



Monthly Information Package Guatemala

Number 214 - July 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.

Closed schools, malnutrition and child labor: the pandemic's devastating effects on children

2020 was a devastating year for Guatemalan children. The COVID-19 pandemic, coupled with a series of droughts and storms, caused an increase in unemployment and poverty in families which, according to specialists, may cause irreversible and long-term damage.¹ Curfews, restrictions on mobility and the closure of educational centers have had a serious impact on children, particularly in terms of access to education and health.

In Guatemala, 70% of the working population works in the informal sector and the crisis caused by the pandemic and the natural disasters has led many children to engage in labor activities to support their families. With the closure of schools due to the pandemic, the possibilities for children to continue their education has become increasingly difficult, and the presence of girls employed in selling fruits, vegetables and working in tortilla shops has increased, while boys sell masks and alcohol gel on footpaths and around markets.² According to the 2018 Census, 68% of Guatemala's population lacks internet and 78% of people do not have access to computers, making distance learning impossible. Another impact of school closures is the impossibility of delivering and administering anti-parasitic medications, which used to occur in schools. Intestinal parasites can cause diarrhea, stomach pain, vomiting, bloating, weight loss and, if left untreated, death. The Ministry of Health's budget for deworming and care for acute diarrheal disease was decreased by 2.6 million Quetzals this year.³

Other impacts of the restrictions implemented to halt the spread of COVID-19 include the suspension of public transportation, which made it impossible for many farmers to buy and sell their products at markets, which were also closed in many places. As a result, family income decreased, and poverty and malnutrition increased. Malnutrition increased by 81.31% in children under five years of age and 2020 was the year with the highest number of cases of acute malnutrition in children under five years of age since 2009.⁴ The country has the sixth highest malnutrition rate in the world and, with the effects of climate change, periods of hunger have increasingly become a permanent feature. Last year, official figures recorded 75 child deaths from malnutrition, although the number is estimated to be much higher.⁵

Community leader and member of CCDA murdered in San Juan Los Tres Ríos

The community leader Regilson Choc Cac, from San Juan Los Tres Ríos, Cobán, Alta Verapaz, was murdered on July 20, at 10:30 pm. The community lives under permanent threat due to a dispute over the land they live on and for demanding land ownership from the Guatemalan State over the last ten years.⁶ Regilson Choc Cac was a member of the Community Council of the Highlands (CCDA) - Las Verapaces and actively participated in the defense of the territory and human rights of his community. This murder comes following the murders of Daniel Choc in 2016 and Mateo Chamán Pauu in 2018, who were also community

¹ García, A., [Una niñez devastada: así deterioraron la pandemia y las tormentas la desnutrición y el aprendizaje](#), Plaza Pública, 21.07.2021.

² Solís, N., [Niñez y adolescencia sin escuelas y con sobrecarga de trabajo](#), FGER, 29.06.2021.

³ García, A., Op.Cit.

⁴ Ibid.

⁵ Storchlik, N., [A hunger crisis forces Guatemalans to choose: migration or death](#), National Geographic, 26.07.2021.

⁶ CCDA. [El CCDA condena el Asesinato del líder Comunitario Regilson Choc Cac de la Comunidad San Juan Los Tres Rios, Cobán, Alta Verapaz](#). CCDA, 21.07.2021.

leaders from San Juan los Tres Ríos. Neither case has been resolved by the Public Prosecutor's Office (MP).⁷ In condemning the death of Choc Cac, the CCDA recalled that the closure of the Secretariat of Agrarian Affairs, continues to violate the land rights of the population and is causing the criminalization of campesino leaders.⁸

Organizations denounce the State of Prevention in Guatemala as an attempt to silence social demands.

On July 14, the President of Guatemala, Alejandro Giammattei, decreed a State of Prevention for 15 days, due to the increase in COVID-19 cases. The regulation limits the celebration of open-air gatherings where these do not comply with physical distancing and the use of masks. According to the text of the decree, "demonstrations are not prohibited as long as they comply with the biosecurity measures already established by the Ministry of Health." Furthermore, the State of Prevention suspends demonstrations "which are carried out without due authorization or, if under authorization, fail to comply with the necessary public health measures or people are found to be carrying weapons or other violent implements."⁹

For human rights organizations in the country, the objective of the State of Prevention is to limit the protests which have taken place to demand the resignation of the President.¹⁰ The Convergence for Human Rights repudiated the State of Prevention that "seeks to prevent the exercise of rights and is not to protect the population from the pandemic," expressing that "no State of Prevention can silence our just demands."¹¹

Organizations express their support to Juan Francisco Sandoval after his dismissal from FECI

Indigenous authorities from all over the country, social movements, campesino organizations, unions, students, professional associations and small business organizations, as well as the international community, have expressed their rejection of the decision by the Attorney General and Head of the Public Prosecutor's Office (MP), Consuelo Porras, to dismiss the head of the Special Prosecutor's Office against Corruption and Impunity (FECI), Juan Francisco Sandoval, on July 23, and showed their support for the now former prosecutor. The Human Rights Ombudsman, Jordán Rodas, said "the Attorney General is not an independent official. She is subject to pressure from politicians and from the most conservative elements of the economic sector who have been affected by the investigations carried out by FECI."¹²



The expulsion of Sandoval from FECI provoked a wave of protests, demands for the resignation of the Attorney General and the President, and calls for a national strike, which took place on July 29. A diversity of collectives, across 20 departments, announced their participation in the strike. Thousands of Guatemalan men and women demonstrated at highway crossings, in front of the MP headquarters and in the central parks of the country's municipalities and capitals. In addition to the demonstrations of disagreement with the work of the Attorney General and the President, the citizens' demands were broadened

⁷ Prensa Comunitaria. [Alta Verapaz: joven dirigente comunitario es asesinado en San Juan los Tres Ríos](#), 21.07.2021.

⁸ CCDA, Op.Cit.

⁹ EFE. [Guatemala decreta estado de prevención 15 días por expansión de la covid-19](#). EFE, 14.07.2021.

¹⁰ TeleSur. [Presidente de Guatemala anuncia Estado de prevención](#). TeleSur, 13.07.2021.

¹¹ Convergencia Por los Derechos Humanos. [Rechazamos las Amenazas de Restricción de Derechos y Libertades](#), 12.07.2021.

¹² Elías, J., [Guatemala sacude la lucha contra la corrupción con la destitución del fiscal especial contra la impunidad](#). El País, 25.07.2021.

by requesting structural changes, as the protestors claimed that indigenous communities have been the most affected by corruption and impunity. In addition, there were many demands for the prompt application of vaccinations to the entire population and for transparency about the purchase of vaccines.¹³

Constitutional Court decision restricts elements of the NGO Law relating to the cancelation of organizations

The Constitutional Court resolved to provisionally suspend the sanctions contained in the reforms to the NGO Law. Despite the unanimous provisional suspension of several words and phrases from the Legislative Decree 4-2020, the law has been in force since June 21.¹⁴ Different non-governmental organizations (NGOs) have stated that the Court's decision is not enough and that the law continues to threaten the functioning of NGOs and the exercise of their constitutional rights. For Héctor Reyes, of the Center for Legal Action on Human Rights (CALDH), "the whole law is unconstitutional, it contravenes the Constitution and some treaties and conventions, as well as freedom of expression."¹⁵

Among the provisions which have been suspended are the use of the word "control" in Article 1, and the possibilities of canceling an NGO "for administrative reasons", established in Article 6. The obligation to register NGOs with the Secretariat of Planning and Programming of the Presidency (Segeplan), when they are formed or when changes are made in their constitutions, legal representation or Board of Directors has also been suspended. In addition, the Court suspended the possibility for the immediate cancellation of an NGO, as established by Article 13, and the sanctions set out in Article 22 of the law.¹⁶

2. ACCOMPANIMENTS¹⁷

*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.*¹⁸

THE FIGHT AGAINST IMPUNITY

On July 26th we accompanied **Human Rights Law Firm (BDH)** to a hearing in the Samococh case. The hearing was once again postponed, this time until December 12, due to the unavailability of the public gallery at the Supreme Court of Justice (CSJ) and the COVID-19 pandemic. We also accompanied them to two hearings in the Diario Militar case to establish the health status and resolve the legal situation of two of the accused.



Regarding our accompaniment of the **Residents Association of Chicoyogüito Alta Verapaz (AVEHAV)**, we were present at the hearing to review the coercive measures against three people from the community of Chicoyogüito, who were detained when they began a peaceful demonstration on June 9 in Cobán, to demand the return of their territory, of which they were dispossessed by the Guatemalan army in 1968. We also accompanied the activities commemorating the 53rd anniversary of the violent eviction from their territory by the army on July 28. We shared a podcast within the framework of Chicoyogüito community's anniversary: <https://cutt.ly/CQaDsl9> (with English subtitles).

¹³ Redacción, [“Hoy es un día de victoria”: líderes indígenas manifiestan repudio contra la corrupción en Guatemala y exigen cambios](#), Prensa Libre, 30.07.2021

¹⁴ Cuevas, D., [Corte de Constitucionalidad reduce criterios para la cancelación de Oenegés](#), Prensa Libre, 16.07.2021.

¹⁵ Boche, E., [Organizaciones: toda la Ley de Oenegés debe suspenderse](#), El Periódico, 20.07.2021.

¹⁶ Arana, L., [CC suspende provisionalmente “algunas frases” a reformas a Ley de ONG’S](#), La Hora, 14.07.2021.

¹⁷ We maintained regular contact with accompanied organizations who are not specifically mentioned in this section, but there are no activities to highlight.

¹⁸ See our website for general information on organizations and individuals we accompany: <https://pbi-guatemala.org/en/groups-and-individuals-currently-accompanied-pbi>

PROBLEMÁTICA DEL ACCESO A LA TIERRA

We continue to be concerned about the situation of Lesbia Artola and Imelda Tuyul, coordinators of the **Community Council of the Highlands (CCDA) - Las Verapaces Region** who continue to experience serious security incidents. This concern has intensified with the murder of community leader Regilson Choc Cac, from the community of San Juan Los Tres Rios, Cóban, Alta Verapaz and member of the CCDA Verapaz (see in context).

We maintain weekly telephone contact with members of the **Union of Peasant Organizations (UVOC)**, to follow up on their security situation and the investigations related to the disappearance of Carlos Enrique Coy and the murder of Aberlado Quej. This month they updated us on the recurring problems in the territories, particularly the situation in La Primavera and Tukurú.

DEFENSA DEL TERRITORIO

Regarding our accompaniment of the **New Day Ch'orti' Campesino Central Coordinator (CCCND)**, this month we maintained weekly telephone contact with its members. In addition, we continue to follow up on the situation of Agustín Ramírez and Timoteo Súchite, members of CCCND and indigenous authorities of the Las Flores community, who have been in prison since 2013. They were sentenced for a murder perpetrated by a mob, that occurred in their community of which they had no involvement but were held responsible for being indigenous authorities.

This month we visited the **Peaceful Resistance Cahabón** for the first time since the pandemic began. We met with various members in different communities to update us on the activities of the organization and to learn about the problems in the territory. We also accompanied some members of the Resistance, from the Buenos Aires community, to a hearing at the MP office in San Pedro Carchá.

Regarding our accompaniment of the **Peaceful Resistance, La Puya**, we accompanied them in their first approach to State Institutions to discuss the international arbitration process between the mining company Kappes, Cassidy & Associates (KCA) and the State of Guatemala. Representatives from the Human Rights Ombudsman's Office (PDH), the Ministry of Economy and the **Attorney General's Office (PGN)** were present.

We visited the members of **Multisector Chinautla** from various areas, to resume face-to-face contact in the context of the pandemic and to update us on the problems they face in their territory.



As part of our accompaniment of the **Community Council of Retalhuleu (CCR)**, we met with some of their members to update ourselves on the situation of the territory, its problems, and on their activities.

We also met with the **Peaceful Resistance, La Laguna** who updated us on different issues, such as their concerns about possible new TRECOSA activities in San Pedro Ayampuc and access to water.

We continued to follow up on the situation of the communities of **Olopa and Quezaltepeque**, to whom we provided telephone accompaniment in several of their activities.

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 we met this month with:

- Miguel Ángel López Rojas, Press Attaché; Juan Manuel Olea Contreras, Head of Legal Affairs; Gabriela Márdero, Head of Political Affairs; Linda Marina Munive Temoltzin, Counselor of the **Mexican Embassy**
- Jennifer Echeverría, Human Rights Officer from the **European Union (EU) Delegation**
- Alejandro Gallardo, Human Rights Officer at the UK Embassy

At the national, departmental, and municipal levels, we met with the following institutions and authorities:

- Edgar Calderón, Assistant to the **Mayor of Champerico**.
- Ignacio Arreaga Cifuentes, **Governor of Retalhuleu**.
- Jilmer Bin, Chief of Services at the **National Civil Police (PNC) in the department of Retalhuleu**.
- Nancy Evanury Galindo Gramajo, **Head of the Auxiliary office of the PDH in Retalhuleu**.
- Carlos Waldemar Barillas Herrera, **Governor of the Department of Guatemala**.
- Ligia Sagastume, **Chief of Complaints at the PDH Guatemala**.
- Armando Ajpacaja, **Head of the Human Rights Unit of the PNC Guatemala**.
- Jennifer Villatoro, **Entry agent of the PNC Chinautla**.
- Angel David Cucul Caal, **Entry agent of the PNC Santa María Cahabón**.
- German Alberto Balsells Tut (photo), Municipal Secretary of the **Municipal Mayor's Office of Santa María Cahabón**.



4. OTHER ACTIVITIES OF PBI GUATEMALA

On July 1, we broadcast the 10th ACÉRCATE program, during which we talked with Lesly Ramírez a human rights defender from the Center for the Study of Equity and Governance in Health Systems (CEGSS), discussing the monitoring of public policies on Health, Food and Nutrition and the situation of COVID-19 in rural communities. You can watch the program here: <https://cutt.ly/fQaFiv5> (only in Spanish)

5. 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.

This month the EU representative met with:

- Peter Van de Velde, coordinator of the Working Group on Latin America from the **EU Council**, Blanca Ausejo, from the Human Rights Unit of the **European External Action Service** and Sylwia Domesewicz, coordinator of the Human Rights Working Group of the **EU Council** within the framework of a briefing by the Human Rights and Democracy Network (HRDN).
- Representatives from the 27 Member States responsible for defining the EU's joint policy on human rights.

6. CAPACITY BUILDING

The 4th session of a series of six Healing Encounters for women human rights defenders at risk took place on July 23, 2021. These meetings are facilitated by the TZK'AT Network of Ancestral Healers of Community Feminism from Iximulew and organized by PBI Guatemala. Each of these meetings addresses an element of the holistic protection approach employing a gender and diversity perspective. This fourth workshop focused on deepening emotional protection as an essential element of territorial healing for women human rights defenders at risk.

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.



Guatemala 31 de julio de 2021.

¡NO MÁS ATAQUES A LA LIBERTAD DE EXPRESIÓN!

El derecho a la libertad de expresión se ve nuevamente manchado de sangre con el asesinato del colega comunicador Pedro Alfonso Guadrón Hernández, de 30 años, hecho acaecido el viernes 30 de julio de 2021, en la aldea El Pinito, Concepción Las Minas, Chiquimula.

Guadrón Hernández administraba la página informativa de Facebook denominada Concepción Las Minas Mi Tierra, por medio de la cual transmitía información variada del acontecer nacional a sus más de 39 mil seguidores.

Este execrable crimen se une al hostigamiento y amenazas que han venido siendo objeto 41 periodistas a lo largo del año, acciones sistemáticas que buscan amordazar la libertad de expresión, pese a que la Constitución Política de la República otorga ese derecho a todos los guatemaltecos.

Por lo anteriormente expresado

DEMANDAMOS

A las autoridades pertinentes el esclarecimiento del asesinato del colega Guadrón Hernández, así como el castigo a los autores intelectuales y materiales del hecho.

Establecer mecanismos eficaces y efectivos que impidan los constantes y sistemáticos ataques a la Libertad de Expresión, de tal cuenta que todos podamos ejercer nuestro derecho constitucional a expresarnos libremente.

¡La Constitución Política de la República nos garantiza el derecho a la Libre Expresión, por lo tanto NO NOS CALLARÁN!

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), Elisa Molinaro (Italy), Tiago Delgado (Brazil).

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**GUATEMALA PROJECT
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