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.

Given the imminent threat of famine, Guatemala triples its figures in chronic child malnutrition

According to a recent report from the World Food Program (WFP), around 2.3 million Guatemalan people will be at risk of food insecurity this year, a figure that is likely to increase due to the crisis caused by COVID-19. In fact, the Human Rights Ombudsman (PDH), Jordán Rodas, urged Congress “to declare access to food as a national emergency in the face of serious indications that the current crisis could develop into a famine (...). In the opinion of Rodas, this neglect will accelerate unimaginable conditions of hunger for those who have seen their small reserves of income and basic foodstuffs depleted due to the disappearance of jobs and the increase in restrictions on movement, which makes it even more difficult to search for opportunities.”

Children are especially vulnerable to this threat. This May, the Ministry of Health published the updated figures for children under five years of age who are experiencing acute malnutrition: as of April 25, there were 13,740 cases. This figure has tripled compared to the same period in 2019. “Municipalities located in the Dry Corridor have been hardest hit by food shortages, because farmers no longer have reserves of basic grains to eat, and there are no opportunities for work to obtain a salary and buy food, a situation which principally impacts children. For example, the departments of Chiquimula and Zacapa, which are part of this territory, have reported 435 and 249 cases, respectively.”

Guatemala has the highest rate of chronic child malnutrition (46.5%) in Latin America. This rises to 58% for indigenous children, putting Guatemala in first place in terms of global levels of child malnutrition. Guatemala, however, is not the poorest country in Latin America, which begs the question why is it the worst for chronic child malnutrition? One of the keys to understanding this contradiction is to analyze the gap between the indigenous and non-indigenous population: in Guatemala, the indigenous population represents between 40-60% of the total population and is the group with the highest levels of malnutrition. The United Nations Children's Fund (UNICEF) points out that one of the causes is the fact that, unlike other countries, Guatemala's response has not included a “comprehensive policy approach, increased social investment and a continuity of programs targeting malnutrition between different administrations.” Even the director of the national Secretariat of Food and Nutrition Security (SESAN) recognizes this failure and confirms that the problem requires the establishment of a State policy that is marked by continuity and follow-up. However, over the last two decades Guatemalan governments have implemented short-term policies only.

"COVID-19 is devastating the world's indigenous communities"

On May 18, 2020, José Francisco Cali Tzay, the new United Nations Special Rapporteur on the Rights of Indigenous Peoples, expressed in a statement his great concern about the impact of COVID-19 on the indigenous communities of the world: “I am receiving more reports every day from all corners of the globe about how indigenous communities are affected by the COVID-19 pandemic, and it deeply worries me to see...”

it is not always about health issues. States of emergency are exacerbating the marginalisation of indigenous communities, and in the most extreme situations, militarisation of their territories is taking place. Indigenous peoples are being denied their freedom of expression and association, while business interests are invading and destroying their lands, territories and resources.

In some countries, consultations with indigenous peoples and also environmental impact assessments are being abruptly suspended in order to force through megaprojects relating to agribusiness, mining, dams and infrastructure. Indigenous peoples who lose their lands and livelihoods are pushed further into poverty, higher rates of malnutrition, lack of access to clean water and sanitation, as well as exclusion from medical services, which in turn renders them particularly vulnerable to the disease. But in the face and in the midst of such threats, the indigenous communities that have managed to best resist the COVID-19 pandemic are those that have achieved autonomy and self-government, which allows them to manage their lands, territories and resources, ensure food security through their traditional crops and traditional medicine. Now, more than ever, Governments worldwide should support indigenous peoples to implement their own plans to protect their communities and participate in the elaboration of nationwide initiatives to ensure these do not discriminate against them.\(^5\)

**Situation of Human Rights Defenders**

This May, the Unit for the Protection of Human Rights Defenders in Guatemala (UDEFEGUA) released its 2019-2020 report. During 2019, there were 494 attacks on human rights defenders - 102 more than last year - of which 165 were directed at women human rights defenders. The greatest number of attacks documented related to acts of criminalization (more than 360), which include: acts of defamation (255), unsubstantiated legal complaints (34), illegal detentions (23) and arbitrary detentions (4). Furthermore, 15 murders and 13 acts of torture were recorded. The human rights defenders that suffered most attacks were those who defend natural resources and territory (111), journalists and social communicators (104) and those who defend the right to justice (76). So far in 2020 (until April), UDEFEGUA recorded 157 attacks against defenders.

Since the State of Calamity was decreed (March 2020), reporting has become more difficult and dangerous. The Association of Journalists of Guatemala (APG) released a public statement condemning harassment and attacks against journalists.\(^6\) In response to this situation, the PDH filed a provisional injunction before the Constitutional Court (CC), which was resolved on May 5 in favor of the journalists, allowing them to enter Congress sessions for coverage, thus protecting the right to freedom of expression and access to information.\(^7\)

On May 22, unknown men entered the home of the human rights defender Tania Palencia Prado, located in Guatemala City. They physically assaulted her and stole her work equipment (computer and telephone), as well as cash. The Observatory for the Protection of Human Rights Defenders (OMCT-FIDH), UDEFEGUA and the Center for Legal Action on Human Rights (CALDH) stress that “these actions demonstrate the urgent need to promote a public policy for the protection of human rights defenders.”\(^8\)

On May 30, after declaring a State of Emergency in three municipalities in the department of Sololá, elements from the army and the National Civil Police (PNC) raided the home of the K’iche human rights defender Manuela Alejandra Pop Tuy in Santa Catarina Ixtahuacan. She was arbitrarily detained with her husband without a court order. The couple were transferred to Panajachel, presented to the judge and accused of "concealment of possession of weapons." Manuela Alejandra Pop Tuy is a member of the Asociación Pro Desarrollo de la Mujer Alanel (Creative Woman).\(^9\)

\(^5\) ACNUDH, [COVID-19 está devastando a las comunidades indígenas del mundo y no sólo se trata de la salud” – advierte experto de la ONU. Comunicado, 18.05.202.
\(^6\) Asociación de Periodistas de Guatemala (APG), [COMUNICADO №27–5–2020: Condenamos acoso y ataques contra periodistas en los departamentos], 16 de mayo 2020.
\(^7\) Escobar, I., [CC ampara a PDH y ordena al Congreso permitir ingreso de periodistas al hemiciclo parlamentario], Prensa Libre, 05.05.2020.
\(^8\) FIDH GUATEMALA: [Ataque contra Tania Palencia Prado evidencia falta de garantías para la defensa de derechos humanos], 26.05.20.
\(^9\) IM-DEFENSORAS, [Alerta Urgente] GUATEMALA / Militares y policías detienen ilegalmente a la defensora k’iche’ Manuela Alejandra Pop Tuy tras allanar su casa, 31.05.2020.
2. ACCOMPANIMENTS

PBI accompanies social organizations and individuals who have received threats for their work in the defence and promotion of human rights. In this context we are accompanying social processes in the fight against impunity, land inequality and defense of territory.\(^{10}\)

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

THE FIGHT AGAINST IMPUNITY

We continue to maintain telephone contact with the Human Rights Law Firm (BDH), who have informed us that court hearings continue to be suspended, with only initial declarations and reviews of preventive detention measures taking place. Due to the latter, the BDH has attended the hearings in the CREOMPAZ, Dos Erres and Polochic cases, acting as part of the prosecution.

We continue to monitor the security situation of the members of the Chicoyogüito Neighborhood Association of Alta Verapaz (AVECHAV). They have informed us that they were closely monitoring the hearing in the CREOMPAZ case that took place on May 18, of which AVECHAV is a plaintiff. Two of the defendants asked for a review of their measures so as to be freed from pretrial detention, arguing that they are in danger of becoming infected with COVID-19. The requests were rejected. On the other hand, the members of AVECHAV remain concerned about the lack of work and food shortages as a result of the measures imposed to control the pandemic.

THE ISSUE OF ACCESS TO LAND

Due the severity and high number of security incidents that the members of the Community Council of the Highlands (CCDA) - Las Verapaces Region continue to suffer, we continued to monitor their situation closely, particularly the members of their coordination. During May they continued to receive defamation and threats from different actors have, including the Alta Verapaz Farmers Association (AFAV). For this reason, we have held meetings with the coordination and with different human rights organizations and international institutions, who are closely monitoring their case.

As part of our accompaniment of the Union of Peasant Organizations (UVOC), this month we maintained contact with their members over the telephone as well as a number of virtual meetings. They have shared their concern about the increase in government restrictions, which continue to aggravate the situation of vulnerability in which the rural communities that form part of the organization find themselves. Therefore, during this month the communities have been organizing efforts to alleviate the consequences of the food crisis and have started growing vegetables that they can store for longer periods of time.

DEFENSE OF THE TERRITORY

We continued to monitor the worrying security situation of the New Day Chorti Campesino Central Coordinator (CCCND) closely throughout the month. During the calls to the organisation they shared their concerns relating to different aggressions that various leaders from communities which are members of the organization have suffered. Their vulnerability has increased due to the measures imposed.

See our website for general information on organizations and individuals we accompany: [https://pbi-guatemala.org/en/groups-and-individuals-currently-accompanied-pbi](https://pbi-guatemala.org/en/groups-and-individuals-currently-accompanied-pbi)
by the government in response to the pandemic, which have significantly limited their ability to perform their work, as is the case with other human rights organizations and State institutions.

At the beginning of the month they published two alerts related to actions carried out in the eastern region by the companies "Cantera Los Manantiales" and "Cantera El Porvenir".

On the other hand, as a consequence of the health crisis, hunger in the communities continues to worsen due to shortages of food and economic resources. According to the CCCND, people cannot travel for work and they have not received any help from the state either. For this reason, the organization has been holding talks with national authorities to get food parcels delivered to communities in the region.

Regarding the situation of the Olopa community, following the presentation of the memorandum presented by the indigenous authorities in relation to the conflict with the mine, a second memorandum was presented detailing the consequences that the Coronavirus and the State of Calamity are having on the communities.

We continue to monitor the situation of the imprisoned human rights defenders Agustín Ramírez and Timoteo Suchite, members of the organization.

We continue to monitor the situation of the Peaceful Resistance of La Puya (municipalities of San José del Golfo and San Pedro Ayampuc) through regular phone calls to the members of the resistance, following up on the situation of the human rights defenders amidst the current crisis, particularly following April's acceptance of the arbitration process against the State of Guatemala which was sought by the Kappes, Cassiday & Associates (KCA) for supposed damages as a result of the suspension of the mine.

The Peaceful Resistance of La Laguna, San Pedro Ayampuc, continues to experience a lack of drinking water in the community due to pollution, as well as the food shortages. For this reason they requested a meeting with the Mayor of San Pedro de Ayampuc with the idea of finding joint solutions to these problems. So far they have not received a response. In the meantime, they have continued to mobilize to support for community members with fewer resources.

The members of the Peaceful Resistance, Cahabón (Alta Verapaz) have been organizing through subsistence farming to feed their families and the residents of the communities in response to the ring this crisis of scarcity.

We have maintained constant contact with TZ’KAT - Network of Ancestral Healers from Community Feminism. In addition to the weekly calls, this month we held a virtual meeting in which they provided updates on the situation of women human rights defenders from different organizations and territories with whom they have maintained constant contact, accompanying them in their healing processes. They also expressed their concern about the situation of communities where food shortages are already alarming but who have not received state-approved food vouchers and.

With respect to the Chinautla Multisector, the members of the organization have expressed their concerns over problems of access to water and food shortages. They have been very active in organizing food aid to families and communities.

In April we started accompanying members of two organizations that are experiencing threats in relation to their work in defense of their territories:

- The Retalhuleu Community Council (CCR), is made up of more than 18 communities from the department of Retalhuleu (mainly in the municipality of Champerico), composed of members of the Mam, K’iche ‘and Ixil peoples. The CCR’s main objective is the defense of life, territory and human rights, especially the right of access to water and promoting small-scale agriculture. They form part of a regional network of organizations called "Red Sur". They began to organize in 2015 as a result of the adverse effects caused by the expansion of the sugar monoculture and the widespread use of agrochemicals and pesticides by the sugar mills in the region. PBI is currently accompanying four CCR members who form part of CCR’s board of directors: Anabella
España Reyes (President), Abelino Salvador Mejía, Flabio Vicente and Virgilio García Carrillo. These four people have been criminalized for their fight in defense of the environment and the right to life. Due to the State of Calamity, the hearings of the cases against her have been temporarily suspended.

- The Association of Neighbors Against Corruption in Patzicia (AVCCP) is an organization founded in 2016 and made up of residents of the Patzicia region, department of Chimaltenengo, most of whom identify as Kakchiquel. The AVCCP's main objective is to fight against institutional corruption in the region. The president of the organization, Carlos Sajmoló Pichiya, is being criminalized and persecuted, both by public and private entities, as a consequence of his work as a human rights defender and due to his demands for transparency and good governance directed at municipal institutions. His criminalization case stems from his active participation in the public rejection of the Red Eléctrica de Centroamérica S.A (RECSA) project and the Transmission Expansion Plan 1-2009. On August 22, 2018, the municipality of Patzicia granted a construction license for a hydroelectric substation to RECSA - a company subcontracted by the Colombian company TRECSA - whose application had been rejected by the Municipal Development Council (COMUDE). As a consequence, there were a series of social mobilizations organized by the AVCCP and the COMUDE of Patzicia, demanding respect for the right of prior community consultation, which culminated in the revocation of the license on September 18, 2018. The hearings in the case against Carlos Sajmoló they were suspended on the occasion of the State of Calamity. From PBI we continue to monitor how this process will continue.

3. POLITICAL ACCOMPANIMENT
Meetings and other contact with the diplomatic bodies, international organisations and Guatemalan authorities.

Meetings with national and international authorities are an important way for PBI to make known what we do and what our objectives are. Through these meetings, where necessary and in a reserved manner, we share our concerns about worrying situations that we have witnessed first-hand from the work we do in the field.

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

- Alejandro Gallardo, Human Rights Officer of the UK Embassy.
- Roberta de Beltranena, Human Rights Officer of the Swiss Embassy.

At national, departmental and municipal level we met virtually with the following authorities:

- Jorge Lemus, Mayor of the Municipality of Olopa.
- Noé Guerra, Mayor of the Municipality of Camotán.
- Agent Wagner Vasquez, head of the PNC substation in Olopa.
- Agent Elder Roque Alvarado Gutierrez, head of the PNC substation in Camotán.
- Agent García Méndez, Head of the PNC substation in San Juan Ermita.
- Guillermo Efraín Ramos Ortiz, Mayor of the Municipality of Purulhá.
- Erick Fernando Herrera Escobar, Governor of Baja Verapaz.
- Marcos Antonio Vasquez, Chief of Operations for the departmental PNC in Baja Verapaz.
- Herver Orlando Salazar, head of COPREDEH in Baja Verapaz.
- Miguel Colop, National Director of the PDH offices.
- Juan Alfonso Fuentes Soria, President of COPREDEH.
- Catalina Velásquez Azurdia, Director of Analysis and Mediation of Conflicts with a Human Rights Approach COPREDEH.
- Otto Fernández, Executive Director of COPREDEH.
- Agent Luis Aguilar, head of the PNC in El Florido.
- Daniel Tucux, Director of Operations of the PDH national office.
- Sonia Escobar, Director of the Direction of Consumer Attention and Assistance (DIACO).
- Darwin Fuentes, Head of the PNC in Alta Verapaz.
4. OTHER ACTIVITIES OF PBI GUATEMALA IN GUATEMALA

On May 21, we presented the monograph *We defend life! Social struggles in Alta Verapaz* on Facebook. During this presentation, we were joined by the author and ex-PBI volunteer, Jordi Quiles, Sandra Calel, defender of the land and member of the UVOC, and Julio González, ecologist and member of the Madre Selva Collective, participated.

At the end of May we held a virtual computer security workshop in which 19 human rights defenders from various organizations participated. The workshop was highly valued by the participants, as they had expressed the need for distance training in secure communication management arising from the new reality created by the pandemic and quarantine measures. The workshop was facilitated by an expert in digital security. Given the very positive evaluation and the evident need to continue training on this topic, the possibility of organising future workshops was raised.

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.

Due to mobilization restrictions in the context of the containment of COVID 19, in-person meetings have been canceled. Virtual meetings were held with:

- Jens Gieseke, MEP and Vice President of the Delegation for Central America of the European Parliament and member of the EPP political group.
- Norma Caballeros, Assistant to the MEP Javier Nart, Vice President of the Delegation for Central America of the European Parliament, independent.

We also participated, along with other NGO's in consultations with:

- Raphael Warolin, head of human rights defenders at the Human Rights Unit of the European External Action Service (SEAE), with François Roudié, head of the Central America, Mexico and Caribbean department of the EEAS, Jennifer Echeverría, human rights focal point of the Delegation of the European Union in Guatemala together with other EEAS participants.
- Luisa Ragher, Director of the EEAS Human Rights Unit, with Fabienne van den Eede, from the Directorate-General for Development of the European Commission, as well as other members of both services.
LA SEPREM DEBE CONTINUAR

Las mujeres, ciudadanas y Organizaciones sociales de Mujeres, demandan el respeto a nuestros derechos

Ante el anuncio del Presidente de la República, Señor Alejandro Giammattei sobre la intención de cerrar la Secretaría Presidencial de la Mujer, sin contar con una institucionalidad de alto nivel que garantice los derechos humanos de las mujeres, las ciudadanas y Organizaciones de mujeres de la Sociedad Civil, expresamos nuestro rechazo porque consideramos que esa decisión vulnera los derechos de las mujeres y el cumplimiento de los compromisos internacionales del Estado de Guatemala en esa materia.

Por el contrario, reiteramos que hoy, en el contexto de la crisis por la emergencia sanitaria del COVID-19, el SEPREM es más necesario que nunca, para asegurar que las mujeres en condiciones de mayor vulnerabilidad reciban el apoyo y la respuesta del Estado, para enfrentar el impacto de esta pandemia.

La creación de la Secretaría Presidencial de la Mujer, SEPREM, en el año 2000, es fruto de los Acuerdos de Paz, con sustento en diversas Convenios Internacionales de Derechos Humanos, que comprometen a los Estados a avanzar la progresividad de los derechos de las mujeres y el cumplimiento de los compromisos internacionales del Estado de Guatemala en esa materia.

Asimismo, responde a la Plataforma de Beijing que insta a los Estados a crear mecanismos, con el acompañamiento de las Organizaciones de la Sociedad Civil, para avanzar en el reconocimiento de la realidad de las mujeres, la formulación de políticas, la programación de los recursos, el monitoreo y la evaluación necesarios para garantizar los derechos de todas las mujeres y avanzar hacia la igualdad, el desarrollo y la paz con justicia social.

El estatuto de la Secretaría Presidencial de la Mujer, SEPREM, y su participación en el Gabinete de Gobierno, ha sido un avance para el país, reconocido a nivel regional e internacional, por lo que establecer una Comisión Presidencial de la Mujer es una regresión en los derechos, planteará un franco retroceso político-institucional o ignora las recomendaciones del Comité de la CEDAW de fortalecer la institucionalidad de las mujeres.

Por razones estas mujeres, ciudadanas y Organizaciones de mujeres de la Sociedad Civil, demandamos que, contrario a la pretensión del Ejecutivo, se den los pasos necesarios para el fortalecimiento de la institucionalidad de las mujeres. La SEPREM debe continuar, su creación fue un hito histórico y es un patrimonio que nos constituye el 51% de la población, y a quienes el Estado de Guatemala debe garantizar recursos, apoyar, respetar, mantener y proteger sus derechos.

Instamos al Señor Alejandro Giammattei, en su calidad de Presidente de la República, a fortalecer el actual mecanismo para los derechos e institucionalidad de las mujeres, convocando públicamente a las organizaciones a presentar un istado, ya que su convocatoria no es posible realizar una propuesta para elegir a una nueva Secretaria Presidencial.

Reiteramos el compromiso de las organizaciones de mujeres, en seguirnos a su invitación, de establecer un diálogo con el Organismo Legislativo, para garantizar el fortalecimiento de la institucionalidad de las mujeres, como un paso adelante en la garantía de nuestros derechos, en el fortalecimiento del Estado y de la institucionalidad democrática.

La SEPREM es una garantía para los derechos de las mujeres

#DefendemosSeprem

Guatemala, 30 de mayo 2020

Organizaciones firmantes:


#JusticiaParaMiguelArmenta #RespetoDeLosDerechosHUMANOS

Organizaciones de la Sociedad Civil y de la Ciudadanía.

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