



Monthly Information Package Guatemala

Number 203 - August 2020

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.

Attacks against human rights defenders continue to increase

According to the Unit for the Protection of Human Rights Defenders of Guatemala (UDEFEGUA), 667 attacks and aggressions against human rights defenders were reported by June 2020.¹ This number is alarmingly higher than the figures from recent years (the total number for 2019 was 494). UDEFEGUA highlights in its report how the principal attacks included: defamation, baseless legal complaints and illegal reports to the police.

By June 2020, ten human rights defenders had been killed. During August four more human rights defenders were murdered: the French citizen and country director of the Agronomists and Veterinarians Without Borders Association (AVSF) Benoît Pierre Amadee María, who had accompanied the struggles of the Mayan peoples across various territories for more than 20 years;² Misael López Catalán, from Caserío Paraje, president of a local committee of the Committee for Rural Development (CODECA) in the department of Jalapa; Carlos Mucú Pop, Q'eqchi' community leader and member of the Multisectoral Community Association for Community Health Monitoring and Support for Migrants (ACO-MUMSAM) from Sayaxché, Petén;³ Juan Perechú Tzep, a resident of the municipality of Santa Catarina Ixtahuacán, Sololá,⁴ a town where there has been much conflict over land and the process for dialogue has not progress. Furthermore, the community leader and evangelical pastor Carlos Enrique Coy, a resident of the municipality of Purulhá, Baja Verapaz, and a member of the Union of Peasant Organizations (UVOC), an organization accompanied by PBI Guatemala, has been missing since August 3.⁵ Despite the searches organized by UVOC and the communities from the region, he is still missing to this day. The UVOC have demanded the authorities investigate this case.

Human rights organizations continue to demand a Public Policy for the protection of human rights defenders

In the face of the worrying climate of violence, hostility and increase in aggressions towards human rights defenders, the Observatory for the Protection of Human Rights Defenders and UDEFEGUA released a statement highlighting the six years of inaction by the Guatemalan State in terms of protecting human rights defenders. In 2014, the Inter-American Court of Human Rights ruled that the State of Guatemala should adopt a public policy for the protection of human rights defenders, however, the process of creating this policy has not been finalised. The closure of the Presidential Commission on Human Rights (COPREDEH), the institution in charge of drawing up and implementing this public policy, is of particular concern. As mentioned in the statement, "not only has [this policy] not been implemented, but the fragile protection system that previously existed has been dismantled."⁶

¹ UDEFEGUA, *Situación de personas, comunidades y organizaciones defensoras de derechos humanos, de enero a junio 2020*.

² Román, J., *Asociación Agrónomos y Veterinarios sin Fronteras suspende actividades temporalmente en Guatemala por crimen contra Benoit Pierre Amadee María*, Prensa Libre, 12.08.2020.

³ Mesa de Coordinación Transfronteriza Migración y Género, *En medio de la pandemia, se agudiza el asesinato de personas defensoras del territorio, el despojo de tierras y la criminalización de personas migrantes en Guatemala y México*. 18.08.2020.

⁴ *Pronunciamiento ante el asesinato del señor Juan Perechú Tzep en Santa Catarina Ixtahuacán, Sija' Raxk'im*, Santa Catarina Ixtahuacán, Sololá, 25 de agosto de 2020.

⁵ Sapalú, L., *Líder comunitario de Purulhá lleva ocho días desaparecido*, el Periódico, 10.08.2020.

⁶ OBS-UDEFEGUA, *Guatemala: seis años de inacción en la protección de las personas defensoras mientras continúan los asesinatos*. 28.08.2020.

Guatemala, one of the countries with the greatest impunity in the world

Guatemala is “one of the countries with the highest levels of impunity in the world, according to the latest report from the Global Impunity Index 2020, prepared by the Universidad de Las Américas Puebla. In the report. Guatemala remains among the countries with “very high impunity”, ranking 59th out of 69 countries evaluated.” According to this report, “the greatest problem in terms of impunity is within the structural justice system, the area in which Guatemala achieved the worst score with 89.69. The countries with least impunity score closer to 0. Structural justice measures the country's institutional capacity to seek and administer justice (...). The index also measures the issue of security and Human Rights “in which Guatemala” also lags behind most countries.”⁷

Protest at the Plaza de la Constitución (Constitutional Square)



Approximately one hundred people have been gathering in the *Plaza de la Constitución* on the final Saturday of each month. The protests have been convened by social organisations to demonstrate their dissatisfaction with the State's actions. The slogans chanted at the protests, such as “we feel indignation in our stomachs”, highlighted the crisis that the country is going through, as well as the outrage at the inefficiency in the implementation of state programs to support the ever increasing number of families in need as a result

of COVID19. ⁸ “The first payment of the Family Bonus did not reach the communities in poverty and extreme poverty while the government ensures that the fight against malnutrition is its priority.”⁹

Gender-based violence continues to increase

The National Institute of Forensic Sciences of Guatemala (INACIF) reported that from January to June 2020, a total of 2,045 forensic examinations were carried out on adolescent girls and women victims of sexual abuse and violence. In this same period, and according to data from the Observatory of Sexual and Reproductive Health (OSAR), 1,962 pregnancies were registered in minors between 10 and 14 years old, and in the range of 15 to 19 years the figure increases to 44,901. Furthermore, the Institutional Coordinator for the Promotion of the Rights of the Child (CIPRODENI) points out that “during quarantine, girls and adolescents continue to be exposed to multiple forms of violence at home.” CIPRODENI affirms that the decrease in the number of complaints does not correspond with the actual levels of violence, but is a result of factors such as the fact that the justice system has not been function normally, the difficulties in accessing this system, as well as the lack of knowledge that many women have in terms of the mechanisms for reporting violence.¹⁰ Additionally, there are an alarming four daily disappearances of women in the country. Over the last two years, 3,598 alerts were activated. 42% of these correspond to women between 21 and 30 years old, followed by young women between 18 and 20. According to data from the Public Prosecutor's office (MP), 46% of cases of disappearance are a result of gender based violence which forces women to flee, causing emotional, economic and social impacts. From March to August 2020, 431 alerts were activated.¹¹

The State of Exception is expanded across several municipalities of Alta Verapaz and Izabal

In mid-August, President Alejandro Giammattei extended the State of Exception (SoE) across three municipalities in Izabal (El Estor, Morales and Livingston) and two in Alta Verapaz (Panzós and Santa Catalina la Tinta). During this SoE, which was already in force since the beginning of August in El Estor, community members of this municipality reported acts of intimidation by elements of the security forces. ¹²

⁷ Estrada, R., *Guatemala entre los países con mayor índice de impunidad*, El Periódico, 23.08.20.

⁸ García, J., *“La indignación se siente en el estómago” y otras consignas del segundo sábado de protestas*, Nómada, 22.08.2020.

⁹ España, M., *Aumenta número de familias que necesitan asistencia alimentaria para combatir la desnutrición*, Prensa Libre, 31.08.2020.

¹⁰ Guarchaj, M., *La violencia sigue aumentando en tiempo de pandemia*, FGER, 14.08.2020.

¹¹ Solís, N., *La mayoría de las víctimas desaparecidas son mujeres jóvenes*, FGER, 12.08.2020.

¹² Prensa Comunitaria, *Comunitarios del Estor, Izabal, denuncian intimidación durante el Estado de Prevención*, 05.08.2020.

2. ACCOMPANIMENTS

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.¹³



As with the previous month we continue to accompany human rights defenders through phone calls and virtual meetings, without a physical presence on the ground, thus complying with the measures decreed by the Government in response to the pandemic. During this month, we have also held virtual meetings with civil society organizations, Guatemalan authorities and the diplomatic corps.

THE FIGHT AGAINST IMPUNITY

This month we maintained permanent telephone contact with the lawyers from the **Human Rights Law Firm**

The hearings to review the measure of coercion, special appeal and judicial challenge against the Judge Ricardo Isaías Caal Caal in Bernardo Caal Xol's, Q'eqchi' leader and defender of the territory, criminalization case took place in the Judicial Organism of Cobán, Alta Verapaz on August 24. The hearings went ahead on this occasion, although neither relatives nor the media were allowed to enter. In the review hearing the judges ruled against Bernardo's request, so he must continue in preventive detention until September 7, when there will be a new hearing to review the measures. The request to challenge Judge Caal's appointment to this case was accepted, the Judge will be removed from the criminal process.

The hearing to review the coercion measures against one of the military men accused in the CREOMPAZ case took place on August 3. The hearing ended without a resolution as there were discrepancies in the reports presented by the defense and the MP, Judge Claudette Domínguez asked the Ministry of Defense for a report on the conditions of the Military Medical Center and the health of the accused.

The Association of Neighbors of Chicoyogüito de Alta Verapaz (AVECHAV) organized a concert to commemorate the International Day of the Victims of Forced Disappearance with other civil society organizations on August 30.

THE ISSUE OF ACCESS TO LAND

The members of the **Community Council of the Highlands (CCDA) - Las Verapaces Region** have reported that they continue to suffer serious security incidents in relation to land conflicts, at the hands of the Association for the Defense of Private Property (ACDEPRO) and others actors. We are deeply concerned about the physical, psychological and emotional wellbeing of Lesbia Patricia Artola Peyul and Imelda Teyul.

We continue to monitor the of the situation of the Dos Fuentes and Washington families, from the municipality of Purulhá, Baja Verapaz, as they have been the object of multiple attacks and attempts to evict them at the hands of private actors in recent months.

We have also remained very attentive to the situation of the criminalized and imprisoned human rights defenders Jorge Coc and Marcelino Xol. They were sentenced to 35 years in prison 10 months ago and the appeal of this sentence was rejected by the



¹³ See our website for general information on organizations and individuals we accompany: <https://pbi-guatemala.org/en/groups-and-individuals-currently-accompanied-pbi>

Sixth Chamber of the Cobán criminal branch. For this reason, the Indigenous Peoples Law Firm, who are hearing their case, have filed an appeal before the Supreme Court of Justice (CSJ).

PBI continues to express concerns in relation to the complicated situation that the members of the organization are experiencing to both national and international institutions, as well as with civil society organizations.

As part of our accompaniment of the **Union of Peasant Organizations (UVOC)**, this month we maintained contact with their members over the telephone as well as a number of virtual meetings. Given the lack of response from the Government to the economic crisis caused by the pandemic, the organization has coordinated to deliver humanitarian aid to their member communities who are most affected.

We are deeply concerned by the disappearance of Carlos Enrique Coy, from the Nueva Gloria Community in the municipality of Purulhá, Baja Verapaz and have been following closely the progress on the search for him. Carlos disappeared on August 3 when he was on his way to work.

DEFENSE OF THE TERRITORY

We continued to monitor the worrying security situation of the **New Day Chorti Campesino Central Coordinator (CCCND)** closely throughout the month as aggressions against its members have not ceased.

Following the final ruling from the Constitutional Court on July 28, which recognizes the right to ancestral and community lands of 635 *caballerias* in the municipality of Jocotán, Chiquimula, for the Ch'orti 'people, the Leaders of these communities have been subjected to serious threats and intimidation. We are closely following their situation by communicating with community leaders and the organization's coordination.

We are concerned about the security situation in the Olopa communities, whose members have been suffering threats, raids and robberies. A series of coordination meetings are being held between Community Development Councils (COCODEs) and indigenous and civil authorities to try to resolve this situation.

We are also monitoring the situation of Ovidio Alonzo, brother of the murdered defender Medardo Alonzo, as well as Medardo's wife who is also being threatened and intimidated.

Likewise, we continue to monitor community leaders Héctor Ovidio Vázquez, from the community of Lejá Chancó, and Pedro Esquivel, from the community of Lejá Obraje, in the municipality of Camotán, Chiquimula. They are suffering constant threats, defamations and surveillance as a result of their work as human rights defenders. We maintain daily contact with both, in addition to meetings with national and international authorities to express concern about their situation.

We have maintained telephone contact with the members of the **Peaceful Resistance La Puya**, who have maintained their sit-in and are monitoring the arbitration process between the company and the state.

The **Peaceful Resistance of La Laguna, San Pedro Ayampuc** continue to experience a lack of drinking water in the community due to pollution, as well as the food shortages and they continue organizing to support families with least resources.

The **Peaceful Resistance, Cahabón** (Alta Verapaz) and member communities celebrated the third anniversary of the historic Community Consultation in which they voted NO to the extractive and hydroelectric megaprojects in their territories on August 27.

We have maintained constant contact with **TZ'KAT - Network of Ancestral Healers from Community Feminism**. They facilitated the second online encounter of Women Human Rights Defenders of the Body-Territory.

Chinaulta Multisector, remain concerned over problems of access to water and food shortages and

have been very active in organizing to reduce the impact of these issues.

In relation to the **Retalhuleu Community Council (CCR)**, we are particularly concerned about the security situation of Abelino Mejía Cancino, leader of the Multicultural community Olga Marina Cuchupán of the municipality of Champerico (Rethaluleu), who continues to experience surveillance, threats and intimidation. PBI has maintained meetings with national and international authorities to express our concern about his security situation and the criminalization that he, as well as his colleagues, are suffering.

We continue to accompany, via telephone, the president of the **Association of Neighbors Against Corruption in Patzicía (AVCCP)**, Carlos Sajmoló Pichiya, who has shared that they have continued their process of social audits of the aid programmes implemented by the municipalities using government funds. The organization celebrated its fourth anniversary on August 26th.

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.

As part of our dialogue with the diplomatic corps and international organizations present in Guatemala, we met virtually with the following people this month:

- Jennifer Echeverría, Focal Point on Human Rights from the **European Union (EU) Delegation**.
- Mary Briz, ESCR Officer from the **Office of the United Nations High Commissioner for Human Rights (OHCHR)**.
- Eduardo González Cauhapé-Cazaux, Program Manager for the Gender Unit of the **Spanish Agency for International Development Cooperation (AECID)**.

As part of our dialogue with Guatemalan authorities we met virtually with the following people:

- Ángel Hermógenes Martínez Barillas, **Governor of Retalhuleu**.
- Leonel Guzmán Argeto, **Mayor of San Martín Tucurú, Alta Verapaz**.
- Rosalio López López, **Mayor of Champerico, Retalhuleu**.
- Catalina Velásquez Azurdía, Director of Conflict Analysis and Mediation with a Human Rights Approach, and Otto Fernández, Executive Director of the **Presidential Commission on Human Rights (COPREDEH)**.

4. OTHER ACTIVITIES OF PBI GUATEMALA ADAPTED TO THE CONTEXT OF THE PANDEMIC

The **second online Encounter of Defenders of the Body-Earth Territory** took place on August 5, facilitated by members of Tzk'at - Network of Ancestral Healers of Territorial Community Feminism. More than 25 women human rights defenders from various organizations across the country participated, sharing their experiences relating to the pandemic, emphasizing the burden of being a human rights defender and a woman.

The third **Acércate** program took place on August 18 on Facebook, in which we spoke with **Carlos Morales, coordinator of UVOC**, about the situation of the Pocomchí and Q'eqchi' communities in the Verapaces who are living under the SoE and its consequences, in addition to the permanent threats of being evicted. [You can access the video through our website.](#)

5. NON-GOVERNMENTAL ORGANISATIONS

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

COMUNIDADES EN RESISTENCIA DE LA SIERRA DE LAS MINAS DENUNCIA PUBLICA

A la comunidad nacional e internacional, al Estado de Guatemala, al gobierno de Giamattei, a la Fiscal del Ministerio Público, a la Corte Suprema de Justicia, al Procurador de los Derechos Humanos, a las organizaciones sociales, de derechos humanos, de pueblos indígenas, a todos Ustedes, hombres y mujeres que buscan la justicia; DENUNCIAMOS:

Mientras los corruptos y ladrones de nuestro país, se cobijan bajo el manto de la impunidad. Mientras los empresarios, mineros, políticos y militares, quieren seguir controlando el poder. Mientras la Fiscal del Ministerio Público, es atrapada por quienes durante años nos han hundido en la pobreza y la extrema pobreza. Mientras tenemos un congreso que en vez de legislar para el pueblo, sigue haciendo leyes para aprovecharse y robarse los recursos del pueblo. Mientras tenemos un presidente que en vez de gobernar para los pobres, gobierna en favor de los ricos.

Mientras esto pasa en la ciudad. En las áreas rurales nos estamos muriendo de hambre, de desnutrición, de falta de tierras y de balas. En nuestros territorios nos desaparecen, sin que el Estado haga algo para defendernos. Los ricos y finqueros nos desalojan, nos criminalizan, nos matan y nos persiguen. Los representantes de las instituciones del Estado, en vez de perseguir y encarcelar a los que promueven nuestro dolor, a nosotros nos persiguen.

Nosotros, representantes de las comunidades de la Sierra de las Minas, en este momento queremos demandar al sistema de justicia, que pongan todo su esfuerzo para que nuestro compañero Carlos Enrique Coy, aparezca vivo y a quienes lo secuestraron, les caiga todo el peso de la ley, sin importar quien haya sido.

Exigimos a todas las instituciones que investiguen y que nos digan quien dio la orden para que lo desaparecieran. Don Carlos, era pastor, agricultor, profesor, hombre de buenas virtudes. No era un delincuente. Lo único que pedía, era un pedazo de tierras para vivir y para sembrar su alimento. Ahora deja, a su familia en la orfandad.

Exigimos al sistema de justicia, que investigue al grupo de asesinos y perpetuadores del miedo, que tiene a su servicio el Señor Byron Thomae. Por eso, demandamos que se realice allanamientos en todas las casas patronales de las fincas de la Sierra de las Minas, de Purulha, en donde sabemos que hay armas y otros elementos que son un delito tenerlos.

Exigimos el retiro del destacamento militar que se encuentra ubicado en la finca Bremen o Cafetal, que en vez de dar seguridad da miedo y terror. Como comunidades de la Sierra de las Minas, queremos vivir en paz en nuestro territorio, ya no queremos más muerte y miedo. Que los finqueros y las empresas, respeten nuestro derecho al territorio.

Que las instituciones del Estado nos defiendan y nos protejan que es su función.

A las organizaciones sociales que dicen representarnos en la capital, y que han tenido reuniones con representantes de gobierno para tratar asuntos relacionados a las comunidades de Washington y Dos Fuentes, que nos informen cual ha sido el resultado de su gestión porque hasta ahora no sabemos nada.

Pedimos a los movimientos sociales de Guatemala y del mundo a solidarizarse con nosotros y pedimos a todos que dejemos por un lado nuestras diferencias para que juntos podamos vencer el odio que sale de los corazones de los que tienen poder.

Condenamos el vil y cobarde asesinato de "Benito María" exigimos que se esclarezca el hecho.

COMUNIDADES EN RESISTENCIA DE LA SIERRA DE LAS MINAS
PURULHA, BAJA VERAPAZ, 11 DE AGOSTO DEL 2020

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**GUATEMALA PROJECT
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