in this colonization project. By 1984, approximately 2,000 families had been resettled in the Playa Grande area (Dennis et al. 1988, 71). The Ixcán Grande and Playa Grande formed part of the larger process of colonization of the Northern Transverse Strip (or FTN). By 1985, the population of the FTN had reached 60,000 (Colchester 1991, 182).<sup>4</sup>

The relative prosperity enjoyed by the colonists in the Ixcán proved to be short-lived. By the mid-1970s the region began to be affected by the conflict which was sweeping the nation. In the early 1970s, the Guatemalan Army of the Poor (EGP), one of Guatemala's insurgent guerrilla groups, became established in the Ixcán and sought support among the local population. As the insurgents became increasingly active during the

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<sup>3</sup> The Playa Grande colonization area is also known as Ixcán Chiquito or the Zona Reyna.

<sup>4</sup> The FTN is a wide belt of low-lying land covering the northern portions of the departments of Huehuetenango, Quiché, and Alta Verapaz. Colonization of the FTN proceeded rapidly during the 1960s, 1970s, and 1980s due to a combination of state sponsored settlement schemes and spontaneous migration. Land inequity in southern Guatemala generated large numbers of landless and land-poor people in the highlands. According to Jonas (1991, 79), by the late 1970s ninety per cent of the highland population lacked sufficient land to meet their basic needs. Another 400,000 rural people were completely without land at all (Dunkerley 1988, 473). These people were attracted to the area by the prospect of owning their own land. The colonization schemes also benefited the state and their allies in the landed elite, for they served as a painless substitute for a much needed land reform program. As Jones (1990, 102) noted, "in Guatemala, a decision has quite clearly been taken to substitute colonization of new lands for land reform." This is not to say that colonization resulted in a more equitable distribution of land in colonized areas. The FTN became the site of intense land speculation as powerful interests scooped up huge parcels of land. The area gained the nickname "Land of the Generals" as huge tracts were parcelled out to the military and other government supporters -- General Lucas Garcia alone acquired more than 32,000 hectares in the area (Jones 1990, 106).

late 1970s and early 1980s the Guatemalan army entered the area, and the colonists found themselves in the middle of the conflict. During this period the army tried to discourage and punish community support for the insurgents by abducting, torturing, and killing community leaders (Falla 1992, 10). In 1981, the army adopted more horrific measures including the slaughter of all inhabitants -- men, women and children -- in a number of villages. By 1982, most of the communities in the Ixcán Grande area had been abandoned, the residents having fled deep into the jungle or to Mexico.<sup>5</sup> The situation was similar in the Playa Grande area where some 1,000 to 1,500 residents were killed, three entire communities were destroyed (and all residents killed), and hundreds of families displaced into the jungle or to Mexico (Dennis et al. 1988, 74).

Many villages in the Ixcán remained abandoned for years. Beginning in 1984, the army began to repopulate the area, starting with the community of Xalbal. Lands that had been abandoned by the initial colonists, who had fled to Mexico or into the jungle, were distributed to newcomers. Newcomers received lands on the condition that they comply with military authorities. The military directed the rebuilding of destroyed villages on a military model, with houses clustered together in a grid pattern, to monitor and enforce control of the residents. There was little opportunity for cooperative work or community organizing in these villages.<sup>6</sup> Refugees and others who had been displaced who returned to the Ixcán during this period were taken by the military to development poles near the Playa Grande military base where they were completely dependent on the army for food. For those who stayed behind, for newcomers to the area, and for those who returned, the immediate post-conflict period was extremely difficult. All had to partake in Civil Patrols (PACs)

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<sup>5</sup> Falla (1992) provides an account of the repression in the Ixcán, including the massacre of over 300 people at Cuarto Pueblo in March of 1982. The report by AVANCSO (1992) is also an excellent overview of the period of colonization and repression in the area.

<sup>6</sup> Manz (1988, 138) quotes original settlers who lived through this period of reorganization and militarization: "There is no cooperation, there is no trust among us. We don't know each other now .... We would like the refugees in Mexico to come back so we can be a community again."

and were forced to provide free labour for military construction projects. Human rights abuses by the military continued and the Civil Patrols became a new source of community control and repression.

Like the Ixcán, much of the Petén was uninhabited prior to the 1960s. This vast (36,000 km<sup>2</sup>) northern lowland region, comprising one-third of Guatemala's land area, had long been viewed as a prime area for colonization. In 1959, the government created the National Enterprise for the Promotion and Economic Development of the Petén (FYDEP), an agency to oversee the colonization and development of the region. During the first decade of its existence, FYDEP sponsored few colonization efforts. In the late 1960s however, rumours that the Mexican government was planning to build a dam on the Usumacinta River, which would flood parts of the west Petén, spurred the Guatemalan government to accelerate colonization of the area along the river in order to assert Guatemala's sovereignty over the area. Between 1969 and 1973, approximately 600 peasant colonists were settled in sixteen cooperatives along the banks of the Usumacinta River and its main tributaries. The size and number of these cooperatives grew steadily throughout the 1970s.

These settlements were extremely isolated and depended almost exclusively on river travel, not always a convenient or safe mode of transportation. They received little in the way of state (FYDEP) support. However, many did receive significant support from other outside organizations, such as the Catholic Church. For example, Centro Campesino, located on the bank of the Usumacinta in the far northwest corner of the Petén, was supported by Belgian priests and community workers. Thanks to the hard work of the colonists and this kind of outside support, Centro Campesino achieved a high state of development by the late 1970s -- by the end of this decade the community had expanded to over 700 people and had electricity, vehicles, boats, many animals and produced a food surplus which was sold at local markets (CEIDEC 1990, 128). La Técnica Agropecuaria, located not far upstream from Centro Campesino, was also a well established and highly successful cooperative by the late 1970s as was El Arbolito, located further south along the river (FEDECOAG 1993, 52).

Of all the communities in the Petén, the

cooperatives along the Usumacinta were hardest hit by the violence of the 1980s. The conflict in the Petén developed along similar lines to the conflict which took place in the Ixcán. Insurgents belonging to the Rebel Armed Forces (FAR), established themselves in the west Petén in the 1970s and began to develop a popular base among the cooperatives. In response, the army began counterinsurgency operations in the area. During 1980 and 1981, the conflict was mostly restricted to fighting between the army and guerrillas. It was not long, however, before community leaders and civilians suspected of guerrilla collaboration were targeted by the military. The army quickly became less discriminate -- in 1982 there were four massacres in the Petén with a total of 228 people killed. All but eight of these victims came from the western district of La Libertad where the cooperatives were located (FEDECOAG 1993, 19).

As in the Ixcán, the violence spurred thousands to flee their communities for fear they would be the next victims of the army. In May 1981, some 500 people fled into Mexico from the communities of Puerto Rico, El Mango, and Las Cruces. As this was one of the very first large-scale movements of Guatemalans across the border due to political violence, there was considerable confusion over why the people had fled. Government officials maintained they were simply economic (agricultural) migrants who went to Mexico every year to find work. The people themselves told a different story to the Mexican press, maintaining they had fled from military patrols (FEDECOAG 1993, 20). Shortly after this, many people from the cooperatives along the Usumacinta began crossing the river into Mexico. By July of the same year, the Mexican authorities reported that close to 3,000 Guatemalans had sought refuge on the Mexican side of the river. Two weeks later, Guatemala's ambassador to Mexico announced that another 1,700 refugees had crossed into Mexico from the Petén. Many also fled into the nearby jungle, where they set up semi-permanent Communities of People in Resistance (the CPRs of the Petén) or to Santa Elena and San Benito, the major urban centres of the department (CEIDEC 1990, 119).<sup>7</sup> Most of those that fled to

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<sup>7</sup> According to one report, the town of San Benito (adjacent to Santa Elena and Flores) received many victims of

Mexico and into the jungle came from the cooperatives along the river. Seven of these cooperatives were completely abandoned -- El Arbolito, Centro Campesino, La Técnica Agropecuaria, La Lucha, Las Flores, La Nueva Felicidad, and Bonanza -- while others were only partially abandoned. Several of the communities were destroyed by the army, all the houses burnt and the animals slaughtered. Some who stayed behind and some of the few who did return from Mexico or the jungles were resettled by the army into a development pole established at Laguna Perdida (CEIDEC 1990, 120). Out of fear for their lives, most of the displaced refused to return to their communities for many years. In the meantime the military encouraged others to take over their lands. Apparently this counterinsurgency tactic was less successful in the Petén than it was in the Ixcán due to the continued presence of guerrillas in the Petén who strongly opposed this resettlement.

## 2. Repatriation and Return

Once in Mexico, many of the refugees eventually found their way into refugee camps under the auspices of the United Nations High Commissioner for Refugees (UNHCR) and the Mexican refugee agency (COMAR). A larger number of refugees lived outside the camps and therefore were not officially recognized as refugees by the UNHCR. Some made their way north to the United States, Europe or Canada. While life in exile was safer than staying in Guatemala, it was anything but easy. The refugees' access to land and work (at a decent wage) in Mexico was very limited. They also had little freedom of movement. Most refugees longed to return home and, once the violence in Guatemala abated, they began to organize their return.<sup>8</sup> They selected leaders (the

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the violence -- some 1,000 refugees, including many orphans took up residence there (CEIDEC 1990, 119). As for the CPRs, there are an estimated 1,000 people living in five separate CPR villages in the jungles of Petén (Bernstein 1995).

<sup>8</sup> The decision to return was not an easy one for the refugees. Despite the difficulties of living in the camps, they did have access to schools, health clinics, and other services provided by the Mexican government and international NGOs. After weighing all the pros and cons of staying in Mexico or returning to Guatemala, many decided to return. Perhaps as

Permanent Commissions of Guatemalan Refugees in Mexico or CCPP), formed support groups for women and youth, and built an organizational structure around promoters in various fields (e.g., health, education, human rights, communication) (see also Torres contribution to this Volume).

In considering the movement of Guatemalan refugees back into their homeland, it is important to recognize the distinction made between the concepts of "return" and "repatriation". The CCPP stressed that a "return" be completely voluntary, organized by the refugees themselves, and carried out in a collective manner with large groups of families returning together. They contrasted this with a "repatriation", which was associated with the government-sponsored program managed by COMAR, CEAR (the Guatemalan Refugee Agency) and the UNHCR. Under the government program, refugees were repatriated -- that is, they were the subjects of government action and were less than full participants in the process. Under the government program, usually only one or a few families repatriated in a group.

The repatriation of Guatemalan refugees under the government program began in 1984, facilitated by the UNHCR and COMAR. However, only a relatively small number of refugees repatriated prior to 1987 due to continued political instability in Guatemala. The election of a civilian government in 1986 increased prospects for a resolution of the refugee crisis, especially since the new President, Vinicio Cerezo Arévalo, made repatriation of the refugees a priority. In 1986, the government created a new special commission (CEAR) to provide support to repatriates. The rate of repatriation accelerated and by 1990 over 6,000 refugees had repatriated under the government program (AVANCSO 1992, 56).

In the Ixcán, the first large-scale (government-sponsored) repatriation occurred in 1987 when twenty-six families were returned to the Ixcán Grande area. These families faced considerable hardship upon their return to the area

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much as anything, the decision to return was based on the hope for a better life. As one former refugee (who had already returned to Guatemala) put it; "There [in Mexico], we work only to survive, whereas here .... well here we also work to survive, but we also have hope; there was no hope there" (FEDECOAG 1993, 52).

and had to be temporarily settled in Centro Veracruz. When the refugees tried to return to their old cooperatives they were treated with suspicion and hostility by local residents, most of whom were relative newcomers and who had been resettled into the area by the army. Many of these newcomers viewed the returnees as subversives and guerrilla sympathizers, something the army encouraged them to believe. Many feared that the returnees would bring renewed military attention (and repression). Some feared that the returnees would reclaim land which they had been cultivating over the last few years.

There was good reason for the newcomers to be preoccupied with this last concern. It was extremely important to the returnees to regain access to the lands they had involuntarily abandoned -- this issue was the biggest potential source of conflict with the new residents in the area. In some cases, the land had remained abandoned and so could be recovered without conflict. Often, however, their lands had been taken over by new colonists. In this case, a solution had to be worked out. Ideally the returnees could return to the community and take over their old piece of land and the newcomer would assume a different parcel within the community (if one was available) or vice versa. Those who returned first were often at an advantage as there were still abandoned lands and these sorts of tradeoffs were possible. The conflict over land was exacerbated by institutional conflict. For example, CEAR supported returning disputed land to the original owner while the army and INTA opposed this arrangement.<sup>9</sup>

In the Petén, there was also a movement of displaced people back to their communities during the late 1980s. After the election of the Cerezo government, some former cooperative members began to return to their communities on the Usumacinta under the government repatriation program. For instance, some families returned to

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<sup>9</sup> The situation was somewhat different in the Ixcán Grande area than it was in Playa Grande. In the Ixcán Grande area, former residents were members of the cooperative and thus had legal title to their lands within the community. In the Playa Grande area, no such legal title existed and when the colonization was set up there was a clause that stipulated that abandoned lands would revert to state ownership. In such cases, returnees had no right to the lands they had abandoned and were thus made to seek other lands.



El Arbolito in 1987. However, many of those families fled again following incidents of violence and by the early 1990s only seven of the original member families of the cooperative returned. There was also a slow process of return to La Técnica, but, by 1991 only one quarter of the original families had repatriated to this community (FEDECOAG 1993, 52). Few refugees repatriated under the government program: in 1992, only sixty-three people returned to the region under the program. As in the Ixcán, fear kept most refugees in exile. The CCPP also tried to discourage participation in government repatriation schemes. As well, there were indications that CEAR itself discouraged returns to the Petén, citing concern that the return of large numbers of refugees would damage the region's fragile ecology (FEDECOAG 1993, 30).

While the government repatriation program limped along, the CCPP began negotiating with the Cerezo government over conditions for a larger scale return of refugees. In October of 1992, after five years of negotiation, the CCPP and the Guatemalan government signed an accord that was to pave the way for the return. The accord contained agreements on several points designed to provide the refugees with the security they needed to begin their return. Among these was an agreement that the returning refugees had the right of access to land (CCPP 1993). The section relating to land was of great importance to the refugees (as Nolin Hanlon's chapter in this Volume also emphasizes). The vast majority of returning refugees were small farmers for whom gaining access to land was crucial to their economic well being. The accords recognized that, as far as the question of access to land was concerned, there were three broad categories of refugees. The first category included all the refugees who owned private land. The second included those who had had access to land through their membership in an agricultural cooperative. The third category was for all those refugees who had no access to land at all. The accord stipulated in some detail how, in each of these cases, the returning refugees could gain or regain access to land in Guatemala. In cases where a refugee's private or cooperative land had been settled by newcomers, the accord allowed for either the removal of the new settler or the provision of other lands to the returnee (CCPP 1993).

### 3. Obstacles to the Return

While the various agreements, including the section pertaining to land, looked promising on paper, it remained to be seen how they would be implemented. Nevertheless, the signing of the accords was a major breakthrough and set the stage for the first return which took place in January of 1993 when close to 2,500 refugees returned to establish a settlement on a parcel of land known as Polígono 14 (later named Victoria 20 de Enero), located in an isolated section of the Ixcán.<sup>10</sup> The returnees began the hard work of clearing the dense forest and establishing houses and fields. From the outset the community suffered from health problems, a lack of adequate food, poor access, and concerns about their security.<sup>11</sup> Despite these difficult conditions, the spirits and expectations of the returnees were high and the community enjoyed significant support from Guatemalan and international relief agencies (Egan 1993).

After this first return, it was thought that the process of return would accelerate greatly -- the CCPP predicted that 15,000 refugees would go back to Guatemala in 1993 alone. This expectation was not to be realized however, as the return process proceeded very slowly. Only one other return took place during 1993, when 1,300 refugees went back to the Ixcán. By October of 1994, only 7,000 refugees had returned in five collective returns. The slow pace of the return was due in large part to concerns about the security of the returnees.<sup>12</sup> Another crucial obstacle to the

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<sup>10</sup> Of the 510 families that returned to Victoria 20 de Enero, eighty-six were former members of the Ixcán Grande cooperative. The remainder either had title to other lands or were without land (CHRLA 1993b).

<sup>11</sup> Because the settlement was in a zone of active conflict between the army and insurgents the entire surrounding area was heavily militarized. Throughout 1993 it was common for army helicopters to pass over the settlement at night and to hear explosions and machine gun fire in the direction the helicopters were headed. The returnees also found unexploded mines on their land and a field of marijuana. On several occasions army patrols passed near the village, in direct contradiction to the accords (CHRLA 1993a; CHRLA 1993b).

<sup>12</sup> These concerns were heightened by the coup of May

return had to do with securing land for the returnees. Problems with securing access to land for returnees falls into two general categories: the first involved returnees attempting to regain their land and standing within cooperatives, and the second concerned finding and purchasing land for refugees without land.

The problems faced by refugees wishing to return to their former positions and lands within cooperative communities applied to both those returning to the Petén and those returning to the Ixcán. In both areas, the returnees were often met with open hostility and distrust on the part of local military authorities and other residents. One instance of the degree of hostility which the returnees faced occurred in the community of Xalbal. Located on the banks of the Xalbal River, this village was the most important centre in the Ixcán prior to the counterinsurgency period. After massacres in Xalbal and neighbouring communities, the entire population of Xalbal abandoned the village in March of 1982. The military began to repopulate the village in 1984 -- bringing in newcomers from different parts of the country (Manz 1988, 55).

As part of the Ixcán Grande cooperative, the community of Xalbal had established legal title to the land -- title which had been recognized by the Guatemalan government as equivalent to private land ownership. As members of the cooperative, the former residents of **Xalbal** who fled to Mexico and who later wanted to return had legal title to their old lands. While the Guatemalan constitution recognizes that "voluntary abandonment" of land can be grounds for forfeiting land rights, fleeing in fear for one's life can hardly be considered voluntary abandonment (Manz 1988, 143). Despite their strong case, the refugees who wished to rejoin the community of Xalbal and regain their old lands faced strong opposition from the new residents of the village. In September of 1994 the returnees petitioned for the return of 111 parcels of land which they claimed as their former lands. The current occupants refused the request, saying that they had been living on the land for the last ten years. Similar conflicts

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1993 and by a number of specific conflicts that returnees to the Ixcán were experiencing (e.g., due to the heavy military presence in the area and the hostility of other colonists in the area) (CONGCOOP 1995).

occurred in several other communities within the Ixcán Grande cooperative. In an effort to end the conflict, in September of 1994 the General Assembly of the Ixcán Grande cooperative decided to establish a time limit for members of the Ixcán Grande cooperative members who were in Mexico to return and claim their places within the cooperative. Those who did not return by December of 1995 would lose their position and lands within the Ixcán Grande cooperative. Returnees seeking to return to their old cooperatives and lands in the Petén experienced similar problems.

While ex-cooperative members were struggling to regain their lands, those returnees who had no property at all were having difficulties finding and purchasing suitable land. Complicating matters for those without land was the need to find very large tracts of land (often several thousand hectares) as the refugees returned in large groups (e.g., a single group could exceed 200 families or 1,000 people). Ecological factors also necessitated the purchase of large tracts of land. The land in the northern lowland areas of Guatemala, such as in the Ixcán and Petén, is not well suited to conventional agricultural techniques and was usually farmed using methods (swidden agriculture) which use long fallow periods. This required each farmer to make use of a relatively large tract of land over the cycle of cultivation and fallow. Anywhere from 7.5 to 45 hectares of land were needed to support one farming family in these areas.<sup>13</sup>

Looking for tracts of land of this size automatically restricted the options open to the returnees. They could either purchase vacant state-owned lands (of which there were few) or large

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<sup>13</sup> There is some disagreement over how much land was needed to support a family farming in these areas. For example, the return community of Victoria 20 de Enero has over 4500 hectares of land. The returnees to this community maintained that each family needed eighteen hectares of land to be self-sufficient. INTA, on the other hand, claimed that each family would require only 7.5 hectares. Even larger tracts of land are needed in the Petén, where soil conditions are more difficult. Schwartz (1990, 286-288) reports that each farming family in the Petén required anywhere from twenty-one to forty-five hectares of land. The 225 families who planned to return to one part of the Petén, to the finca El Quetzal, purchased a piece of land over 6000 hectares in size (almost twenty-seven hectares per family).

tracts of privately owned land. This, in turn, brought up a second problem: the cost of purchasing the land. Reports circulated of rampant price speculation by large landowners who knew the returnees were looking only for large parcels of land.<sup>14</sup> It was a bitter irony that some of these large landowners, many of whom gained control of the land through less than legal or honourable means during the process of colonization and counterinsurgency, later made a fortune by selling the land back to people displaced by the conflict.<sup>15</sup>

Once a suitable piece of land had been found and a price agreed upon, further difficulties often awaited the returnees. Purchase of these lands was dependent on the refugees receiving land purchase credits from the Guatemalan government, which had received international financial assistance to purchase lands for the returnees. These funds were supposed to be made available to the returnees from two sources: FONAPAZ and FONATIERRA. Before these agencies would release credits to the refugee group returning, however, the return and the land purchase had to be approved by CEAR, INTA, and any other government agency that might be involved with the return or the specific piece of land in question. Wading through the tangle of bureaucracy was often a lengthy and frustrating experience for the refugees. From the very first return, when the people planning to return simply packed their things and walked out of the camps in Mexico heading for the Guatemalan border, almost all groups of returnees experienced delays in their plans to return for some reason or other, many of them relating to getting their land credits approved or CEAR granting approval for the return. On numerous occasions the refugees charged the Guatemalan government (and more specifically CEAR) with obstructing their plans to return. They also accused the government of misappropriation

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<sup>14</sup> The cost of the land at Victoria 20 de Enero was relatively modest, some 1.36 million Quetzales (approximately US\$ 250,000), because it was public land. Private land purchases were much more expensive: the finca El Quetzal, for example, cost around US\$ 450,000, an astronomical sum for poverty-stricken returnees.

<sup>15</sup> Perhaps the most blatant case of this cruel twist of fate came in late 1994 when one group of returnees purchased three estates owned by General Romeo Lucas Garcia, one of the architects of the counterinsurgency campaign.

of funds provided by international donors for the return and resettlement process.

One of the most controversial returns centred around approximately 255 families who migrated as a group back to the finca El Quetzal in the Petén. Roughly eighty per cent of the land they wished to return to lay within the Sierra del Lacandon National Park, one of the core areas of the Maya Biosphere Reserve. The finca El Quetzal had been founded and partly settled in the 1970s by a cooperative made up of a group of indigenous people from the western highlands. The few families that had settled on the land fled the area in the early 1980s during the counterinsurgency period. This land was identified as a suitable destination for returning refugees in 1993 and the CCPP negotiated a purchase agreement with the owners in 1994.

The next step for this group of returnees was to secure the credits needed to make the purchase and obtain government approval to settle on the land. The refugees soon ran into trouble with CONAP, Guatemala's National Protected Areas Council, which is responsible for safeguarding national parks and other protected areas. According to the law which created the reserve, human settlements within any of the core areas were deemed illegal and CONAP refused to approve any settlement at El Quetzal (Cabrera 1994). The refugees argued that since the **finca** existed prior to the creation of the biosphere reserve (the reserve was legally established in 1990) and because the ownership of private land was protected under the constitution, they (as new owners of the property) had full rights to settle on and develop the land. They also provided the government and CONAP with a plan for management of the land which they maintained would protect the ecology of the area.

There followed a long process of negotiation and consultation between the refugees and various government agencies, the main players being CONAP, CEAR and INTA. While INTA and CEAR eventually supported the return to El Quetzal, CONAP did not. Lacking CONAP's approval, the returnees found themselves in a difficult position. Without CONAP approval, none of the other Guatemalan government agencies nor the UNHCR would release the funds or land credits the refugees needed in order to return to their land. As a result, the return was postponed

several times. After months of negotiation the refugees became frustrated and began to press more forcefully for a resolution. A group of refugees occupied CONAP offices in June of 1994. In December of 1994, their patience exhausted, the refugees took matters into their own hands and organized a self-financed work brigade to go to the site and begin preparations for the return. Shortly afterward, government opposition collapsed and the return was permitted in early 1995.

#### **4. Conclusion: "Somos de la Tierra"**

Gaining access to land was one of the major reasons Guatemalan refugees wished to return to their country of origin. Most of the Guatemalan refugees were of indigenous origin and had strong economic and cultural ties to the land. Returning to an agrarian way of life required gaining access to land, either their old lands or new land. As one of the returnees noted: "There [in Mexico] we had better living conditions because we had schools, clinics, electricity, there were NGOs helping us, there were many things, but it's not the same, because here [in Guatemala] we know that the work we do is for ourselves; we know that improvements we make to the land are for ourselves because we won't have to leave them, they are ours. Here there is hope that we can do something" (FEDECOAG 1993, 52). There was also the sense among many of the refugees of belonging to the land and the land belonging to them: "We are of the land because the land belongs to us; in Mexico the land was not ours, for this reason we always felt like strangers, like parasites, we felt lessened" (Ibid., 53). For these people, the return is truly a return to home, land, and a better life: "Just by knowing the land is ours, it gives us confidence and we work harder, we care for the land and we're going to defend it, when necessary, because it is our life" (Ibid.).

The struggle to access land was only part of the larger struggle of the return. Even when the returnees acquired adequate land, many difficulties befell them in their efforts to develop their communities. Most seriously, they had to establish themselves within a highly militarized setting where they were viewed by the military as subversives and guerrilla supporters. They also found themselves in conflict with those who had

stayed behind and endured the violence, and especially those who moved into the area (the Ixcán and Petén) and settled on lands which had been "abandoned" by the refugees when they fled to Mexico. The returnees tried to downplay this conflict, arguing that their aims and objectives were based not only on developing their own communities but also extending the benefits of this development to neighbouring communities and the region as a whole, trying to build unity with other *campesinos* rather than foster divisions. In fact, the refugees maintained that their community development efforts presented an opportunity to develop a viable means of rural development in Guatemala.

This was perhaps the greatest promise of the return, the possibility of developing a rural development alternative, a new model for rural communities outside the bounds of military control. While these return communities were only a very small part of rural Guatemala, the promise was that they could have a wide influence, that they could spark a resurgent rural development movement, similar to the one that flourished prior to the repression of the 1980s. The return created alternatives in the countryside, and allowed for more democratic and participatory forms of community development. One can look at return communities as small islands of resistance in the sea of militarization which was rural Guatemala. Within the Ixcán and west Petén, the return communities were relatively large, well organized, and based on relatively democratic principles. Return communities refused to participate in Civil Patrols, something most other rural communities did not dare to do. The return communities thus became positive symbols for other rural Guatemalans.

While these communities challenged the status quo, the returnees still faced enormous difficulties. The most serious short-term threat was a hostile and powerful military structure. In the longer-term, obstacles concerning economic and ecological sustainability also stood in their way. Finally, as the returnees themselves reiterated, the return was just part of the larger struggle for peace, justice and democracy in Guatemala. The success of this larger struggle determined the long-term success of the return itself.

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