



Monthly Information Package Guatemala

Number 210 - March 2021

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.

Raid on offices of the Indigenous Peoples' Law Firm

On the weekend of March 20-21, the offices of the Indigenous Peoples Law Firm (BPI) were raided. The firm handles several cases of claims for collective rights of indigenous peoples, as well as the defense of community leaders who have been criminalized for their work in defense of the territory. Wendy López, director of the BPI, said at a press conference that they consider these to be "acts of intimidation and threats against the activities we defend", despite the fact that the Public Prosecutor's Office (MP) and the National Civil Police (PNC) are treating the raid as a "common crime". López pointed out the reasons for this assessment: "they destroyed several personal objects, damaged the entire door frame and did not steal several newly purchased items that were still in their packaging, such as chairs and furniture. Among the items stolen were the security cameras recordings and eight computers, only the keyboards and mice were left behind." They also damaged the legal files and archives. In spite of these events, Lopez reaffirmed the work they are doing, indicating that "they will not stop in the struggle for human rights and the rights of indigenous peoples, as these acts show that what they are doing is having an impact." They are demanding "an impartial investigation and security for the members of the organisation, because for them, these acts represent a direct intimidation."¹

March 8: 'We want us alive'

International Women's Day was celebrated once again in rallies held in both the capital of Guatemala and across various departments, on March 7 and 8.

The march held in the capital on March 8, organized by women's associations, student organizations and other civil society groups, demanded "justice for women who have died as a result of violence in the country, as well as equal rights and inclusion, among other demands" from national authorities.²

On March 7, the march "Vivas nos queremos" (We want us alive) took place, which began at the Supreme Court of Justice and reached the Plaza de la Constitución. Throughout the march, cases of violence against women and girls were remembered, such as the brutal murders at the State Home where 41 girls were burned to death and 15 others were seriously injured in March 2017.³



The situation of violence against women in Guatemala is alarming. According to the Women's Observatory of the Public Prosecutor's Office (MP), from January 1 to March 24, 2021, 21,754 complaints of violence against women and girls were registered, which represents 29% of the complaints that enter

¹ Quintanilla, K., *Bufete para Pueblos Indígenas insiste en que ha sido objeto de intimidaciones*, La Hora, 25.03.2021.

² Prensa Libre, *#8M: Así fue la marcha por el Día Internacional de la Mujer en Guatemala*, 08.03.2021.

³ Prensa Libre, *8M: Marcha "Vivas nos queremos" reclama derechos de las guatemaltecas en la víspera del Día Internacional de la Mujer*, 07.03.2021.

the Guatemalan Justice system. In addition, four Isabel-Claudina alerts are raised on a daily basis in response to the disappearance of women.⁴

According to a recent study conducted by the Forum of Social Organizations Specialized in Justice Issues, the number of violent deaths of women in Guatemala have increased by 29% this year, compared to the data of the first 59 days of last year. This study dedicates a specific section to the impact of gender stereotypes in the resolution of cases of violence against women. It highlights how the Inter-American Court of Human Rights -IACHR-, in three emblematic cases, has evidenced how responses from the specialized justice system are loaded with gender stereotypes, which has resulted in halting investigations and delaying justice "based on: (a) the denomination of certain crimes as crimes of passion; (b) distracting from responsibility by drawing on the personal background of the victims; and (c) personal or subjective appraisals by officials about individuals and their social roles." In reference to the drastic increase in the number of murdered women, the report notes how "the recent events of November 21, 2020, when police force was used against demonstrators in the historic center of Guatemala City, showed how police officers physically assaulted women without consequences. This sends a message to the rest of society that 'it is permissible' to exercise violence against women." In its conclusions the report recommends that "the persistence of patriarchal and sexist cultural patterns of behavior and stereotypes regarding social gender roles cannot be permitted within the practice of the specialized justice system for women, nor in any state institution, which is why the existence of a state policy aimed at the transformation of these discriminatory practices and behaviors is necessary".⁵

Guatemala 2020: Report of the United Nations High Commissioner for Human Rights (UNHCHR)⁶

According to OHCHR's 2020 report on Guatemala, the country continues to face systemic and structural challenges such as poverty, inequality, discrimination, impunity and insecurity, which have hindered the implementation of human rights (HR) obligations. The pandemic has highlighted the urgency of addressing these problems, particularly with respect to the most vulnerable groups. Among the recommendations made in the report are the following: promotion of social dialogue and consultations to strengthen the inclusion of all groups in decision-making processes; ensuring that the recently created Presidential Commission for Peace and Human Rights (COPADEH) provides continuity and strengthens the implementation of activities previously carried out by the Peace Secretariat of the Presidency of the Republic (SEPAZ), the Presidential Commission for Human Rights (COPREDEH) and the Secretariat for Agrarian Affairs (SAA); review and reform of land policies and programs, and encourage all relevant authorities to strengthen their capacities to address land conflicts in accordance with international human rights standards; development of a National Action Plan on Business and HRDs in consultation with all parties; strengthening legislation, policies and institutional structures for the protection from criminalization of human rights defenders, including journalists, judges and prosecutors; ensuring the implementation of the recommendations of the OHCHR and Human Rights Ombudsman's Office (PDH) report on the situation of human rights defenders; continued strengthening of the work of the Presidential Secretariat for Women in response to the recommendation of the Committee on the Elimination of Discrimination against Women; prioritizing a legislative agenda aimed at strengthening the promotion and protection of human rights and avoid the adoption of regressive legislation.

'Water is life': World Water Day

World Water Day was commemorated on March 22, with the aim of raising awareness about the global crisis surrounding this natural resource which is not a privilege, but a resource which is necessary for life and a right. These sentiments were expressed on the banners carried by residents from various places in Zones 6 and 18 of the capital, who held a demonstration that same day, in front of the Municipality of Guatemala, to denounce the lack of piped water service in several sectors of those urban areas.⁷

⁴ Román, J. y Domínguez Velasco, M.A., *Denuncias de violencia contra la mujer suman más de 21 mil en lo que va del año, según el Observatorio de las mujeres*. Prensa libre. 25.03.2021.

⁵ Foro de Organizaciones Sociales Especializadas en temas de seguridad. *El Sistema de Seguridad y Justicia ante la violencia contra las Mujeres*, 2021.

⁶ *Situación de los derechos humanos en Guatemala: Informe de la Alta Comisionada de las Naciones Unidas para los Derechos Humanos (A/HRC/46/74)*

⁷ Roman, J., *Día Mundial del Agua: Vecinos de varias comunidades manifiestan frente a la Municipalidad de Guatemala por falta de servicio*, Prensa Libre, 22.03.2021.

In addition to demonstrations, other protest activities were carried out, such as the digital community festival "Freedom for Water", organized by the *Maíz de Vida* collective, which brings together the work of several communities who have been affected by access to water. One of the objectives of this festival is to make people aware that water is a living being, and not an inexhaustible resource. According to data from MARN in 2015, 95 percent of water bodies in Guatemala are contaminated with high doses of organic matter, toxic pollutants, microorganisms and carcinogenic materials." One of the activities carried out within the framework of this festival was the project known as "Rivers of People", conceived between community leader and defender of indigenous peoples' rights and territory Abelino Chub Caal and artist Regina José Galindo, one of the greatest contemporary performance artists in Latin America. The activity consisted of creating a human sculpture with people from the communities "that evoked the places where a river or rivers that were once clean and were trapped and diverted. Thousands of people from Ixcán (Quiché), Chisec (Alta Verapaz), El Estor (Izabal), Champerico (Retalhuleu), Monte Olivo and San Juan Chamelco (Alta Verapaz) attended the event. Another objective of the organizers' is to raise awareness of the water issue through walks, dances, painting and public speaking contests, concerts, puppet shows, forums, film screenings and marches. Some activities were online but most were held in villages where the water issue is important to the people.⁸

Despite the fact that most human activities depend on access to clean water, and that Guatemala is the country in Central American with the greatest abundance of water, a quarter of its population lacks safe drinking water. This is due to discrimination, lack of opportunities and poor infrastructure.⁹

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.¹⁰

THE FIGHT AGAINST IMPUNITY

On March 8, we accompanied the **Human Rights Law Firm (BHD)** during an act to commemorate the fire at the State Care Home Virgen de la Asunción in March 2017, during which 56 girls and young women were burned after protesting the subhuman conditions which they were subjected to at the home. Furthermore, on March 15, we accompanied them to a preliminary hearing of evidence from survivors, which was held behind closed doors, as the judge declared total reserve while hearing the testimonies from the adolescents.



On March 16, we accompanied the BDH to Coban for the last hearing in the case against Samuel Choc, an indigenous authority of the village Las Mercedes 1, Chisec (Alta Verapaz). He was acquitted of the three crimes of which he was accused by the MP and the palm oil company Tecnoservicio Agroindustria S.A.: aggravated trespassing, illegal detentions and instigation to commit a crime.

We continue monitoring the activities of **The Association of Neighbors of Chicoyogüito de Alta Verapaz (AVECHAV)**, including the assembly held on March 28 and the meetings to continue with the process of land restitution/reallocation for affected families.

Regarding **the Association of Residents Against Corruption in Patzicía (AVCCP)**, we remain in constant communication with Carlos Sajmoló Pichiya, who in the last month has experienced new intimidations and threats for his work against corruption.

⁸ Escobar, L., *Ríos de gente*, El Periódico, 27.03.2021.

⁹ Soy502. *En Guatemala, 4 millones de personas no tienen acceso a agua potable*, 22.03.2021.

¹⁰ See our website for general information on organizations and individuals we accompany: <https://pbi-guatemala.org/en/groups-and-individuals-currently-accompanied-pbi>

THE ISSUE OF ACCESS TO LAND

This month Lesbia Artola and Imelda Teyul, of the **Community Council of the Highlands (CCDA) - Las Verapaces Region**, received a visit from Canadian Ambassador, Rita Rudaitis-Renaud, who inquired about the cases of criminalization against them and the organization's member communities. The ambassador emphasized the value of their work towards building a peaceful and inclusive society.



We also held a meeting with Lesbia and Imelda in Cobán, during which they shared their concerns about their security situation. In addition, we were also following the visit to Cobán of a magistrate of the Constitutional Court (CC), Gloria Porras, who was following up on the lack of compliance with the sentence in favor of the Santa Elena Samanzana II community. Finally, we visited Jorge Coc Coc and Marcelino Xol Cucul, human rights defenders and community leaders of Choctún Basilá who are incarcerated in Cobán prison.

We met with the **Union of Peasant Organizations (UVOC)** so they could update us on the problems in their territories. We continue to monitor the investigations related to the disappearance of Carlos Enrique Coy and the murder of Abelardo Quej, both from the Nueva Gloria community, as well as the security situation of Justino Xollim, leader of the La Primavera community.

DEFENSE OF THE TERRITORY

The security situation of members of the **New Day Chorti Campesino Central Coordinator (CCCND)**, Héctor Ovidio Vázquez and Pedro Esquivel, from the communities of Lelá Chancó and Lelá Obraje, both located in the municipality of Camotán (Chiquimula), is of increasing concern. Both continue to suffer reprisals for their work defending their territory against the presence of megaprojects.

We continue to monitor the situation of Agustín Ramírez and Timoteo Súchite, members of CCCND who have been imprisoned since 2013 and are currently being held in the Rehabilitation Center for Men in Puerto Barrios, Izabal. Their release from prison was scheduled for March 2021 but has not happened yet.

We are concerned about the defamation campaigns against the organization which have circulated on social networks this month.

Regarding the **Peaceful Resistance, La Puya**, with whom we continue to maintain regular telephone contact, they have persisted with their sit-in and continue to monitor the ongoing international arbitration process between the US mining company Kappes Cassidy & Associates and the State of Guatemala.

Regarding the **Peaceful Resistance, Cahabón**, we continue to monitor the situation of its members and to pay close attention to the situation of criminalized defender Bernardo Caal Xol, who we visited once more at the preventive center in Cobán. On March 30 we accompanied members of the Resistance to the press conference held on the occasion of the delivery of three *Amicus Curiae* to the Criminal Chamber of the Supreme Court of Justice (CSJ). The public hearing was scheduled for April 5, but has since been suspended.

We maintain permanent constant contact with **TZ'KAT - Network of Ancestral Healers from Community Feminism**. On March 3rd we accompanied some of their members during the ceremony to honor the life of Berta Cáceres on the 5th anniversary of her murder. We also provided telephone accompaniment during their accompaniment and healing activities.

As part of our accompaniment of **Chinautla Multisector**, on March 7 we were present at the activity of delivery of the ruling for which the organization signed as a third interested party in the petitioning for protection before the PDH, as part of their struggle for the right to water.

This month we maintained telephone contact with the **Retalhuleu Community Council (CCR)** who have been criminalized since 2018 for denouncing the adverse impacts of sugar mills. The March 18 hearing was suspended because of the health condition of one of the human rights defenders. The next hearing is scheduled for October 22, 2021.

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.

In our dialogue with the diplomatic corps and international organizations present in Guatemala, we met with:

- Roberta de Beltranena, Program Officer, **Swiss Embassy**.
- Nick Whittingham, **British Ambassador**.
- Alejandro Gallardo, Human Rights Officer, **British Embassy**.
- Jan Hartleben (Democratic Spaces Unit), Office of the **United Nations High Commissioner for Human Rights (OHCHR)**.

4. OTHER ACTIVITIES OF PBI GUATEMALA

This month we produced two new installments of our program **ACÉRCATE** through PBI International's Facebook and YouTube channels. ([You can find this on our webpage](#)):

- On March 11 we broadcast the **7th ACÉRCATE**, in which we spoke with Sandino Asturias, Director of the Center for Guatemalan Studies (CEG), about the closure of the Peace institutions.
- On March 23 we broadcast the **8th ACÉRCATE**, in which we shared the reflections and messages of Bernardo Caal Xol, Q'eqchi' defender of the Cahabón River, from prison. He spoke about his criminalization, contextualizing it in the historical journey of the struggles of the native peoples of Guatemala.

5. 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.

We observed the marches organized on March 7 and 8 in Guatemala City, for **International Women's Day**, where a variety of groups, especially feminists, expressed their concerns and demanded women's rights.

6. ACTIVITIES OF PBI GUATEMALA OUTSIDE GUATEMALA

Outside the country we constantly develop and strengthen the network of support for the Guatemalan PBI project, as this is one of the essential tools necessary to protect defenders of human rights. Regional Representatives, the Project Office Coordinator and other members of the committee and the Project Office and national groups of PBI, conduct public relations campaigns with many NGOs, agencies and national governments, parliamentarians and others. In this context we develop actions and public relations campaigns, and / or advocacy aimed at protecting defenders of human rights.

The project's European Representative held meetings with:

- Marc Tarabella, MEP of the S&D political group, member of the **Development Committee (DEVE) of the European Parliament (EP)**.
- Djamila Chikhi, responsible for Latin America in the secretariat of the EP **Subcommittee on Human Rights (DROI)**, Nicolas Joel David, her assistant, Helmut Weixler from the secretariat of the **EP Delegation for Central America (DCAM)**, as well as Stephanie Boschetto from the EP Delegation for Mexico.

7. NON-GOVERNMENTAL ORGANISATIONS

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

BUFETE PARA PUEBLOS INDÍGENAS



COMUNICADO DEL BUFETE PARA PUEBLOS INDÍGENAS –BPI-

El Bufete para Pueblos Indígenas es un equipo multidisciplinario, el cual tiene como ejes principales la formación política, la incidencia, el litigio especializado y la investigación, está conformado por un equipo que en su mayoría es perteneciente a pueblos mayas de Guatemala y en su mayoría mujeres.

El Bufete se ha especializado en temas como la defensa de la tierra y el territorio, logrando por ejemplo una sentencia a favor del pueblo Ixil en el que se le restituyen 1,400 caballerías de tierra que había sido despojado dicho pueblo; así mismo el litigio a favor de los pueblos originarios, autoridades ancestrales y defensores y defensoras de derechos humanos.

Como parte de la incidencia se han realizado alianzas con muchos actores fundamentales de sociedad civil, organizaciones no gubernamentales y otros con quienes se ha trabajado un espacio para incidir en la coyuntura política del país, y a través de las cuales se ha atacado a los entes institucionales que han cooptado y corrompido el país.

Se ha acompañado litigios en contra de empresas extractivas, multinacionales a nivel nacional, logrando resultados que afectan a estos entes, visualizando los múltiples errores, defectos e ilegalidades en cuanto a las labores que cada una de estas realizaba y como en conjunto con el Estado de Guatemala han vulnerado derechos humanos fundamentales.

Así mismo, se ha realizado litigio estratégico a favor de las comunidades, autoridades ancestrales, pueblos originarios, mujeres, mujeres indígenas, niños y sectores vulnerables de la sociedad, en especial a defensores y defensoras de derechos humanos, en la lucha en contra del sistema opresor que pretende criminalizar la labor de defensa de estas personas.

Como Bufete para Pueblos Indígenas comprendemos que estos espacios de lucha son difíciles y al igual que sucede con la criminalización, los litigios y las labores que se han emprendido tienen un costo no solo político sino también de riesgo en cuanto a la seguridad de las personas que laboramos y como consecuencia a nuestros espacios de trabajo también.

En este sentido, el fin de semana, entre el 21 y 22 de marzo, nuestras oficinas sufrieron un atentado, que consideramos que fue con el objeto de intimidar la labor de defensores, el objetivo era llevarse la información sensible de los litigios emprendidos y los que se estaban preparando, fueron extraídas ocho computadoras, dejando los teclados y los mouse, el ingreso a nuestras oficinas se realizó con violencia, forzando puertas, pero aunado a la extracción de computadoras, llama a la atención que la oficina

más dañada y donde rompieron objetos es en la oficina de Dirección del Bufete, es importante hacer mención de ello pues quien dirige actualmente a la institución es una mujer maya.

El hecho ocurrido no es un acto de la delincuencia común, el hecho tenía un objetivo y era llevarse información sensible del Bufete e intimidar al equipo del BPI.

Por lo que el Bufete Para Pueblos Indígenas a la Sociedad Civil, Organizaciones no Gubernamentales y alianzas amigas, queremos expresar el agradecimiento por el respaldo social que se nos ha brindado.

Y al Estado de Guatemala, exigimos:

1. Como bufete hemos hecho la denuncia correspondiente, esperamos que se dé con los responsables materiales e intelectuales;
2. Demandamos seguridad a cada uno de los miembros del equipo y que cesen las intimidaciones.

Nuestro equipo ratifica su labor de defensa de derechos humanos, derechos de pueblos indígenas consientes que todo el trabajo que hacemos lo hacemos por amor a la vida.

Guatemala, 25 de marzo de 2021

PBI team in Guatemala: Andrea Andrea Rey López (Spain), Irene Salinas Cortés (Colombia), Alexandra de Almeida Galo (Portugal), Laura Carolina Saavedra Garzón (Colombia), Anuja Pathak (Switzerland/United Kingdom), Júlia Macedo (Brazil).

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**GUATEMALA PROJECT
PEACE BRIGADES INTERNATIONAL**

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