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Institution: Inter-American Commission on Human Rights
Title/Style of Cause: Maya-Sitio Community of El Rosario-Naranjo v. Guatemala
Doc. Type: Decision on Precautionary Measures
Dated: 14 July 2006
Citation: Maya-Sitio Community v. Guatemala, Inter-Am. C.H.R.,
OEA/Ser.L/V/II.127, doc. 4 rev. 1, Ch. III, para. 31 (2006)

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31. On July 14, 2006, the IACHR granted precautionary measures in favor of the Maya-Sitio Community of El Rosario-Naranjo, identified as both area and archaeological monument, and sacred place for those in Guatemala who practice Mayan spirituality. The information available states that Government Decision No. 1,210 protects the areas identified as archaeological sites. It is stated that the area of El Rosario-Naranjo belonged to third parties who started to build a housing project on the protected land and commissioned a study that reduces the sacred area from six to three mounds (mounds I, II, and III). In 2005, the general directorate of the Office of National and Cultural Patrimony, at the request of the firm LEXUS, authorized building work in the areas adjacent to Mounds I, II, and III. However, the Supreme Court of Justice declared that building in El Rosario-Naranjo obstructs the holding of Mayan religious and social celebrations, in violation of the Guatemalan constitution, and ordered the suspension of the building work on the site to be suspended, in spite of which they continued building and argued that they had not been notified of the decision. In response to a request from the IACHR for information prior to the granting of precautionary measures, the State indicated that until final judgment has been reached in the summary proceedings, there was nothing to prevent the granting of precautionary measures to protect the Rosario-Naranjo Archaeological Center. In view of this, the Commission requested that the Government of Guatemala adopt the measures necessary to protect the Rosario-Naranjo Archaeological Center. The Commission is monitoring the beneficiaries' situation.