Annual report **2022** PBI Guatemala



1983 // 2023 PEACE BRIGADES INTERNATIONAL

Annual Report 2022 - PBI Guatemala, May 2023 Writing and editing: PBI Guatemala. Design and layout: Ximena Chapero / www.ximenachapero.com Photographs: PBI Guatemala

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Cover photo: Accompanying of the Chinautla Multisector, Guatemala, 11.11.2023.

Amb la col·laboració de l'ACCD / With the collaboration of the ACCD





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Who we are

Peace Brigades International (PBI) is a non-governmental organization with 40 years of experience in international accompaniment. PBI has been present in Guatemala since 1983 (with a break between 1993 and 2003) protecting space for people, organizations and collectives that promote human rights in a nonviolent manner and suffer repression for their work. PBI works only at the request of local organizations.



Our mandate

We seek to contribute to create the necessary conditions for defenders, organizations and communities to continue their work aimed at increasing respect, observance and protection of human rights and strengthening the rule of law in Guatemala.

Our principles

We work under the principles of:

nonviolence non-partisanship non-intervention

With a horizontal organizational structure and by consensus.

What we do

Our vision of international accompaniment is global and flexible in nature, responding to the actions and needs of social organizations who request our accompaniment. Our areas of work in global accompaniment aim to weave an effective protection network which is responsive to the evolving context.



Physical accompaniment

Political accompaniment / advocacy

> Presence of international observers

Europe and PBI's Country Groups we keep up-todate multilateral institutions, the governments of 13 PBI has a team of volunteers in Guatemala who European countries, North American and Oceania accompany threatened or at-risk human rights on the situation of Guatemalan defenders. defenders, provide presence at offices of threatened organizations, visit rural communities, and carry out **Publications** international observation.

> Interlocution with authorities, advocacy and lobbying

PBI volunteers maintain continuously contact with > Strengthening capacities Guatemalan civil authorities and with international entities like the United Nations and embassies, We continuously train the PBI international observer to make them actors in our accompaniment and team and facilitate spaces for interchange and training on security and protections for Guatemalan protection work, as well as make them aware of defenders, with the support of existing local concerns about areas where we work and ask for their support. Through the Advocacy Coordinator in resources.

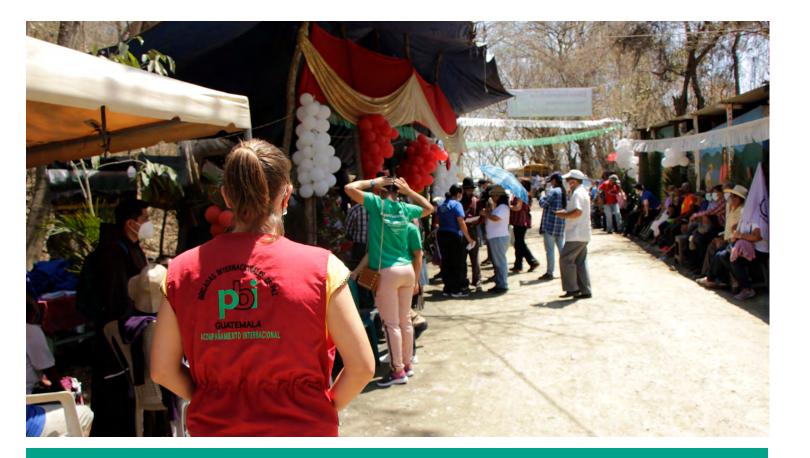




Publications

Strengthening capacities

We produce and distribute information on the human rights situation in Guatemala, based on public information sources and our direct observation.



Editorial

2020 was marked by a complete virtual modality as a result of the Covid-19 pandemic; during 2021 we began to recover our face-to-face presence in some activities and 2022, as we hoped, marked our return to complete in-person activities.

This has been reflected in all areas of our work: physical accompaniment; advocacy with Guatemalan authorities and the international community; capacity building, and even external communications. Despite the fact that this area does not require inperson activities we took advantage of the opening up of certain spaces to resume commitments that had been suspended by the pandemic, such as the tour of several communities in Cahabón to screen The Blood of the Earth documentary in which many people we accompany participated. We visited 10 communities, meaning about 2,000 people saw the documentary and were able to see themselves and their history of resistance and defense of the Cahabón and Oxec rivers reflected on screen. It was a very gratifying experience that strengthened our relationship with the people and communities we accompany in the region.

The great joy of this year was the release from prison of Bernardo Caal Xol, the Maya Q'eqchi' human rights defender, after more than four years of unjust imprisonment. It was completely unexpected and was received with great joy.

Despite the beautiful experiences and good news In this context, we are particularly concerned such as Bernardo's release, the current situation about the intensification of attacks against the in Guatemala is deeply worrying. The situation of independence of the judicial system, freedom of human rights defenders in general, and of those expression and freedom of the press. The country we accompany in particular, is critical, due to the is drifting towards authoritarianism, resulting in risks they face in the daily performance of their the further closure of spaces where the people important work. Criminalization has not ceased, and organizations that we accompany can work. on the contrary, it is intensifying; violent evictions Their strength and peaceful resistance, however, of indigenous communities, especially in the encourages us to continue our accompaniment Verapaces, have increased and remain a permanent with hope and enthusiasm. Now, more than ever, threat; and people who take the lead in the defense the international community needs to be attentive of rights are threatened relentlessly. The current to the security and safeguarding of a civil society situation in the country favors impunity and fails to that is being cornered and silenced. 'You are not protect those who dare to raise their voices against alone! you are not alone!' is the message we want injustice and corruption. to convey to all those we accompany, and that they can continue to count on PBI.



Context

In 2022 we witnessed the continued deterioration of the rule of law in Guatemala due to: the intensification of attacks on the independence of the judicial system and freedom of expression; repression and criminalization against leaders and indigenous communities in defense of territory and natural resources; various legislative, political and judicial actions that continue the closure of civil society spaces and consolidate an authoritarian regime.





According to multilateral institutions such as the Interhave contributed most to Guatemala's decline on American Commission on Human Rights (IACHR) and this index. These governments have dismantled the Office of the United Nations High Commissioner the institutional infrastructure to fight corruption, for Human Rights (OHCHR) and international which has meant impunity for corrupt actors and organizations such as Human Rights Watch (HRW), criminalization for anti-corruption actors. the attacks against the judicial system were directed In the last decade, Guatemala was internationally particularly against institutions that stood out for recognized for the progress made in high-impact their independent and impartial work in the fight trials for crimes committed during the IAC. According against corruption and impunity: the Constitutional to various institutions, these advances are at the root Court (CC), the Special Prosecutor's Office against of the attacks on the justice operators who handle Impunity (FECI) and the judges with High Risk such cases. jurisdiction. The aforementioned international institutions highlighted the existence of a systematic Despite some progress at the beginning of 2022, pattern of criminalization of independent justice the second half of the year was marked by setbacks operators who brought high-level corruption cases in transitional justice. In the case of the Ixil Genocide, against actors from the government and business where the former Chief of Staff of the Guatemalan sector, as well as cases of crimes against humanity, Army and the former head of military intelligence where high-ranking military commanders from the during the government of Romeo Lucas García, most violent period of the Internal Armed Conflict are accused of having committed crimes against

(CAI) are accused. humanity and genocide against the Ixil population, the oral and public debate was suspended. In the Actions against independent justice operators have case of the Diario Militar (DM), Judge Miguel Angel weakened the fight against corruption. According Galvez sent nine military and ex-policemen to trial (in to the coalition Transparency International, who May) for their alleged participation in crimes against prepare the Corruption Perception Index (CPI) and are represented in Guatemala by the organization humanity, kidnapping, forced disappearance, torture and execution of at least 183 people between 1983 Acción Ciudadana (AC), Guatemala is "one of the and 1985. Following this decision, the judge went countries with the most significant and consistent decreases in the CPI since 2012", and is among into exile due to threats and judicial persecution. The replacement judge then granted alternative the five worst rated countries in the Americas. AC highlighted that the country achieved its lowest measures for two of the accused military officers, registered score since the CPI began measuring even though he recognized that seriousness of corruption, and that the last two governments these crimes did permit such measures.



In addition to justice operators, the work of journalists was also attacked during the year. The Association of Journalists of Guatemala denounced 105 attacks against freedom of expression in 2022, mostly pursued by the Judicial Organism (OJ) and the Public Prosecutor's Office (MP).

The most illustrative case of aggression and arbitrary use of criminal law against journalistic work has been the arrest of the president of El Periódico, José Rubén Zamora. According to the Unit for the Protection of Human Rights Defenders (UDEFEGUA), this case demonstrates that journalists informing the public about arbitrary processes and corruption in the political power are the main targets.

Community journalism, which is more closely linked to the reporting of conflicts involving indigenous communities in the territories, has also been the target of various attacks. The case of Carlos Ernesto Choc Chub is particularly relevant. He is a journalist with Prensa Comunitaria who has been criminalized for carrying out an investigation revealing acts of corruption by the Russian-Swiss company Solway

Investment Group (owner of a nickel mine in Lake Izabal) involving the State of Guatemala, aimed at halting and repressing community opposition to the project. In September 2022, the journalist was released from the charges. However, a final hearing is still pending in another criminal proceeding against him as well as three fishermen from El Estor for the crime of illegal detentions, which allegedly occurred during a demonstration of the Fishermen's Union documented by the journalist.

In relation to people who defend environmental rights, PBI has been able to confirm, through direct observation, the increase in criminalization and evictions. Among the organizations accompanied by PBI more than 2,000 arrest warrants have been issued against indigenous leaders in the departments of Alta and Baja Verapaz alone. This situation has also been denounced by the Center for Legal Action on Human Rights (CALDH), which has highlighted the repression and militarization that the Q'eqchi' and Poqomchi' Mayan peoples are experiencing. Officers from the National Civil

Police (PNC) and the Army are carrying out evictions against these communities which violate human rights and the ancestral rights of the communities. These violations are occurring even in communities where precautionary measures have been granted by the IACHR.

As a result of the situation described above, several international bodies have made statements during the year requesting the Guatemalan government to take concrete actions to preserve the rule of law and halt the authoritarian drift in these territories. We highlight the resolution on Guatemala issued by the European Parliament, which criticizes the judicial actions initiated by the Supreme Court of Justice For its part, the Guatemalan government has (CSJ) and the Attorney General of Guatemala against categorically rejected the contents of this resolution judges, lawyers and independent prosecutors and regretted not having been able to share its who investigate or prosecute criminal structures "version of Guatemala," affirming that "democracy linked to high-ranking government officials and and the rule of law" reign in the country. business owners. This resolution also denounces criminalization, detention and discrediting of the media and threats and acts of harassment against human rights defenders.





або у ароуо а Virginia Laparra Ex-fiscal de la FECI criminalizada por hacer su trabajo.

Convocamos a las mujeres a acuerpar a Virginia por su trabajo en búsqueda de la justicia.

Who we accompany

PBI accompanies organizations and social processes in Guatemala who are working peacefully to combat impunity advocating for equitable access to land and defending their territory.

In 2022 we provided accompaniment to 13 organizations and social processes (240 people, 145 men, 94 women and 1 of plural corporality).¹

We received 11 new requests for accompaniment, 9 were requests for global accompaniment and Two of the requests for global accompaniment are under analysis at the time of closing this report. The rest have been rejected due to insufficient staffing of the volunteer team.



(CCR)

Retalhuleu Community Council

- Peaceful Resistance Cahabón
- Union of Campesino
 Organizations for the Verapaces
 UVOC
- TZK´AT Network of Ancestral Healers of Territorial Community Feminism from Iximulew
- Community Council of the Highlands - Las Verapaces (CCDA)
- New Day' Ch'orti' Campesino Central Coordinator
- Maya Ch'orti' Indigenous Council of Olopa and Quezaltepeque



We continued monitoring other human rights defense processes through observations, telephone follow-up and dissemination of information, paying special attention to women defenders in high-risk situations.

1 According to Chahim Vásquez (TZ'KAT – Network of Ancestral Healers), people with 'plural corporealities' are people who are born with bodily expressions that are differentiated from the common ones, e.g. in their hormones and genitalia, which would be more commonly known as 'two-spirit' by North American first nations

Who we accompany

The joy of the year: Bernardo Caal

Xol is released from prison

On March 24, we received an unexpected call informing us that Bernardo Caal Xol, a human rights defender imprisoned for more than four years, would be released that night. That same afternoon we accompanied Juanita Pérez, one of the Human Rights Law Firm (BDH) lawyers who represents Bernardo, to the capital's penitentiary center to take the necessary steps prior to his release.

6 Because of the time this visit had to take place (late afternoon), the area looked particularly insecure. I would have felt very exposed if PBI had not been there to accompany me. 💔

Juanita Pérez, BDH lawyer

Around 10 p.m. that night, family members, friends and social organizations welcomed Bernardo with open arms as he was released from prison. His words following his release were significant and determined: "today I am obtaining my freedom; it is a clear defeat and a triumph over criminalization; perhaps they hoped that with this imprisonment they would be defeating the struggle for the defense of the territories, but no".

A few days later, we accompanied Bernardo on the trip back to his homeland. The tour began in Cobán and passed through Carchá, Languín and Cahabón. In Cahabón, his place of origin, he passed through several communities where he was received by hundreds of members of the Peaceful Resistance. Cahabón.



The criminalization process and international support for Bernardo

Our ancestors have taken care of these Bernardo Caal Xol, is Maya Q'eqchi' and from resources for many years and have passed the municipality of Cahabón, department of Alta them to us along with their teachings. I am Verapaz. He is one of the spokespersons of the referring to everything that surrounds us, the Peaceful Resistance, Cahabón. The Resisitance hills, the mountains, the forests, the rivers, was formed in 2015, when 38 communities from the animals, all the living beings around us. the municipality organized to defend their territory Bernardo Caal Xol against the implementation of hydroelectric projects along the Cahabón river basin. These projects are operated by the company Oxec S.A, belonging to the group Energy Resources Capital Corp (ERCC) to free, prior, and informed consent and ordered and are having serious impacts on the lives of the the Ministry of Energy and Mines (MEM) to carry population: destruction of forests, ecosystems out a consultation process. The activities of the and sacred sites of the Q'eqchi' people; diversion hydroelectric plants were not, however, suspended. of rivers; impediment of access to the river by the The Resistance communities conducted their own population; decrease of water for the use of the good faith consultation on August 27, 2017. 26,537 communities (houses, planting and crops, etc.). people participated, of which 26,526 rejected the presence of the company (19,714 elders and Bernardo became the most visible spokesperson 8,700 children) with 11 people voting in favor. This of the Resistance when, in December 2015, he filed consultation was not recognized. The consultation an injunction before the CSJ demanding that work carried out by the MEM at the end of the year, on these projects be suspended. The license was in which only some leaders of 11 communities granted without carrying out the prior consultation participated, was recognized.

established in Convention 169 of the International Labor Organization (ILO), and the injunction In the first half of 2017, while the communities awaited the final resolution of the CC, the process demanded that this be carried out. In May 2017, the of defamation and criminalization against Bernardo CC granted an injunction in favor of the Q'eqchi' began. A hate campaign was generated against communities, recognizing the violation of their right

I The State protects the companies that enter the communities to plunder and loot, to take their resources and commercialize them.

him using social networks and press editorials, which also deeply affected his family, especially his teenage daughters. Days before the CC issued its final ruling regarding the Oxec project, the first arrest warrant was issued against Bernardo, limiting his participation in public activities, as well as his ability to speak on behalf of the Q'eqchi' people.

He was arrested in January 2018 and held in preventive detention. On November 9 of the same year, a court in Cobán sentenced him to seven years and four months in prison for the crimes of illegal detentions and aggravated robbery, in a trial full of inconsistencies in evidence and procedural flaws. A few days later, a group of United Nations experts declared the legal proceedings against Bernardo a clear case of criminalization: "The conviction of the Q'eqchí' leader is an apparent attempt to silence and discredit the legitimate exercise of the rights of the indigenous community." In July 2020, Amnesty International (AI) declared Bernardo a prisoner of conscience and concluded that the charges against him "show the same patterns of criminalization against human rights defenders that we have been documenting in the country for years."

Bernardo's release four years and two months after entering prison was not an act of good will by the State, the Guatemalan judicial system, nor was it the result of international pressure. He was released because he served his sentence, since there is a law

that establishes that prisoners who serve half of their sentence (and he had already served more than half of it) can benefit from the remission of sentences, as long as they demonstrate good behavior, as was the case with Bernardo.

If Everyone made an effort to secure my freedom, but you realize that those who have control of corruption in Guatemala are not afraid of world opinion, they feel very powerful. In my case there were many organizations, many people demanding my freedom, but the expected results were not obtained..., however, thanks to these calls for action my criminalization and the kidnapping of the rivers, became known in other parts of the world.

Bernardo Caal Xol

Accompaniment of the Peaceful Resistance of Cahabón and Bernardo

We accompanied Bernardo to the hearings that took place during his criminalization process and visited him in prison every month during his unjust detention. Our visits have been an important source of protection inside the prison, because, according



to him, the fact that "there were organizations looking out for me and other criminalized comrades, contributed to the fact that nothing happened to us." Likewise, the prison authorities had "a certain respect for the imprisoned defenders when they saw people from international organizations visiting us; that ensured that people understood that my detention was not a result of crime but for defending collective rights." In addition, "one does not feel forgotten, like most of the people there, who are indeed abandoned."

64 men). During the pandemic we were unable to visit the territory but resumed our visits in 2022, During these visits, in addition to giving him moral starting in May with a tour of 10 communities to support and news from outside, we facilitated his screen the documentaries 'The Blood of the Earth' participation in the documentary 'The Blood of and 'Water, the Blood of the Earth' (the latter made the Earth' - directed by Félix Zurita de Higes and by the Madre Selva Collective). Prior to each of the produced by PBI and Entrepueblos with funding screenings, we screened a short welcome video from the Agència Catalana de Cooperació al made by Bernardo. Desenvolupament (Catalonia) - who made two recordings to disseminate his voice outside of **Criminalization against** prison and reported in several of our publications about his situation.

If The recordings made inside the prison were very valuable for me, it was an escape that allowed me to express myself from prison; I very much regret that the authorities have limited this possibility, because it was a way to keep the people who were waiting in the wings informed, otherwise how do you communicate with those who are on the outside?

Bernardo Caal Xol

Bernardo appeared before the Second Criminal Court of First Instance of Cobán in July 2017, where his defense explained that he had not shown up We also provided direct and permanent reports to teach classes because he was working for the about Bernardo's situation to: the diplomatic corps education union and had permission to do so. in Guatemala, inviting them to observe the hearings; Bernardo did not start receiving notifications about state political actors; the United Nations (UN); human this case until he was released from prison. The rights organizations; civil society outside Guatemala. trial will take place five years after the beginning of the process. According to the lawyers, both Since the good faith consultation on the Oxec hydroelectric project was held, we have also been these situations constitute violations of the legally established deadlines for prosecution. In accompanying the communities of the Peaceful September 2022 this accusation reached the trial Resistance, Cahabón in addition to Bernardo, visiting them regularly. In 2018 we organized a series of 13 phase (currently in progress) despite the fact that his lawyers maintain that the severity of the judicial community safety and security workshops in the process does not correspond to the accusations. Q'eqchi' language for 169 people (105 women and

I thank PBI for the constant presence and support it has given me during these years of incarceration. The accompaniment has been important and I will continue to ask for it. 📕

Bernardo Caal Xol

Bernardo continues: the "teacher case"

We are currently accompanying Bernardo in a second criminalization process against him known as the "teacher case", in which he is accused of having received 20 months of his teacher's salary without working. Of the 20 teachers singled out in this case by the Ministry of Education, only Bernardo was issued an arrest warrant for the crime of fraud which, during the initial phase, was changed to improper withholding of funds.

Who we accompany

Accompaniment to the Chinautla Multisectorial



In December 2018 we began accompanying Chinautla Multisector, as a result of the threats and criminalization processes they were experiencing. Chinautla Multisector brings together Pogomán communities from seven cantons of the municipality of Chinautla, Community Development Councils (COCODES) and other collectives such as the Association of Women Potters, youth associations and Catholic and Evangelical Churches of the municipality of Chinautla La Vieja.

The State began issuing mining licenses in the area in 1997, without consulting the residents. This violated the right to free, prior and informed consent as set out in Convention 169 of the International Labor Organization (ILO) and ratified by the Congress of the Republic on March 5, 1996.

In light of this violation, the people of Chinautla decided to organize themselves to demand the cessation of mining exploitation, due to the strong negative impacts it has on the population: environmental pollution that causes, among other things, respiratory diseases; landslides and infrastructure collapses; cracks in houses; etc.

Furthermore, mining activity affects one of the most important sources of income for the local population: pottery. This has, paradoxically, been declared a national heritage site by the Ministry of Culture because the craft uses local clay as a raw material. The sand companies are affecting the guality of the clay and therefore the livelihoods of these communities.

In addition to the activity of these sand companies, the population is also affected by the pollution of the Las Vacas river that runs through Chinautla, which originates in the garbage dump in Zone 3 of the capital city. This problem is aggravated during the rainy season. According to Efraín Martínez, ancestral authority and defender of the collective rights of the Maya Pogomán people in Chinautla, "when the river waters rise due to the rains, tons of garbage is washed from the city and damage the environment of the Pogomán people because there is no protection from the river and when the banks burst, the neighbors' lands are washed away."²

ACÉRCATE with Efraín Martínez, PBI, 28.11.2022



The floods from three rivers that carry garbage meetings with authorities in charge of taking actions from Guatemala City are putting the 1,550 families to mitigate the damages, facilitated by Congressman living there at risk. This, added to the problem of soil Aldo Dávila. In meetings with the MEM, they were erosion due to geological faults, and the extraction able to confirm the expiration of the licenses for the of sand in the riverbed, has catastrophic results. La Primavera sand mine and Piedrinera San Luis; however, the MEM has not ordered the cessation The National Coordinator for Disaster Reduction of extractive activities. They denounced the (CONRED) has determined that both the environmental damages caused by the extraction environmental pollution and the extractive activities of materials at the Ministry of Environment and affect the environment and public health in the area Natural Resources (MARN) and they sought to reach and make it difficult to build housing in various parts agreements with transporters and businessmen at of the municipality, as there is no urban planning roundtables for dialogue with the Human Rights in accordance with the topography of the area. Ombudsman's Office (PDH), all to no avail.

However, local and national authorities have not acted in response to the disaster.

In August of this year, CONRED again confirmed the damages caused by the sand companies. The The lack of response to these problems has made results were presented at a follow-up meeting with the situation in Santa Cruz de Chinautla unbearable. MEM, MARN, CONRED and the ancestral authorities Indigenous authorities of Chinautla responded by of the Poqomán people. So far this has not translated initiating a sit-in on June 27, 2022 aimed at stopping into any action to alleviate these damages. the illegal operation of the sand companies. According to the indigenous authorities, the sand We have been able to directly observe all of the mining license that the company Piedrinera "San aforementioned damages during our visits to the Luis" has for operating in the municipality expired area. The community also experiences a severe on June 25, but they continue to extract the material shortage of drinking water, which only reaches illegally.

their homes for one day every three weeks. The Following the beginning of the sit-in, which is population are demanding the repair of the damages caused by the companies and for a consultation on located at the entrance to the Piedrinera San Luis the economic activities in their territory to be carried company at Km 12 of the road to Chuarrancho out. Since they began the sit-in, the security situation (where trucks constantly pass, loading tons of stones has worsened, increasing the threats against the and sand destined for the construction sector), our accompaniment to the Multisectorial and our visits people of the Resistance. All of this keeps the to the sit-in intensified. We accompanied several population in a state of fear and apprehension.

3 Felipe, O., Entre paredes rajadas: así viven mil 550 familias por hundimiento de la vieja Chinautla, Prensa Libre, 18.05.2018 4 Oxom, E., Autoridades indígenas de Chinautla inician resistencia por operación ilegal de empresa arenera, Prensa

Comunitaria, 29.06.2022

Advocacy and communications

La legislación sobre debida diligencia en derechos humanos debe garantizar una participación significativa y consulta continua de las partes y personas defensoras locales afectadas, así como el consentimiento libre, previo e informado, mediante un proceso justo y culturalmente adecuado con las comunidades indigenas y tradicionales.

One of the focuses of our advocacy this year has been in drawing attention to the rapid deterioration of the situation of human rights, judicial independence and the rule of law. Together with other organizations we advocated for a resolution from the European Parliament. At the beginning of April, the European Parliament took a public stance condemning "the criminalization, detention and discrediting of the media, threats and acts of harassment against justice operators involved in the prosecution of corruption cases and the fight against impunity, as well as against human rights defenders and journalists" and urging "Guatemalan authorities to put an end to these actions and to uphold the rule of law and full respect for the independence of powers as key elements in the fight against impunity and corruption."⁵

We have sought to raise awareness of the deterioration of the human rights situation and the closing of civil society spaces with the international community, calling for decisive actions to protect human rights defenders. We have done so before the Human Rights Council, special mechanisms of the United Nations, European Union (EU), as well as permanent representations in Brussels and Geneva, through the dialogue between our national groups and their Ministries of Foreign Affairs. We were able to intervene in informal sessions of the Working Group on Latin America and the Caribbean (COLAC), which is attended by EU Member States, on two

5 https://www.europarl.europa.eu/doceo/document/RC-9-2022-0182_ES.html

separate occasions. We have also been able to provide concrete information on the risks faced by human rights defenders at hearings of the European Parliament. We provided direct information to a hearing of the European Parliament's Development Committee on the need to control the use of toxins, highlighting the negative effects experience by communities bordering sugar plantations and the risks faced by human rights defenders from these communities who promote solutions through dialogue. At another audience, we were able to provide input for the preparation of a hearing at the Human Rights sub-commission on "mining and human rights in Guatemala." During this hearing we highlighted the deterioration of the rule of law as well as the violations of rights in the context of extractives in Guatemala. We also held regular meetings with MEPs from different political groups, such as those who participated in an official visit to Guatemala in November 2022.

Another issue that has been very present in our advocacy has been the responsibility of companies to respect human rights:

→ On the one hand, in many of our accompaniments we have observed, firsthand, the existing conflict in contexts where national and international companies have investments. Their activities usually cause serious damage to the local population and the companies do not take into account respect for their rights. There are many cases that exemplify this: the construction of hydroelectric plants on the Cahabón River (Peaceful Resistance, Cahabón); the sugar plantations owned by large Guatemalan and Nicaraguan sugar companies (CCR); different extractive projects in the East (Olopa Resistance); the Peaceful Resistance of La Puya against the mining project El Tambor; and the Chinautla Resistance against sand extraction. In all these cases we have witnessed disrespect for the right to free, prior and informed consent, as well as defamation, criminalization, threats and attacks against human rights defenders who question these investments. A very wellpublicized and noteworthy case, although we do not accompanying them, is that of the Fenix nickel mine in El Estor, Izabal, whose

corruption was uncovered by "Forbidden Stories" in March 2022.

On the other hand, in Europe, states are debating legislative initiatives to regulate and increase the due diligence of European companies in third countries. For example, within the EU framework we have participated in several European Commission consultations aimed at civil society organizations which, among other things, have promoted the prevention of human rights violations through the participation and protection of human rights defenders. We have advocated that this also be included in the proposal for a Commission legislative initiative. This year we have focused on advocacy with MEPs, specifically members of parliamentary committees who are working on the draft and contributing amendments, as well as with representatives of Member States who will also have an important vote and the possibility of influencing the text.

In this context, we would like to highlight a joint tour that we organized between four PBI projects with human rights defenders from different Latin American countries, who are facing rights violations and persecution in the context of European investments. This tour included visits to Brussels, the United Kingdom, Norway, Spain, France and Germany, and sought to highlight the importance of including the protection of human rights defenders and their participation in due diligence legislation as a way of preventing human rights violations.

Another central element of our advocacy work has been to report on human rights violations in the context of violent extrajudicial and judicial evictions, as well as the criminalization of defenders of land, territory and the environment, which are all linked to the unresolved issue of access to land. We published an Alert in May 2022 highlighting this problem and its structural causes, and to point out the increased risk of violence due to the dismantling of the institutions in charge of promoting dialoguebased solutions to land conflicts. We also organized an advocacy plan on this issue. This plan included a series of meetings with the diplomatic corps in the field, a tour to Europe by a representative

from CCDA - Las Verapaces Region (one of the most affected organizations), as well as meetings and communications at the international level with representatives of governments, parliamentarians and the United Nations system.

We included updated information on the multiple rights violations and risks for defenders in this context in a document prepared jointly with other organizations for the session of the Committee on Economic, Social and Cultural Rights (CESCR) on Guatemala:

homes or lands or an appropriate alternative, as well as the provision of adequate compensation; (d) Take into consideration its general comment No. 7 (1997) on forced evictions, and ensure that victims of forced evictions have access to an effective remedy allowing for the restitution of their property, the return to their homes or lands or an appropriate alternative, as well as the provision of adequate compensation 7 (1997) on forced evictions, which includes, inter alia, guidance on adequate legal remedies, adequate compensation and consultation."⁷

In its concluding observations on the fourth report of Guatemala, the Committee on ESC rights expressed "... concern about the lack of security of land tenure, which has led to serious social conflicts and has affected the rights of indigenous peoples to the lands, territories and resources they have traditionally occupied or owned. The Committee is concerned about reports of the high number of peasant and indigenous families who have been victims of forced evictions that are incompatible with international human rights standards due to the lack of prior notification, the disproportionate use of force and the absence of relocation measures (art. 11). 37. The Committee recommends that the State party should: (a) Take the necessary measures to guarantee equitable access to land and natural resources, strengthen legal security and agrarian rights, particularly for small agricultural producers; (b) Establish an effective mechanism to ensure the protection of the rights of indigenous peoples to own, use, develop and control the full security their lands, territories and resources, by, inter alia, advancing the process of territorial regulation and the necessary legal recognition and legal protection, in accordance with international standards; (c) Take effective measures against forced evictions, in accordance with international human rights law, and ensure that victims of such evictions have access to an effective remedy allowing for the restitution of their property, the return to their

An Early Warning was also requested from the Committee on the Elimination of Racial Discrimination. In a follow-up to the Committee's deliberations on the information received, its Chairperson communicated to the Government of Guatemala in December 2022 it's concern "about the allegations received which, if confirmed, could constitute violations of the rights of indigenous individuals and peoples. In this regard, the Committee reminds the State party of its general recommendation No. 23 (1997) on the rights of indigenous peoples, in which it especially urges States parties to recognize and protect the rights of indigenous peoples to own, exploit, control and use their lands, territories and communal resources.

The Committee also reminds the State party that, in its concluding observations issued in 2019, it expressed concern about the lack of protection, legal certainty and guarantees for the titling, delimitation, demarcation and restitution of lands and territories traditionally occupied by indigenous peoples, and about allegations of forced evictions of indigenous peoples from their territories without adequate legal protection and sometimes through the excessive use of force CERD/C/GTM/CO/16-17, paras. 21 and 22). The Committee also expressed concern that criminal proceedings are sometimes misused to criminalize defenders of the rights of indigenous peoples and their territories, and about defamation campaigns against these defenders, including indigenous leaders (paras. 27 and 28)."

Communication

As with each year, we published two biannual Bulletins:

Bulletin 47 includes the following articles: Stolen Childhood: "We are the seeds that the State tried to kill, but now we bloom in the morning light," here we share the experiences of three members from the collective Estamos Aquí - Nous sommes ici, founded by people born in Guatemala and adopted in Quebec (Canada) who are seeking the truth about their life stories and supporting people with similar stories; Journey to the green desert: Communities of Retalhuleu claim their right to water, details our observations in one of our visits to this region, located on the southern coast of Guatemala; Biodiversity and Ancestral Knowledge Law Initiative, explains the law that was presented in May 2022 by hundreds of ancestral and indigenous authorities and collectives fighting for food sovereignty, including contributions from several participants who delivered the proposal; News of our work: 'The Blood' of the Earth documentary returns to Cahabón, which recounts the tour we conducted in May 2022 in 10 communities who are members of the Peaceful Resistance, Cahabón, where we screened 'The Blood of the Earth' documentary, in which many of the people from these communities participated. Bulletin 48 includes the following articles: Escalation of agrarian conflict: the situation in Las

Verapaces worsens, which explores this worrying problem based on our observations from 2022; The importance of good water management -Interview with Sara Ortiz and Canalitos: details the historical struggle for water, focusing on access to the vital liquid which is so scarce in many of the communities we accompany; The Council of Maya Ch'orti' Indigenous Authorities of Olopa in defense of Mother Earth, where we delve into their struggle;



⁷ Ibidem, pag. 8

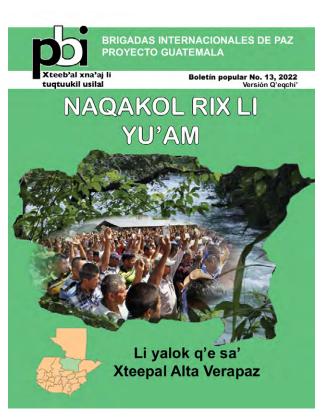
News of our work: We are concerned about the criminalization of human rights defenders, where we explain our concern drawing on examples from some of the people we accompany who are experiencing this scourge.

In 2022 we presented our Popular Bulletin No. **13** ¡Defendemos la Vida! Las Luchas sociales en Alta Verapaz, which is a popularized version of our special report of the same name, published in 2020. We share five examples of struggle in this department.

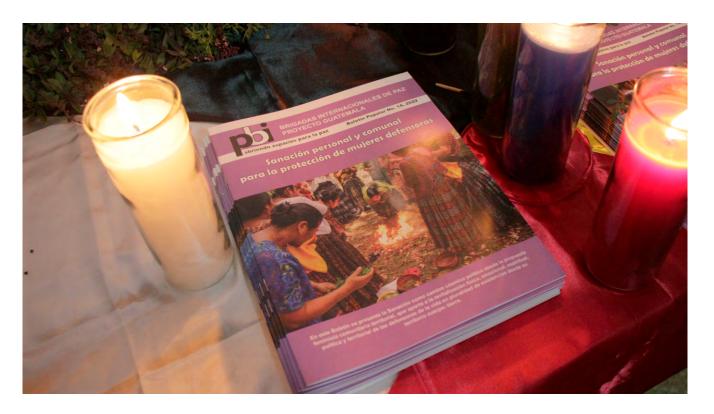
We also reprinted the previous Popular Bulletin (No. 12, Agua es Vida) due to the great demand for the from the accompanied organizations and other social organizations. These two Bulletins were also translated into Q'eqchi'.

This year we also produced the **Boletín Popular** No. 14 - Sanación personal y comunal para la protección de mujeres defensoras – in collaboration with the TZK'AT - Network of Healers of Territorial Community Feminism, which presents healing as a path that contributes to the physical, emotional, spiritual, political and territorial revitalization of women defenders.

We produced a documentary in which TZK'AT shares its support to for indigenous women defenders of



life in situations of political risk through healing as an integral security measure to coincide with the healing encounter that took place with UVOC in Senahú.



Spanish media make visible the struggles of accompanied organizations and communities

In collaboration with the PBI Spain we prepared material that served as the basis for a special section of the Carne Cruda (Raw Meat) podcast, entitled Voces de la Tierra (Voices of the Earth). This program was broadcast on January 26, 2022 (https://bit.ly/3uvg9fV) and featured Lesbia Artola, coordinator of CCDA - Las Verapaces, and Virgilio García, member of the Board of Directors of CCR, who shared the difficult situation in their territories and their struggle to defend their territories.



In August we were visited by two independent journalists from Spain, María Angeles Fernández and Jairo Marcos, who interviewed members of the Peaceful Resistance, Cahabón and CCR, who shared the challenges and achievements of their struggles with them. The findings from these interviews were reflected in a dozen articles that were published across diverse Spanish media outlets. As a result of this experience, we reconnected with the independent radio program Carne Cruda, which dedicated a whole episode of their podcast to their Voices of the Earth section in November (https:// cutt.ly/B3ZW4nU). This included a monograph on the struggles of various indigenous peoples of Mesoamerica, with the participation of the journalist María Ángeles Fernández and José Bo, human rights defender from Cahabón, who were interviewed by her during her August visit.

> All our publications and related information are available on our website: www.pbi-guatemala.org

ACÉRCATE

We continue with our ACÉRCATE program, whose objective is to provide a space for the human rights defenders we accompany to speak freely about their work and about issues of relevance to the country as a whole. We made six programs this year, all of which are available to the public on our website (in Spanish only): https://pbi-guatemala.org/es/ multimedia/acércate



Capacity building

While 2021 was dominated by virtual modalities, training and capacity building spaces were held in-person once more during 2022 as a result of the progressive elimination of the restrictions in response to the pandemic. We decided to carry out the training workshops by organization and region, in order to reduce travel and, therefore, the risk of infection for the participants.

We increased the number of security training workshops due to the closure of civil society spaces for the defense of human rights and the increased attacks on human rights defenders. We held **five community security workshops,** with the participation of a total of 151 people (39 women and 112 men) from five organizations accompanied by PBI.

These workshops were divided into two parts: the first consisted of an analysis of criminalization and its consequences from a legal point of view facilitated by Q'eqchi' lawyer Santiago Choc Cú -, and the second part focused on an analysis of security strategies for the defense of rights with a gender focus - facilitated by Q'eqchi' defender and security expert Arturo Chub.

The participants shared how they consider these spaces to be useful in their daily work of defending human rights, and highlighted the value of them for developing protection and security plans and strategies. The knowledge acquired in these workshops is transmitted and implemented in the participants' organizations and communities, thus benefiting many more people beyond those who participate in the spaces. If PBI's trainings on safety are good and we try to replicate what we learn in the workshops with the other people in the organization.

Carlos Morales, UVOC coordinator.

In addition, we decided to hold a workshop with several of the organizations present in Alta Verapaz to **analyze the context and security situation** due to the high number of attacks on community defenders in the department. A total of 14 people (seven women and seven men) participated in this workshop, which was facilitated by Arturo Chub.

We are conducting a risk analysis and mapping of the Network's partners, based on what we learned in the security workshops facilitated by PBI.

Lorena Cabnal, TZK'AT

We were also able to reinstate in-person **healing encounters with women human rights defenders.** These spaces are highly valued by the women, who are exposed to the same risks as their male colleagues and also to specific gendered risks. The pandemic created a scenario of uncertainty and increased vulnerability, especially in rural areas of



the country, which are predominantly indigenous. In human rights defenders from diverse territories addition, there was an increase in attacks on human participated. Healing was addressed as an integral rights organizations as well as violent evictions of protection measure in these spaces, from a holistic indigenous communities within the context of the perspective that integrates the emotional, physical pandemic. The deteriorating context had a greater and spiritual wellbeing. impact on women in general and women human Furthermore, we carried out a regional healing rights defenders in particular, which is why PBI meeting organized with other PBI projects, with the decided to increase the number of encounters. In participation of 29 women human rights defenders total we organized six encounters, all of which were accompanied by PBI projects in Mexico, Honduras, facilitated by TZK'AT - Network of Ancestral Healers Colombia and Guatemala, which was also facilitated of Territorial Community Feminism from Iximulew. by TZK'AT. The meeting facilitated contact and Due to similar concerns regarding the security workshops, the meetings took place in or near the exchange between women defenders from different participants' communities. A total of 138 women territories with similar struggles.

PBI Guatemala volunteers

At PBI Guatemala there are several volunteer work spaces:

- ✓ The field team
- ✓ The project committee
- ✓ The training team

A total of 17 accompaniers, 15 women, one man and one non-binary person, from 10 different nationalities, passed through the field team in 2022.

17accompaniers



10 nationalities

Testimony

My work as a field volunteer with the PBI Guatemala project came to an end just a few months ago. Since then, I have not stopped thinking, feeling, and drawing strength - albeit at a distance - from the human rights defenders I accompanied and who accompanied me. Those same defenders continue to fight tirelessly, even if it sometimes costs them their homeland, their voice, their freedom or their life. They exist because they resist.

I had already thought many times about Guatemala before living and working with PBI and its history already occupied my thoughts. Being there, mobilized by the legitimacy of the right to defend the rights and the reality of women, people of diverse identities and the Mayan indigenous people, I was able to experience it. Living there has, without a doubt, been the most intense, meaningful and vital experience in my life so far.

After the health crisis resulting from the pandemic in 2020, I was able to join the team on the ground in July 2021. By that time, I was looking forward to reconnecting with some colleagues I had previously met in Spain during the training/ selection week and, of course, to meet others who would be with me through my journey, others who, like me, had dreamed of Guatemala. I arrived with so much energy and desire to learn that nothing worried me. I should also say that the team took care of welcoming me and accompanying me throughout the adaptation process. Their warmth, energy and embrace made me feel at home.

During the first few days, I began to probe deeper into the history, the context and the

political situation of the country. I began to talk with each of the human rights defenders we were accompanying, as well as authorities, embassies and other international observation organizations. Weeks later, I was able to meet them and put a face to their names, their voices, their requests and answers.

I was able to get into the PBI rhythm and the effort demanded by the arduous work of defending rights in a hostile context, quite quickly, as well working in the home-office. That allows us to undertake a different task every day and every hour maintaining balance and a rotation of responsibilities. The

solidarity, being human and the vindication of peace. memories of team life have remained with me as I am grateful to have been there accompanying them well as friendships and bonds that will last forever. and to have been entrusted with their most intimate Remembering each of the people who were part spaces, to have shared their most effervescent of my team, allows me to reaffirm how incredible it moments, their most bitter sorrows, their deepest is to be, feel and know the collective experience. joys and the historical achievements derived from Having lived together, worked and built teams out their unstoppable struggle for a just, dignified and of interdisciplinarity, internationality and difference equal life. It is also necessary for me to thank the revived my hope. It is not easy to forget a year and women particularly; the indigenous women, those three months enriched and nourished by debates, who struggle, those who accompany, those who consensus, disagreements, holding and releasing support and contain, those who heal, those who our breath, infectious laughter, tears, uncertainty, recognize themselves as plural, those who question warmth, indignation, anguish and affection. and those who chart a path from their leadership Particularly, when we collectively assume the towards a better Guatemala. You inspired us. responsibility and commitment to work for peace Today, from distance, my heart fills and I smile for from and towards all directions, including within ourselves.

having met them and for having contributed. Joining efforts, energies and feelings with PBI so they can Guatemala and its people have touched my core, continue their work as volunteers is essential, urgent the fiber of my being and my heart. The human rights and necessary. That is why I hope and wish that, like defenders I accompanied in that time and space, me, many more people can join and get involved, accompanied me, as much as I accompanied them. with Guatemala, with its people and with PBI. They taught me the vitality of things, the fragility of Karen Katerine Vinasco Jiménez, life, love for others, gratitude to the earth, the strength Volunteer from July 2021 to September 2022 in the collective, the non-return of consciousness,



PBI in numbers



Physical presence

- 141
 - Accompaniment to organizations and social entities (including physical and virtual accompaniment)
- 76 Meeting with accompanied organization and social entities (including physical and virtual meetings)
 - Meeting with other Guatemalan organizations
 - Observation of events organized by Guatemalan civil society

Advocacy



40



2

Meetings with Foreign Ministries and International Entities in Europe

Meetings with Guatemalan authorities at

the state, department, and local levels

Meeting with diplomatic corps and embassies, OHCHR in Guatemala

- In person meeting between human rights defenders and international community in Guatemala
- 5 Human rights defenders advocacy tours to Europe

33

Strengthening local capacity

We facilitated 13 workshops for 333 participants from 18 organizations and social movements (214 women and 119 men).

13 Workshops

- Workshop on security and protection in the context of criminalization
- Workshop to analyse current situation and security in the Verapaz departments
- 6 Meetings on healing for women defenders
- Meetings on healing for women defenders from Colombia, Honduras, México and Guatemala



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12	Mont
2	Bi-an
3	Bolet of Bo
	publi
6	Virtua
2	Video

Publications

hly Information Package

nual Bulletins ín Popular (includes translation letines Populares previously

- al programs ACÉRCATE
- documentaries

shed)





Members of PBI Guatemala in 2022

Volunteer Team in Guatemala:

Laura Carolina Saavedra Garzón (Colombia), Anuja Pathak (Switzerland/United Kingdom), Karen Vinasco Jimenez (Colombia), Marianne van de Vorle (Netherlands), Siglinde Luthner (Germany), Lina Alejandra Manriquez (Colombia), Marisol Robles Ruelas (Mexico), Madison Taggart (United States of America), Claudia Vecchia (Italy), Cristina Ortega (Spain), Janeth Alejandra Martinez (Colombia), Svenja Petersen (Germany), María Fernanda Bustamante Ceballos (Chile), Inés Gesa Beascoa (Spain), Franks Martínez (Nicaragua), Antonio de Vivo (Italy).

Project Committee:

Kerstin Reemtsma (Germany), Maike Holderer (Germany), Erika Martínez (Spain), Adam Lunn (United Kingdom), Mélisande Séguin (Canada), Irena Salinas (Colombia), Diana Cabra Delgado (Colombia), Amaya de Miguel (Spain).

Training Team:

Katharina Ochsendorf (Germany), Maike Holderer (Germany), Antonia Ignacia Pérez (Chile), Ricardo Henao Galvis (Colombia), Emanuela Lamieri (Italy), Daniel Jiménez Hita (Spain), Diana Cabra Delgado (Colombia).

Project Staff:

Amaya de Miguel (coordinator), Kerstin Reemtsma (representative in Europe), Mayte Quesada (administrator), Ana Fernández Rodríguez (financial supervisor), Paola Sarti (fundraiser), Laura Gomáriz Cebrián (responsable for training of future volunteers), Silvia Weber (communication), Ewa Klewar & Leticia Encinas Rosa (field support),

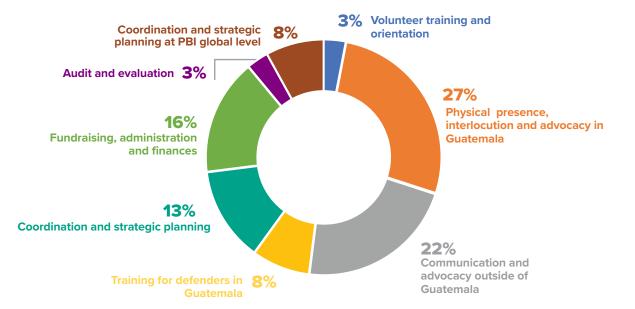
Project Consultants:

Evangelina Scarfe (Australia), Montserrat García (Spain) y Fermín Rodrigo (Spain).

Financial report

During 2022, we have increased the planned expenditure by 2.65% and by 20% compared to the execution of the 2021 financial year. This was was due in part to the recovery of face-to-face activities after the Covid-19 pandemic years and above all the price increases due to the global economic situation as a result of the war in Ukraine. On the revenue side, revenues increased by 8% over forecast, and by 17.6% over the previous year.

WHAT WE SPENT IN?



Regrettably, this increase in income has not allowed

us to balance the budget and we closed the year with a budget balance of 8,378 euros in excess of

expenditure over income, representing just 1.8% of

The number and variety of donors supporting PBI's

work in Guatemala has remained virtually unchanged

over the last three years, and their unconditional

commitment to the defence of human rights is

demonstrated by the increase of contributions.

We thank all donors for their financial support that

allows us to continue providing accompaniment and

international protection to those who risk their lives

the total expenditure for the year.

to defend human rights in Guatemala.

EXPENSES PBI GUATEMALA 2022	EUR	
Volunteer training and orientation	13.231	3%
Physical presence, interlocution and advocacy in Guatemala	123.678	27%
Communication and advocacy outside of Guatemala	98.463	22%
Training for defenders in Guatemala	34.089	8%
Coordination and strategic planning	56.983	13%
Fundraising, administration and finances	74.342	16%
Audit and evaluation	12.781	3%
Coordination and strategic planning at PBI global level	37.048	8%
TOTAL EXPENSES	450.615	
DIFFERENCE BETWEEN INCOME AND EXPENSES	-8.378	

* All expenses and income presented in this report are in euros and are in the process of being externally audited by the Belgian firm L &S Registered Auditors (BE 0681.575.448).

STATEMENT OF FINANCIAL F

CORRENT ASSETS

Cash and Cash Equivalents

Commercial Debtors and Other A

Donations and y outstanding

Accounts receivable PBI Inte

Health insurance reimbursen Down payments and advanc

Deposits

Total Commercial Debtors and Ot TOTAL CURRENT ASSETS

NONCURRENT ASSETS

Property, Plant and Equipment Computer and communication e Furnishings and fixtures Accumulated depreciation

Total Property, Plant and Equipm TOTAL ASSETS

CURRENT LIABILITIES

Commercial creditors and other a

Accounts payable to third pa Accounts payable to staff and Accounts payable to PBI Inte Accounts payable to PBI Inte Accounts payable to other PI Total Commercial creditors and ot Provisions Staff and volunteer benefits Other Provisions

Total Provisions

Current tax liability

Other non-financial liabilities (Res TOTAL CURRENT LIABILITIES

NONCURRENT LIABILITIES

Provision for

TOTAL NONCURRENT LIABILITIE

EQUITY

Funds free to execute, starti

Difference between Income

TOTAL EQUITY

TOTAL LIABILITY AND EQUITY

POSITION 2022 EUR	
	265.735
Accounts Receivable	
g agreements	69.203
ernational Secretariat	69.686
ments receivable	2.157
ces	1.891
	715
ther Accounts Receivable	143.652
	409.388

tion equipment	0
	0
	0
ient	0
	409.388

accounts payable	
arty	15.050
nd volunteers	0
ernational Secretariat	0
PBI entities	2.350
other accounts payable	17.400
	5.513
	5.815
	11.327
	1.769
stricted funds to be executed)	145.131
	175.628
r Contingencies	104.605
ES	104.605
ing balance	137.533
and Expenses	-8.378
·	129.155
	409.388

		LOK
Funds received in PBI ban	k accounts from Donors	498.35 [.]
European Union	European Instrument for Democracy and Human Rights (EIDHR)	31.456
Germany	Misereor	11.199
Germany	Ziviler Friedensdienst / Civil Peace Service	66.19
Belgium	PBI Belgium	1.500
Italy	PBI Italy	400
Canada	UNIFOR	3.040
Norway	Embassy of Norway in Mexico	98.60
Spain	Agència Catalana de Cooperació al Desenvolupament (ACCD)	114.377
Spain	Generalitat Valenciana	54.853
Spain	Diputación de Córdoba	16.255
Irland	Trocaire	36.999
Netherlands	Embassy of the Netherlands in Costa Rica	37.072
Switzerland	PBI Switzerland	26.407
Revenues already counted	in 2021 / Donations receivable at year-end 2022	-19.063
Germany	Ziviler Friedensdienst (Servicio Civil para la Paz)	-5.900
Germany	Misereor	-1.199
Spain	Generalitat Valenciana	-11.964
Funds received during 202	21 pending implementation in 2023	-2.343
Spain	Diputación de Córdoba	-2.343
Funds received during 202	22 pending implementation in 2023	-142.789
Spain	Agència Catalana de Cooperació al Desenvolupament (ACCD)	-65.313
Spain	Diputación de Cordoba	-16.255
Norway	Embassy of Norway in Mexico	-61.22
Funds received during 202	21 pending implementation in 2022	60.622
European Union	European Instrument for Democracy and Human Rights (EIDHR)	12.668
Spain	Cooperación Cantabria	602
Spain	Gobierno Vasco	12.700
Spain	Agència Catalana de Cooperació al Desenvolupament (ACCD)	8.375
Spain	Diputación de Córdoba	11.643
Netherlands	Embassy of the Netherlands in Costa Rica	14.633
Funds for activities implem	nented during 2022 that still awaiting end of year payment	57.902
Germany	Ziviler Friedensdienst (Servicio Civil para la Paz)	1.000
Germany	Misereor	5.000
Germany	Brot für die Welt / Bread for the World	3.645
Spain	Gobierno Vasco	6.300
Spain	Agència Catalana de Cooperació al Desenvolupament (ACCD)	2.017
Spain	Agència Catalana de Cooperació al Desenvolupament (ACCD)	4.136
Netherlands	Embassy of the Netherlands in Costa Rica	35.805
Other income		458
Private Donors		200
Private Donors Income from own activities		
		200 200 58

EUR



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