



Monthly Information Package Guatemala

Number 211 - April 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.

Food insecurity and hunger provoke migration¹

According to a recent publication from The Washington Post (WAPO), food insecurity, which has caused a deep crisis of hunger, is one of the reasons forcing many Guatemalans to migrate to the United States (U.S.). One indicator of this situation is the acute malnutrition suffered by a large number of children. Between January 1 and April 10, 2021, the National Food and Nutrition Security System (SIINSAN) registered 8,378 cases of acute malnutrition in Guatemalan children under 5 years of age. Most of the records (62%) correspond to children between 6 months and 2 years of age. The Ministry of Public Health and Social Assistance (MSPAS), has highlighted the fact that 9.3% of the cases correspond to children under 6 months of age as especially worrisome. Escuintla and Alta Verapaz are the departments most affected.

According to WAPO, this hunger crisis is "caused in part by failed harvests linked to climate change, a series of natural disasters and an almost non-existent official response." Furthermore, "supply chain disruptions led to an increase in prices." According to the World Food Program, the cost of basic foods such as beans, for example, rose by 19.6% in Guatemala during 2020.

Civil Society Organisations Meet with the Vice President

On April 14, a meeting took place between the Vice President of Guatemala, Guillermo Castillo Reyes, and the Union of Peasant Organizations (UVOC), to discuss the agrarian, social and environmental situation in "prioritized" communities. In addition to the Vice President and representatives of UVOC, representatives from the Land Fund (FONTIERRAS), the Presidential Commission for Dialogue (CPD), the Presidential Commission for Peace and Human Rights (COPADEH), the Registry of Cadastral Information (RIC), the Office of the United Nations High Commissioner for Human Rights (OHCHR), the Office of the Human Rights Ombudsman (PDH) and the Center for Human Rights Legal Action (CALDH) were also present, the latter three participated as honorary witnesses. Paradigmatic cases of conflict were presented, such as those of "Seholaya, Chintun, Primavera, Los Naranjales, Guaxpom, Paraje Vía de Guadalupe and Paraje Santa Ana Candelaria, among others." UVOC proposed the creation of "an institutional technical table whose objective would be to propose solutions; to analyze, take decisions and follow up." It also "proposed a monthly meeting to be attended by representatives of the institutions, UVOC and verifiers."²

On the same date a meeting was also held between the Vice President and the elder women from Sepur Zarco, which also included the participation of institutions such as the RIC, FONTIERRAS, the Attorney General's Office (PGN) and COPADEH, as well as representatives of Women Transforming the World (MTM), Colectiva Jalok U and authorities from the Community Councils for Urban and Rural Development (COCODE). The objective was to seek dialogue regarding access to Sepur Zarco's land, in the context of the ruling in the case, as well as the status of reparation measures.³

¹ Quintanilla, K., *MSPAS: Van 8,378 casos de desnutrición aguda en Guatemala*, La Hora, 28.04.21.

² Gobierno de Guatemala, *Vicepresidente Castillo Reyes coordinó reunión internacional con Unión Verapacense de Organizaciones Campesinas - UVOC-*, 14.04.21.

³ Gobierno de Guatemala, *Vicepresidente Guillermo Castillo Reyes, se reunió con las Abuelas de Sepur Zarco*, 14.04.21.

US Vice President meets with Guatemalan Organizations⁴

U.S. Vice President Kamala Harris met virtually with representatives from 13 Guatemalan organizations to discuss the root causes of migration to the U.S. Harris took the opportunity to announce that she plans to travel to Guatemala in June and "assured in meeting with the Guatemalan organizations, that the U.S. is seeking a "broad strategy" in its policy toward Guatemala which includes civil society and the private sector. The goal in working with the organizations, she said, is to identify the sectors where development assistance is most needed. The U.S. is seeing an increase in the number of border crossings and unaccompanied minors arriving at the border with Mexico, many of them of Central American origin. Most of the individuals - with the exception of unaccompanied minors and some family units - are being deported under a rule known as Title 42, which prevents individuals from seeking asylum or entering the United States. In February and March 2021, 65.6% of all people arriving at the border were deported, according to data from the think tank American Immigration Council."

"Decades may pass but there are horrors which won't be forgotten"⁵

Thirty-nine years have passed since the massacre at the village of Los Josefinos, but the survivors remember it "as if it were yesterday." The army entered their community, located in the north of the country, in La Libertad, Petén, where they massacred and disappeared several people. In addition, they burned homes, forcing families to flee. None of the intellectual or material authors of this massacre have been brought to justice in Guatemala. According to information provided by the Center for Justice and International Law (CEJIL), an estimated 28 adults and 14 minors were executed. CEJIL also points out that this "massacre was not an isolated event", but was part of the counterinsurgency military strategy carried out during the internal armed conflict "to repress populations and destroy villages under the pretext of a guerrilla presence and community support for the insurgency." In light of the impunity they faced when trying to bring the case before the national justice system, "the relatives of the victims made a decision in 2004 to present the case before the Inter-American Commission on Human Rights (IACHR), where a friendly settlement process was initiated, in which the State assumed its responsibility and made a commitment to carry out an investigation, erect a monument in memory of the victims and compensate their families. In 2012, however, the relatives withdrew from the friendly settlement due to the State's failure to comply with its commitments. In 2019, the case was elevated to the Inter-American Court of Human Rights and on February 17 and 18, 2021, the virtual public hearing was held." As of today, the judgment is still pending.

Human Rights Defender Emilio Aguilar Jiménez is Murdered

Emilio Aguilar Jiménez, defender of the territory and member of the Campesino Development Committee (CODECA), was murdered on April 11 by unidentified individuals in his home (Saxico community, El Duraznal hamlet, municipality of Santa María Xalapán, department of Jalapa). His murder is part of the systematic repression exercised against CODECA in retaliation for their legitimate defense of human rights and the territory. At least 20 members of the organization have been murdered since 2018. The impunity is absolute, perpetuating the attacks and highlighting "the helplessness of those who defend human rights in rural Guatemala, where land conflicts and the negligence of the authorities in their resolution lead to armed attacks, murders, death threats and harassment." The Observatory for the Protection of Human Rights Defenders and the Unit for the Protection of Human Rights Defenders of Guatemala (UDEFEQUA), have pointed to the worrying attempts to dismantle of the protection system for human rights defenders and the "evident lack of guarantees for the defense of human rights" in the country, as well as the violation of the rights of indigenous and peasant organizations who peacefully and legitimately defend their rights.⁶

In a statement the Ombudsman, Jordán Rodas Andrade, expressed his firm condemnation of this murder and recalled "that the State of Guatemala is obliged to protect the life and safety of all persons and to guarantee the physical and psychological integrity of human rights defenders and community leaders." He informed that the PDH's Office for the Defense of Human Rights Defenders and Journalists and the Auxiliary office in Jalapa

⁴ Agobian, J. Y Arredondo A., [Vicepresidenta de EE. UU. se reúne con 13 organizaciones guatemaltecas](#), Voz de América, 27.04.21.

⁵ Pérez, R., "[La historia está viva y no se nos olvida](#)": caso Los Josefinos llega a la CorteIDH, Prensa Comunitaria, 05.05.2021.

⁶ Obs y UDEFEGUA, [Guatemala: Violencia sistemática contra quienes defienden el territorio](#), 15.04.21.

have already opened a file on this case and recommended the Public Prosecutor's Office (MP) "to carry out a prompt investigation to identify all those responsible and so this incident does not remain in impunity" and to the Ministry of the Interior "to finally implement the mechanisms for the prevention of violence against community leaders and human rights defenders throughout the Republic".⁷

The Escazú Agreement Comes Into Force

On April 22, World Earth Day, the Regional Agreement on Access to Information, Public Participation and Access to Justice in Environmental Matters in Latin America and the Caribbean (Escazú Agreement) entered into force. This agreement is expected to help the region's States strengthen their environmental public policies. It is the only binding treaty resulting from the United Nations Conference on Sustainable Development (Rio+20). Its objective is to guarantee access to environmental information, public participation in decision-making processes and access to justice in environmental cases. It is also a pioneering agreement, as it is the only one that contains specific provisions for the protection of environmental defenders. In the Latin American context, which has high murder rates of environmental activists. The Agreement is an important step towards the construction and implementation of public policies for the prevention of violence and protection of human rights defenders.⁸

Guatemala signed the Agreement on September 27, 2018 but has not yet ratified it. The ratification process remains in the consultation phase. According to the country's Foreign Ministry, the opinion of institutions such as the Public Prosecutor's Office and the General Secretariat of the Presidency is expected at that time. Guatemala is experiencing an increase in the number of threats, murders and criminalization of environmental and land rights defenders. The Agreement could be a valuable tool for "holding States accountable, defending rights and protecting the health of people and the planet."⁹

IACHR Expresses Concerns About the Militarization of Borders

The IACHR expresses its concern over the increasing restriction of human mobility and the militarization of the borders of countries in the region. The Commission has called on States to adopt migration and border policies that integrate a human rights approach. "In the case of Guatemala, it noted that on January 11, 2021, days prior to the entry of a caravan of migrants from Honduras, the Executive published Governmental Decree No. 1-2021 through which it authorized the use of force to dissolve any unauthorized meeting, group of persons or demonstration in the municipalities which border Honduras. In a press release dated January 28, 2021, the Commission condemned the excessive use of force used by the National Civil Police (PNC) and the Guatemalan Army and called on the States in the region to coordinate among themselves to effectively guarantee the human rights of the people in the caravan, especially the rights to health and personal integrity, to seek and receive asylum, and to non-refoulement."¹⁰

For its part, the White House claims to have reached an agreement with Guatemala, Honduras and Mexico to mobilize thousands of military and police to stop irregular migration, however, the governments of Guatemala and Honduras deny having signed such agreement.¹¹

⁷ PDH, [49/21 El Procurador de los Derechos Humanos, Jordán Rodas Andrade, deplora el asesinato de Emilio Aguilar Jiménez, defensor de los derechos humanos e integrante de Codeca](#), 11.04.2021.

⁸ CEPAL, [Autoridades y expertas destacan importancia del Acuerdo de Escazú para garantizar los derechos humanos en América Latina y el Caribe](#), 10.12.2020.

⁹ Paredes, L., [¿Qué es el Acuerdo de Escazú y por qué Guatemala no lo ha ratificado?](#), El Periódico, 22.04.21.

¹⁰ OEA, Comunicado No. 082/21, [La CIDH llama a los Estados de la región a adoptar políticas migratorias y de gestión de fronteras que incorporen un enfoque de derechos humanos](#), 01.04.2021.

¹¹ Deutsche Welle, [Guatemala y Honduras niegan acuerdo con Estados Unidos sobre fronteras](#), 13.04.21.

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.¹²

THE FIGHT AGAINST IMPUNITY

On April 29 we accompanied the **Human Rights Law Firm (BHD)** to a hearing in the Virgen de la Asunción Care Home case which was resumed having been suspended. In this hearing, the precautionary measures of one of the defendants, Carlos Rodas, former Secretary of Social Welfare, were reviewed.

On April 15, we met in Coban with the president of la **Asociación de Vecinos de Chicoyogüito de Alta Verapaz (AVECHAV)**, who updated us on the relocation process for the 250 families of Chicoyogüito (Alta Verapaz), who were evicted by the army in 1968.

We visited the headquarters of the **Association of Residents Against Corruption in Patzicía (AVCCP)**. During this visit they updated us on their latest activities, especially regarding the proposed social audit of the accounts from the mayor's office in Patzicía, with objective of reviewing the implementation of funds designated to the COVID 19 response. We also had the opportunity to meet the representative of the Women's Commission from the Association.



THE ISSUE OF ACCESS TO LAND

Community Council of the Highlands (CCDA) - Las Verapaces Region. At the beginning of the month we accompanied members of the organization to the penitentiary center in Cobán to visit the criminalized and imprisoned human rights defenders Marcelino Cucul Xol and Jorge Coc Coc. At the end of the month we accompanied them to a hearing with the mayor's office for the registration of the communities as indigenous communities, which, unfortunately, was suspended. We met with the coordinators, Lesbia Artola and Imelda Teyul, at the CCDA office in Cobán during which they updated us on the high risk situations and criminalization being experienced in the communities. They confirmed that there are 964 arrest warrants, some of them collective warrant, which include adults and minors. Threats and defamations against Lesbia and Imelda have not ceased.



Union of Peasant Organizations (UVOC). We held several meetings with their members and participated in multilateral meetings with other organizations and institutions where we followed up on the cases of Carlos Enrique Coy (disappeared) and Abelardo Quej (murdered), both from the Nueva Gloria community. We also followed up on the security situation of Justino Xollim, leader of the La Primavera community.

DEFENSE OF THE TERRITORY

We remain concerned about the security situation of community leaders from Lelá Chancó and Lelá Obraje (Camotán, Chiquimula), Héctor Ovidio Vázquez and Pedro Esquivel who are members of the **New Day Chorti Campesino Central Coordinator (CCCND)**. Both continue to suffer reprisals for their work defending their territory against the presence of megaprojects.

¹² 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 visited Agustín Ramírez and Timoteo Súchite, incarcerated in the Rehabilitation Center for Men in Puerto Barrios, Izabal, since 2013. We continue to follow their judicial process. Both have already served half of their sentences.

We continue to maintain weekly telephone contact with members of the **Peaceful Resistance, La Puya**. We learned this month that the court in the capital issued a sentence allowing the company access to the machinery and construction tools which previously could not be used because they were immobilized.

On the 5th we accompanied some members of the **Peaceful Resistance, Cahabón** to the Supreme Court of Justice for the hearing of the criminalized and imprisoned defender Bernardo Caal Xol, but the hearing was suspended. We visited Bernardo in jail.

This month we accompanied the members of **TZ'KAT - Network of Ancestral Healers from Community Feminism** during the recording of a video clip with the Guatemalan singer Rebeca Lane, in homage to the young girl Sharon, who disappeared and was murdered in February in Petén (you can see the video at the following link: <https://youtu.be/CvZCOsuGZgQ>).



We have maintained telephone contact with **Multisector Chinautla**, in particular to follow up on the visit to the Ministry of the Environment.

As part of our accompaniment to the **Retalhuleu Community Council (CCR)** we observed a meeting with the PDH, where representatives of the Council presented the dramatic and complex situation they are experiencing in their territory.

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 Guatemalan authorities we met with:

- Inspector Figueroa, head of the local **PNC office in Cobán, Alta Verapaz**.
- Ery Ramos, **PNC Commissioner for the Department of Alta Verapaz**.
- Carlos Guillermo, head of the **PDH Auxiliary Office in Alta Verapaz**.
- Romel Veliz, Governor of Alta Verapaz and Marlon Ac, responsible for socio-environmental conflicts in the department and coordination of the departmental Agrarian Commission in **the Government of Alta Verapaz**.
- David Rojas, Sub-inspector at the local **PNC office in Patzicia, Chimaltenango**.
- Henry Barrero, Chief of the **Departmental PNC Station, Chimaltenango**.
- Marilis Guedalin Ramírez Baltazar, head of the **PDH Auxiliary Office in Chimaltenango**.
- Héctor Tomas Coy, municipal secretary in the **Mayor's Office of Patzicia, Chimaltenango**.
- Dafnye Asurdiá, secretary to **the governor of Chimaltenango**.
- Ruth de Valle, Human Rights Defenders Officer, and Jordán Rodas, **Human Rights Ombudsman**.
- Nancy Gramajo, head of the **PDH's Auxiliary Office in Retalhuleu**.

4. 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:

- Helmut Weixler, from the Secretariat of the **European Parliament's Delegation for Central America**.
- Fritz Boehm and Beatrice Tisanto, **OHCHR** officers responsible for Guatemala.
- Sarah Callanan, Deputy Head of **Ireland's Mission to Mexico** and Ruth MacKenna, Second Secretary at the Embassy.

5. CAPACITY BUILDING

This month we organized several activities, workshops and virtual meetings aimed at strengthening the protection and security capacities of human rights defenders:

- On April 21 and 28, we held **two workshops on security with a gender perspective**, facilitated by Fernando Us, an expert in the field.
- On April 30, we held the **first session of a series of six meetings of women defenders** at risk that will take place throughout the year. These meetings are facilitated by TZ'KAT - Network of Ancestral Healers from Community Feminism Guatemala. Each of them will address different elements of integral protection, from physical, to emotional, spiritual, and territorial.

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.



**ALCALDÍA INDIGENA DE PALIN y
Asociación de Mujeres Maya Poqomam**



“Ixoq Taq Peet”

ANTE EL FEMICIDIO DE UNA NIÑA EN PALÍN

MANIFESTAMOS:

1. Nuestra **indignación y repudio** por los actos de femicidio e infanticidio en Palín, nos duele la violencia, repudiamos el femicidio de la niña **Jenifer Guadalupe Lobo Chocojay**, nos indigna observar, que la vida de las niñas y las mujeres en Guatemala son violentadas y deshumanizadas en su calidad de seres humanos con dignidad y derechos.
2. En los primeros meses de 2021 se han registrado **30,263 denuncias de violencia** contra mujeres y niños y **161 femicidios**, es lamentable que la vida de las niñas y las mujeres se encuentren en condiciones de alta vulnerabilidad, y que en las estadísticas del MP aún sigue la invisibilización de las niñas y mujeres indígenas.
3. **Las muertes violentas** con premeditación, alevosía y ventaja reflejan **los altos niveles de odio en contra de las niñas y mujeres**, lo cual evidencia el **alto riesgo que representa SER NIÑA Y MUJER en Guatemala**, especialmente de territorios indígenas.
4. **Escuintla es uno de los departamentos más violentos de Guatemala** y lamentamos que el Estado **no ha priorizado el presupuesto, las estrategias y políticas públicas** para prevenir y contrarrestar la violencia en contra de las niñas y las mujeres en los territorios y comunidades.

Ante lo planteado EXIGIMOS:

- a. Que el **Ministerio Público** investigue el femicidio de la niña **Jenifer Guadalupe Lobo Chocojay**, exigimos Justicia accesible, pertinente, pronta y cumplida. Que los responsables sean procesados conforme la ley.
- b. A las autoridades municipales, gobernación departamental y al presidente de la república **dar atención, priorizar, colocar en sus agendas la problemática de violencia contra la mujer**. Tomen este tema con la importancia que amerita.
- c. A la población, a las organizaciones a nivel nacional e internacional **estar pendientes sobre la situación de violencia contra las niñas y mujeres en el sur de Guatemala. Es preciso unir esfuerzos para cuidar y defender a la niñez, a la juventud y a las mujeres de Palín, de Escuintla y de Guatemala.**

EXIGIMOS JUSTICIA!!!

Palín, Escuintla, 30 de abril de 2021.

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**GUATEMALA PROJECT
PEACE BRIGADES INTERNATIONAL**

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