



Monthly Information Package Guatemala

Number 259 - April 2025

1. THE CURRENT SITUATION

Monthly update on the situation in Guatemala as highlighted by the press, related to the main thematic areas of PBI Guatemala's work: the fight against impunity, land issues and defense of territory.

Widespread condemnation of the arrests of Luis Pacheco and Héctor Chaclán Batz

On April 23, 2025, current Deputy Minister of Sustainable Development at the Ministry of Energy and Mines (MEM) Luis Pacheco and Héctor Chaclán Batz, who served as president and treasurer of the Board of the 48 Cantons of Totonicapán in 2023, were arrested by the National Civil Police (PNC) in Guatemala City. They were arrested for their participation in protests that began in October 2023 to defend the election results. The Public Prosecutor's Office (MP) has charged them with terrorism, unlawful association, obstruction of criminal proceedings, obstruction of justice, and incitement to commit a crime.¹

The mass demonstrations, for which Pacheco and Chaclán are being criminalized, began on October 2, 2023, and resulted in a national uprising in response to the MP's efforts to invalidate the results of the presidential election. Indigenous authorities from the 48 Cantons of Totonicapán and other regions in the west of the country called for a national strike, which Ancestral Indigenous Authorities from territories across the country, as well as other civil society organizations and sectors, joined in the following weeks. The peaceful demonstrations that took place throughout the country ended once the winning presidential ticket was sworn into office on January 15, 2024.

On Friday, April 25, 2025, Pacheco and Chaclán were indicted and sent to pretrial detention at the Mariscal Zavala military prison. Judge Carol Patricia Flores, who the International Commission against Impunity in Guatemala (CICIG) previously accused of corruption,² gave the Special Prosecutor's Office for Organized Crime two months to investigate the men for terrorism and obstruction of justice charges. Furthermore, there are reports of three other arrest warrants and a request by the MP to strip the current departmental governor of Sololá, Edgar Benjamín Tuy Bixcul, of his right to political immunity.³

Indigenous and ancestral authorities and civil society as a whole have widely condemned the actions of the MP in arresting Pacheco and Chaclán, as well as the accusations made against them. The current board of the 48 Cantons of Totonicapán expressed its complete rejection of the criminalization of indigenous leaders by the MP and members of the judiciary. They see these actions as a clear attempt to criminalize peaceful protests carried out by different indigenous groups in defense of their rights and the rights of all citizens to participate in democracy and uphold the rule of law. At a press conference, they stated that indigenous peoples have exercised their right to legitimate peaceful resistance for the benefit of the Guatemalan people, as enshrined in the Political Constitution of the Republic of Guatemala, which states: "The resistance of the people for the protection and defense of the rights and guarantees granted in the Constitution[,] is legitimate." Therefore, it is a serious matter that the MP considers indigenous peoples to be terrorists and part of a criminal structure, suggesting that peaceful protests amount to unlawful association.⁴

¹ García, J., [En corto: MP acusa de «terrorismo» a la directiva de los 48 Cantones que dirigió el «paro nacional» del 2023](#), Plaza Pública 23 Apr 2025.

² COMUNICADO CICIG, [Antejuicio contra jueza Carol Patricia Flores Polanco](#), 30 Apr 2015.

³ Prensa Comunitaria, [Autoridades indígenas y comunidades reaccionan por las detenciones de dirigentes de 48 Cantones del 2023](#), 28 Apr 2025.

⁴ [Press Conference by the 48 Cantones de Totonicapán](#), 23 Apr 2025.

The international community⁵ also reacted, expressing condemnation and deep concern over the arrest of both indigenous leaders. For example, in its statement, the Inter-American Commission on Human Rights (IACHR) referred to certain patterns it identified in observations and reports from its 2024 on-site visit, noting that “[t]hese patterns include the use of vague and disproportionate charges...” The “abusive use” of criminal law against indigenous leaders “creates a broader climate of fear, undermining the collective right to self-determination.”⁶

On Tuesday, April 29, at a press conference, President Bernardo Arévalo, together with his cabinet and a delegation of indigenous authorities from across the country, announced that they had filed an injunction against Attorney General Consuelo Porras, demanding due process for Pacheco and Chaclán and challenging the arbitrary classification of the protests as “terrorist” acts. Ixil authority Feliciano Herrera stated, “Indigenous and ancestral authorities have gathered in assembly in response to constant attacks by the MP, with the complicity of judges who are undermining the institutions of Guatemala’s indigenous peoples and attempting to destabilize the rule of law and the lives of Guatemalans. We condemn the criminalization, persecution, discrimination, and racism promoted by members of the MP.”⁷

Court of Appeals grants house arrest to man convicted in Molina Theissen case

On April 11, 2025, the First High Risk Court granted Hugo Zaldaña, a retired military officer sentenced in 2018 to 58 years in prison for the Molina Theissen case, a modification to his alternative sentencing measures. “The Court granted him house arrest with electronic monitoring, a ban on leaving the country, a ban on contacting the parties to the proceedings, and the obligation to report once a month to the MP headquarters to have his fingerprints taken for the biometric system.” He was convicted for crimes committed on September 27, 1981, when Emma Guadalupe Molina Theissen was kidnapped, tortured, and raped at a military outpost in Quetzaltenango. She eventually managed to escape, and the military retaliated by kidnapping her 14-year-old brother, Marco Antonio Molina Theissen, on October 6 of the same year. The boy was never found; he remains disappeared to this day.⁸

The ruling in favor of Zaldaña contradicts an Inter-American Court of Human Rights ruling, which stated that “in order to prevent irreparable harm to victims’ right to access justice in the case of Molina Theissen v. Guatemala,” given the seriousness of the crimes tried in this case, the Guatemalan State should not grant this type of alternative sentencing measure.⁹ The Molina Theissen family lives in exile and has been searching for Marco Antonio for 43 years. Emma Theissen, Marco Antonio’s mother, explains that “the State has refused to disclose the information necessary to find the remains of the disappeared.”¹⁰ This case is a clear example of the setbacks facing transitional justice in Guatemala in recent years.

Guatemalan state ordered to pay \$64.5 million to hydroelectric company

In a case brought before the International Centre for Settlement of Investment Disputes (ICSID), the Guatemalan government has been ordered to pay \$64.5 million to the hydroelectric company Energía y Renovación Holdings S.A. (ERH). Several ERH shareholders are related to members of the Guatemalan oligarchy, such as the Castillo family, which owns the Castillo Hermanos corporate group, and the Rodas family, which owns the Encino Foundation, registered in Panama. The company used the “international investment arbitration” process to allege that the Guatemalan state had failed to respect the free trade agreement between Central America and Panama.¹¹

⁵ See: OACNUDH Guatemala, [El Estado debe garantizar que ninguna persona sea perseguida penalmente por ejercer el derecho a la reunión pacífica](#), X. 23 Apr 2025; Delegation of the European Union to Guatemala, [Guatemala: Statement by the Spokesperson on detention of former indigenous leaders, including Vice-Minister Luis Pacheco](#), EEAS, 25 Apr 2025; CEJIL [Organizaciones internacionales condenan la criminalización de Autoridades Indígenas de Guatemala](#), 25 Apr 2025; British Embassy in Guatemala, Guatemala City, [Derecho a la Protesta y Reunión Pacífica](#), X. 28 Apr 2025; SwissInfo.ch, [Sheinbaum condena arresto de viceministro guatemalteco acusado de terrorismo y sedición](#), 28 Apr 2025.

⁶ IACHR, [IACHR condemns criminalization of Indigenous leaders who defended democracy in Guatemala](#), 26 Apr 2025.

⁷ Prensa Comunitaria, [Arévalo le exige la renuncia a Consuelos Porras y anuncia amparo por criminalizar a autoridades indígenas](#), 29 Apr 2025.

⁸ García, J., [Sala beneficia a militar condenado por caso Molina Theissen](#), Emisoras Unidas, 11 Apr 2025.

⁹ Valdez, A., [Caso Molina Theissen: Sala incumple fallo de Corte IDH y deja libres a militares condenados](#), Prensa Comunitaria, 09 Jun 2019.

¹⁰ Corado, J., [Marco Antonio Molina Theissen: “Mama, ¿qué nos van a hacer?”](#), EP Investiga, 11 May 2025.

¹¹ Barreto, B., [Castillo y Rodas recibirán US\\$64.5 millones del Estado por demanda internacional de hidroeléctrica](#), No Ficción, 04 Apr 2025.

ICSID ruled that the country had violated the free trade agreement in part because Guatemalan authorities failed to intervene when armed groups attacked a hydroelectric plant in San Mateo Ixtatán (Huehuetenango), which prevented ERH from doing business and resulted in financial losses. For their part, the affected communities and their leaders have spoken out about the lack of consultation and police intimidation¹² and accuse the company of involvement in the murder of two of their members in December 2018.¹³

Following *12 years of struggle and resistance by the region's indigenous peoples*, the Inter-American Development Bank (IDB) withdrew financing for the project in 2022, on the grounds that its construction violated the IDB's own internal policies on Information Availability, Environmental and Social Sustainability, Indigenous Peoples, Gender Equality in Development, and Environment and Safeguards Compliance.¹⁴ Therefore, the Bank should have prepared *four action plans for a responsible exit, but failed to do so*.¹⁵

Failure to comply with the sentence imposed on the State poses a risk to international financing of the Guatemalan economy.¹⁶

Latin America: the region with the highest number of environmental defenders killed globally

The organization [Global Witness published a report](#) documenting 2,106 killings of environmental defenders between 2012 and 2023. Latin America is the continent with the highest number of cases, accounting for 85% of the total. Most are related to the defense of rights against extractive projects, like mining. Guatemala suffered 86 killings during this period and is the fifth most heavily affected country after Colombia (461), Brazil (401), Mexico (203), and Honduras (149).

This violence is fueled by the lack of state regulations to protect environmental defenders. Though the Escazú Agreement—the first regional treaty that requires states to protect environmental defenders, signed by 17 countries—went into effect in 2021, the Action Plan for Defenders has not yet been implemented. Furthermore, Brazil, Guatemala, and Honduras are among the countries that have failed to ratify the agreement thus far. Of the 196 people killed in Latin America in 2023 alone, 50% of them were indigenous or of African descent.¹⁷

¹² Business & Human Rights Resource Centre, [Guatemala: Comunidad indígena señala que policía y militares que les hostigan supuestamente trabajan en favor de empresa Energía y Renovación: la empresa responde](#), 12 Feb 2019.

¹³ Business & Human Rights Resource Centre, [Guatemala: Asesinan a dos integrantes de la resistencia en contra de una hidroeléctrica de Energía y Renovación](#), 02 Jan 2019.

¹⁴ Simón, F. y Ovalle, L., [El BID retira financiamiento a dos hidroeléctricas en Yichk'isis y debe salir del lugar de forma responsable](#), Prensa Comunitaria, 6 Jun 2022.

¹⁵ Batres Marroquín, R., [Informe Especial No. 49 – Energía y Renovación Holding, S.A. busca recuperar en el CIADI sus inversiones tras fracasar la construcción de los proyectos hidroeléctricos Pojom II y San Andrés en San Mateo Ixtatán, Huehuetenango, por la legítima oposición de, El Observador](#), 7 Oct 2024.

¹⁶ Barreto, B., Op. Cit.

¹⁷ Agencia Ocote, [América Latina concentra el 85% de los asesinatos de defensores ambientales](#), 16 Apr 2025.

2. ACCOMPANIMENTS¹⁸

PBI accompanies social organizations and individuals who have received threats for their work in the defence and promotion of human rights. In this context we are accompanying social processes in the fight against impunity, land inequality and defense of territory.¹⁹

THE FIGHT AGAINST IMPUNITY

This month, we accompanied:

- The **Association of Relatives of the Detained and Disappeared of Guatemala (FAMDEGUA)** to a public hearing on the Military Diary case in the Supreme Court of Justice's (CSJ) Court of Injunctions and Pre-Trial Motions. The defendant, Jacobo Salán Sánchez, and his defense team filed an appeal requesting that the plaintiffs in the case, who are mainly relatives of the detained and disappeared victims, be denied standing. During this session, both sides presented their arguments for and against the appeal.
- The **Association for Justice and Reconciliation (AJR)** to a hearing to review the constraint measures against Luis Enrique Mendoza García, a former general accused of genocide whose trial will begin in September 2025. The defense requested modification of the alternative measures, which required him to sign in at the MP every 15 days and allowed him to move around the departments of Alta Verapaz and Guatemala. The defendant requested special permission to move around the entire country for three months and report to the MP once a month. The court granted him the option of traveling in Retalhuleu and Chimaltenango in April, May, and June. Both the plaintiffs' attorneys and the prosecutor argued that allowing the defendant free movement poses a danger to witnesses, given the upcoming start of the oral and public trial.
- The **Human Rights Law Firm (BDH)** to a hearing in the Hogar Seguro case, at which the president of the Secretariat of Social Welfare's Detention Centers for Minors testified. Throughout his testimony, he stated that he was not present when the events occurred and that he did not witness the threats the teenage girls allegedly made to the Hogar Seguro staff, claiming that the situation was under control when he arrived.



DEFENSE OF THE TERRITORY

On April 10, in the department of Guatemala, we accompanied the **Peaceful Resistance of the Poqomam People of Chintla** during their meeting with officials from the Secretariat of the Presidency, the Presidential Commission for Peace and Human Rights (COPADEH), the Ministries of the Interior, Energy and Mines (MEM), Environment and Natural Resources (MARN), and the National Coordinator for Disaster Reduction (CONRED). After the meeting, the Resistance took them on a tour of the area to show the technicians the polluted water sources and landslides caused by the sand mining companies. The waste from the capital's Zone 3 garbage dump not only pollutes the river, but also causes it to overflow, which is why the Resistance requested that the entire river basin be channeled.



¹⁸ We maintained regular contact with accompanied organizations who are not specifically mentioned in this section, but there are no activities to highlight.

¹⁹ See our website for general information on organizations and individuals we accompany: <https://pbi-guatemala.org/en/groups-and-individuals-currently-accompanied-pbi>

This month we also traveled to Chiquimula, in the eastern region, where we accompanied a member of the **Indigenous Maya Ch'orti' Council of Olopa** to a hearing against the owner of a coffee plantation accused of polluting the water and deforesting the land.

We also accompanied the Indigenous Maya Ch'orti' Council of Olopa and the **Indigenous Community of San Francisco Quezaltepeque** during events to commemorate Water Day, which took place in Quezaltepeque, Chiquimula. "The Ch'orti' people have come together to walk through the sites sacred to our culture in defense of seeds, sources of water, and Mother Earth," proclaimed Gregorio Pérez, Ancestral Authority and spiritual guide of Camotán, at the start of the day's activities, which culminated in a ceremony in the evening.



At our twice-yearly assembly this April, we completed our analysis of the accompaniment request that we received from **Carlos Choc**, a Q'eqchi' Maya journalist, human rights defender, and environmentalist known for his important work in journalism, his reporting on human rights violations, and his support for communities that are victims of violations, environmental injustices, and evictions. He works in Q'eqchi' territory, in the departments of Izabal, Alta Verapaz, and Petén. Carlos was involved in a lengthy legal process in which he was criminalized but ultimately acquitted. However, because he has continued his work, he remains at risk, which led him to request our accompaniment. After reviewing his request, we decided to begin accompanying him this April.

3. POLITICAL ACCOMPANIMENT

Meetings and other contact with the diplomatic bodies, international organisations and Guatemalan authorities.

Meetings with national and international authorities are an important way for PBI to make known what we do and what our objectives are. Through these meetings, where necessary and in a reserved manner, we share our concerns about worrying situations that we have witnessed first-hand from the work we do in the field.

With respect to our dialogue with Guatemalan authorities, this month we met with:

- Bryan José Morales, secretary of the **Mayor's office of Olopa**.
- Jaqueline Aquino, police officer of **PNC of Olopa**.
- Milton Napoleón Duarte, mayor, and two city councilors of the **Municipality of Quezaltepeque**.
- *Daniel Díaz, chief of police of the **PNC substation of Quezaltepeque**.*

4. INTERNATIONAL OBSERVATION

PBI Guatemala is present in international public events when requested to do so by Guatemalan social organisations, in order to show international attention and interest and in order to report internationally on what we observe.

This month, we observed the hearing on constraint measures against Hugo Ramiro Zaldaña Rojas, who is accused of crimes against humanity, forced disappearance, and aggravated sexual violence in the **Molina Theissen case**. After reviewing various precedents, the judge ruled that, based on doctrine, case law, the defendant's age (82), his health, and the absence of flight risk, the preventive detention order was overturned, allowing Zaldaña to benefit from electronic monitoring and freedom of movement to his home and medical facilities. The ruling prohibits the defendant from leaving the country or contacting parties involved in the proceedings. The judgment in Zaldaña's favor is at odds with an Inter-American Court of Human Rights ruling (see section 1, "Current Situation").



We have also continued to observe the hearings in the **Mujeres Achí case**, which has now entered closing arguments. A verdict is expected to be handed down in May. In the first session, the human rights prosecutor and the plaintiffs' attorneys outlined the facts of the case, and the evidence presented during the trial, asking the court to sentence each of the three defendants to 30 years in prison.

On April 29, at the Ministry of the Interior, we observed the **regular meeting of the Agency for the Analysis of Attacks on the Rights of People, Organizations, Communities, and Indigenous Peoples' Authorities to Defend Human Rights**, where the Agency briefly presented its new regulations, as well as updates on the progress and challenges for its action protocol, etc.

On April 30, we observed the **press conference held by the Ecumenical Christian Council of Guatemala (CECG)**, where they spoke out and shared details of the violent break-in and theft of information that happened at their office in the early morning of April 26-27. "In Guatemala, we will not succumb to fear again, we will not remain silent again, in Guatemala Never Again," said Pastor Héctor Castañeda, referring to the break-in, which took place during the 27th anniversary commemoration of the assassination of Monsignor Gerardi. They also took the opportunity to show their solidarity with the criminalized and arrested indigenous leaders, Pacheco and Chacón, with Pastoral coordinator, Luís López, adding, "We believe this is all part of a national process that seeks to marginalize organizations like ours that defend our common home, life, and territory."


5. OTHER ACTIVITIES OF PBI GUATEMALA

From March 31 to April 4, we held our **twice-yearly assembly** in Guatemala, where we evaluated our work over the last six months and planned for the next six. It was a very constructive space, as always. In keeping with PBI's approach, we made all our decisions by consensus, in accordance with our horizontal structure.

On April 29, two days after the break-in at the offices of the **Ecumenical Christian Council of Guatemala (CECG)**, we visited their headquarters, where we witnessed how violent the break-in had been and heard details of what had happened. We are concerned about the security situation the organization is facing.

6. NON-GOVERNMENTAL ORGANISATIONS

In this section we publish statements (some abbreviated) from human rights organisations in which they express their concerns regarding recent events.



CONCEJO ECUMÉNICO CRISTIANO DE GUATEMALA

*"Y todo esto proviene de Dios,
quien nos reconcilió consigo mismo por Cristo,
y nos dio el ministerio de la reconciliación", 2a. Co. 5,18*

CONFORMADO POR:

Comisión de Teología y Ecumenismo de la Conferencia Episcopal de Guatemala

Conferencia de Religiosos y Religiosos de Guatemala -CONFREGUA-

Iglesia Episcopal de Guatemala

Iglesia Luterana Guatemalteca ILUGUA

Alianza de Presbiterios Reformados de Guatemala

Iglesia Evangélica San Juan Apóstol

"Para que todos sean uno; como tú, oh Padre, en mí, y yo en ti, que también ellos sean uno en nosotros; para que el mundo crea que tú me enviaste"
San Juan 17, 21.

COMUNICADO

"...Vivan en armonía los unos con los otros; compartan las penas y alegrías, practiquen el amor fraternal, sean compasivos y humildes..." 1Pedro 3;8

Ante la opinión pública hacemos saber y manifestamos nuestro repudio, rechazo y protesta ante la irrupción violenta y el **secuestro de Información** del que fue objeto la **Sede del Consejo EcuMénico Cristiano de Guatemala** en el transcurso de la noche del sábado 26 y la madrugada del domingo 27.

Es importante resaltar que el Consejo EcuMénico Cristiano de Guatemala acompaña comunidades que defienden la autonomía territorial, el correcto uso de sus recursos naturales y la protección de la casa común. Su llamado ministerial es la unidad, fraternidad y trabajo conjunto de las iglesias cristianas en la búsqueda y construcción del Reino de Dios y su Justicia aquí en la tierra.

Hacemos un llamado serio a las comunidades de fe y organizaciones que defienden la vida, a estar unidos y abrazados en solidaridad en estos momentos convulsos que atraviesa nuestro amado país. A la vez exhortar a las instancias del Estado a cumplir con el papel que les corresponde de acuerdo al cumplimiento de las leyes nacionales y convenios internacionales a signado en materia de derechos humanos.

Guatemala de la asunción 28 de abril del 2025

"Dichosos los que trabajan por la paz, porque Dios los llamará hijos suyos", Mt. 5, 9

3a. Avenida 10-56, zona 1, Guatemala, C.A.
Teléfonos (502) 2253-7678 (502) 2253-7683
www.concejoecumenico.org info@concejoecumenico.org
Facebook/ConcejoEcumenicoCristiano

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PROMOVIERON LA UNIDAD LA PAZ Y LA JUSTICIA



**Junta Directiva del Concejo de Alcaldes Comunes
48 Cantones de Totoncapán**

“Uchuq’ab’ Tinimit Chwimeq’ena’ are ri K’axk’ol”

COMUNICADO OFICIAL

Al pueblo de Totoncapán, opinión pública nacional e internacional manifestamos lo siguiente:

La organización ancestral de 48 Cantones, autoridad legítima del Pueblo de Totoncapán, en total ejercicio de la representación de nuestro territorio, manifestamos con profunda preocupación y enérgico rechazo los recientes actos de criminalización y persecución por parte de la jueza Carol Patricia Flores, quien ligó a proceso penal a Luis Haroldo Pacheco Gutiérrez y Héctor Samuel Chaclán Batz, ex autoridades de nuestra organización, por los supuestos delitos de terrorismo y obstaculización a la acción penal.

Denunciamos categóricamente el uso indebido de la justicia para amedrentar, silenciar y judicializar la labor de quienes, en ejercicio de sus derechos fundamentales, alzan su voz en defensa de la vida, la tierra, los recursos naturales y la autonomía de nuestras comunidades. Estos actos de criminalización representan una grave amenaza para el tejido social, la democracia y el Estado de Derecho en Guatemala. Buscan infundir miedo y desarticular la organización comunitaria, debilitando así la capacidad de los pueblos originarios para proteger sus derechos ancestrales y su forma de vida.

Repudiamos enérgicamente la criminalización arbitraria impulsada por el Ministerio Público, en unión con otros actores del Organismo Judicial, contra aquellos que han actuado con dignidad y responsabilidad, cumpliendo con el mandato legítimo de nuestros Pueblos, por ello les exigimos cesar esta persecución política y judicial, así mismo los responsabilizamos por lo que les pase a las exautoridades detenidas y a quienes actualmente alzan la voz en defensa de su territorio. El Pueblo no olvida y no permitirá que siga pisoteando la dignidad de Totoncapán.

Demandamos a los Órganos del Estado de Guatemala que cese toda forma de persecución, criminalización y violencia institucional contra los liderazgos indígenas, al mismo tiempo, que se comprometa a respetar los marcos nacionales e internacionales que protegen los derechos colectivos e individuales de nuestros Pueblos.

No aceptaremos más atropellos, ni el socavamiento de la democracia y de nuestras propias formas de organización comunitaria, por lo que estaremos tomando las medidas necesarias consultadas previamente con nuestro Concejo de Alcaldes Comunes, quienes representan la máxima autoridad del Pueblo de Totoncapán.

A las organizaciones Internacionales que velan por los Derechos de los Pueblos Indígenas y Ancestrales, Organización de Estados Americanos, Unión Europea, Organización de las Naciones Unidas, entre otros, les instamos a estar alertas a todas las arbitrariedades cometidas por el Organismo de Justicia y demandar donde corresponda la persecución política que actualmente sufren los Pueblos Indígenas en Guatemala.

**¡Basta ya de la criminalización a los Pueblos Indígenas!
¡Luis Pacheco y Héctor Chaclán no están solos!**

**JUNTA DIRECTIVA DEL CONCEJO DE ALCALDES COMUNALES
Totoncapán abril de 2025.**

The team of volunteers in PBI Guatemala is currently composed of Giulia Pochini (Italy), Maria Alemany (Spain), Beatriz Pérez Ruiz (Spain) y Júlia García Grané (Spain), Maria Fernanda Candela Figueroa (Mexico), Sheron Ribeiro da Silva (Brazil) y Ambroise Lavigne (France).

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PBI GUATEMALA DOES NOT NECESSARILY IDENTIFY WITH THE OPINIONS AND CONTENT OF THE REPRODUCED ARTICLES AND MEDIA RELEASES.

**GUATEMALA PROJECT
PEACE BRIGADES INTERNATIONAL**

Website: www.pbi-guatemala.org

facebook: pbiguatemala

Instagram: pbiguatemala

Office of the team in Guatemala

3a Avenida "A" 3-51, Zona 1

Ciudad de Guatemala, Guatemala

Phone/ Fax: (+502) 2220 1032

E-mail: equipo@pbi-guatemala.org