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.

Desolation and humanitarian crisis three months after the Eta and Iota storms

It has been two months since the Eta and Iota storms passed through Guatemala, affecting 2.4 million people, of which an estimated 270,000 lost their homes. According to the National Coordinator for Disaster Reduction (CONRED), as of December 21, more than 5,200 of these people were still in shelters and 128,000 more had been forced to leave their homes. Furthermore, the situation in the shelters is critical. In its visits to the shelters, Doctors Without Borders have observed that "people suffer from skin diseases, physical trauma, respiratory infections, and patients with chronic diseases have had their treatment suspended. Cases of symptoms related to acute stress, anxiety and grief are also reported. In addition to the covid-19 pandemic, there have also been cases of sexual violence in shelters and in the makeshift tents set up on the streets."

The people and institutions involved in the rescue and the delivery of food, estimate that there are about 50,000 people across 234 communities cut off, due to the destruction of bridges, roads and highways. In communities like Caseiro Chibut Carchá, families lost everything: houses, clothes, belongings, animals and food. These communities are primarily campesino communities, who live off their crops, which have been totally destroyed, and they fear their arable land has been destroyed in the long-term. The people interviewed said it will take months before they can plant and harvest again. In addition, the destruction has also impacted the availability of seeds, which will affect sowing for the next seasons. Unfortunately, many of these were native and Creole seeds and had been safeguarded by the communities for generations. The victims are spending their nights in improvised places such as churches and warehouses; they cook under tarpaulins, sharing the few cooking utensils they managed to save. Food has to be rationed to last from one delivery to the next, as well as clothes and medicines, and planning is complicated, as they never know when the next delivery will arrive. They do not have access to clean water, as the natural wells were contaminated during the floods which carried both industrial and domestic sewage. This whole situation, marked by the lack of basic hygiene conditions, stagnant flood water and persistent humidity, has caused skin diseases, episodes of diarrhea, coughing, vomiting and fever. Health care is very basic, being limited to small teams of medical personnel who either live in the flooded communities or have to travel for hours, either on foot, by car, by air or by river, in order to care for the sick. This situation is not exclusive to any one community, but has been seen across various regions affected by the storms.

In the municipality of Puerto Barrios, Izabal, 380 families (about 1,690 people) from the communities of El Quetzalito, Media Luna, Chicasaw and Quíneles remain isolated, as the bridge which enabled road access remains collapsed. There is an alternative route that passes through two farms belonging to the banana company COBIGUA and the community authorities have made a request to the company for permission to pass through their property, but have not yet received a response. It is important to note that the main support is coming from the communities themselves. One example is the case of Quíneles (40 families), which was completely flooded, where the Quetzalito community set up a community hall

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to house these families.\textsuperscript{3}

Also noteworthy is the case of Vi Campana Vitz, a community located 50 km from the headwaters of Nebaj (Quiché) which is in grave danger due to the devastation caused by the Iota storm. According to the mayor, the community suffered great losses and was left completely cut off, yet they have not been able to obtain support from municipal authorities, even though they were informed of their needs. Support is coming from other sources: family members who live in the United States, as well as Cablevisión Terravisión, who have paid for 20 hours of work with a tractor to clear a path; the association of Engineers Without Borders has donated pipes, have plans to help with the community's water tank, which is on the verge of collapsing, and have carried out emergency repair work so as not to leave the population without water, since the storm caused was the collapse of the drinking water pipes, leaving the community without access to water for human consumption since November.\textsuperscript{4}

The lack of an official response to these catastrophic situations is glaring, despite the various requests for help from community authorities to municipal, departmental and national entities. In addition it is very worrying that the Ministry of Public Health and Social Assistance has decreased its COVID-19 information and prevention activities in shelters and in places affected by Eta and Iota. The affected families and communities are are facing an extreme humanitarian crisis: subhuman living conditions, extreme poverty, hunger and disease, all aggravated by their exposure, without any type of protection, to the effects of the COVID-19. \textsuperscript{5} For this reason, on December 14, in Cobán (Alta Verapaz), a demonstration was held demanding the resignation of several public officials at the regional and national level, alleging their inability to respond to the needs of the communities that were severely affected by the storms. \textsuperscript{6} The families impacted across the different regions shared their concerns that the tragedy will soon be forgotten and they will be left to resolve the situation by themselves.

\textbf{Peace Accords are commemorated even as the institutions they established are dismantled}

On December 29, 1996, the Firm and Lasting Peace Accords were signed, ending 36 years of internal armed conflict (IAC) which caused the death of more than 200,000 people (the great majority of whom were indigenous), the detention/disappearance of 45,000, the displacement of 1.5 million, and more than 600 massacres of the civilian population committed by state forces. In 2013 and 2018 two courts ruled that Genocide was committed in Guatemala.

24 years after the signing of the Accords, the Convergence for Human Rights has concluded that none of the Accords have been fully respected by the successive governments, since their political agenda has basically consisted of: violating human rights, forcibly evicting displaced populations and ignoring their ancestral rights to water, land and territory, thus violating their socioeconomic rights; as well as weakening civil society and providing the army with greater resources. \textsuperscript{7} For the Guillermo Toriello Foundation (FGT) this anniversary is marked by "setbacks in human rights, increasing authoritarianism and the destruction of the institutionality of the Peace Accords." \textsuperscript{8}

Following the signing of the Peace Accords, several institutions were created in collaboration with civil society with the aim of "overcoming the causes of the conflict and laying the foundations for a new development," which "constitutes a historical and unrenounceable commitment (...) to present and future generations." However, on July 30, 2020, the current government repealed the governmental agreements which had created the Secretariat of Peace (SEPAZ), the National Reparations Program (PNR), the Secretariat of Agrarian Affairs (SAA), and the Presidential Commission for the Coordination of Executive Policy on Human Rights (COPREDEH). According to presidential declarations, the tasks of these institutions will be assumed by the Presidential Commission for Peace and Human Rights


\textsuperscript{4} Herrera, F., \textit{#EntreTormentas: sin agua potable, sin cultivos y sin consuelo sigue la comunidad Vi Campana Vitz de Nebaj}, Prensa Comunitaria, 4.01.2021.

\textsuperscript{5} Petzey, D., Op. Cit.


\textsuperscript{7} Comunicado Convergencia por los Derechos Humanos, \textit{Otro aniversario más de los acuerdos de paz}, 29.12.2020.

Reactions were swift. Several civil society organizations and the Human Rights Ombudsman (PDH) filed appeals of unconstitutionality before the Constitutional Court (CC), which were admitted, although they have yet to be resolved. In October, Hugo Casasola Roldán was named Director of COPADEH. According to Soy 502, he was one of the founders of former president Jimmy Morales’ the political party FCN-Nación.10

Victims' organizations formed in the aftermath of the IAC have pointed out that they were not approached until the end of 2020. In mid-December, these organizations, together with other human rights organizations and the Union of Workers of SEPAZ, the headquarters of the PNR archives, sounded the alarm about the secretive transfer of several of these files, on the orders of COPADEH, to other state entities. These archives contain some 85,000 files with testimonies of victims of the IAC on intimidation, torture, forced displacement, kidnapping and extrajudicial executions. The organizations are very concerned because they see this information, which is fundamental for the reconstruction of historical memory, the search for justice, reparation and the non-repetition (NEVER AGAIN) of crimes against humanity committed against the civilian population, as being in danger.11

2020: The worst year for human rights defenders

The Unit for the Protection of Human Rights Defenders (UDEFEGUA) presented its assessment of the situation of human rights defenders for 2020 In mid-December. They registered 1,004 attacks against this population, of which one third were directed against women human rights defenders. There were 15 murders (11 men and 4 women) and 22 attacks, with the most affected defenders defending land and territory. Of the aggressions registered by UDEFEGUA, 313 related to cases of criminalization.12

According to UDEFEGUA’s assessment, this “violence has arisen in a year marked by a change of government and the impact of the SARS-COVID19 pandemic on the country. (...) The government of Alejandro Giammattei has encouraged the consolidation of authoritarianism and the closing of spaces for democratic participation; as such it implemented a repressive policy against all those people who oppose its interests.13

Violence against women and girls

According to data from the Women's Observatory of the Public Prosecutor's Office (MP), as of November 16, 2020 there were 202 daily reports of crimes against children and women. The entity registered 75,313 victims, including children, adolescents and women. Only 20 percent of them received justice.14 The MP also reported that from October 1 to December 17, 394 Isabel-Claudina alerts have been activated for the disappearance of women. Seven cases relate to disappeared and murdered women. According to this data, three women have disappeared every day during this period, while the average was three for the previous year.15

This issue made the news again when, in mid-December, a soccer player from the capital's team disappeared and groups of women demonstrated in front of the Public Prosecutor's Office to demand that the disappearances of women and the femicides be properly investigated.16

16 Ibídem.
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.17

We continue to accompany human rights defenders through phone calls and virtual meetings. We have also resumed some face-to-face activities where possible, always assessing the necessary health protection measures to ensure the safety of both the people accompanied and the PBI team. We have also held virtual meetings with civil society organizations and the diplomatic corps.

THE FIGHT AGAINST IMPUNITY

This month we held meetings with the lawyers from the Human Rights Law Firm (BDH). In addition, we accompanied them to a hearing in the Hogar Seguro case, on December 14, which resumed, having been suspended due to the COVID-19 health emergency. The precautionary measures for Anahí Keller Zabala (former official of the Ministry of Social Welfare) and Santos Torres Ramirez (former director of Hogar Seguro) were reviewed at this hearing, and they were both granted house arrest.

We continue to monitor the security situation of the Association of Neighbors of Chicooyogúito de Alta Verapaz (AVECHAV). This month, the CC held a virtual public hearing to hear the plaintiffs for the injunction filed by Family Members of the Detained-Disappeared of Guatemala (FAMDEGUA). Through this legal resource, the organization has questioned the failure of Judge Claudette Domínguez in addressing or resolving the acts of sexual violence committed in the Military Zone n°21 of Cobán, which were denounced during the opening hearing, held more than 4 years ago. The victims’ organizations, who are co-plaintiffs in the CREOMPAZ case, have stated that the refusal to make these acts of violence visible “highlights the continuum of this crime. Because of the seriousness of these crimes, we are pursuing a long path through the Constitutional Court as a last resort to ensure that these acts do not remain in impunity.” 18 They are still waiting for a resolution from the Constitutional Court.

THE ISSUE OF ACCESS TO LAND

Lesbia Artola Peyul and Imelda Teyul, coordinators with the Community Council of the Highlands (CCDA) - Las Verapaces Region, have continued to face serious security incidents. During this month, they were principally occupied with managing the collection and delivery of basic survival goods for families affected by the Eta and Iota storms.

On December 14, unknown armed actors entered and shot at the Q’eqchi’ community of Pomarrosal (Us-pantán, Quiché)19. We provided telephone accompaniment to Lesbia and Imelda in the days following these events, when they went to the Cobán Public Prosecutor’s Office to make the corresponding complaint and organized medical attention for those injured during the attack.

We have maintained contact with the criminalized and imprisoned human rights defenders Jorge Coc and Marcelino Xol and their families. They were sentenced to 35 years in prison 13 months ago and the appeal of this sentence was rejected by the Sixth Chamber of the Cobán criminal court.

As with previous months we maintained telephone contact with members as well as a number of virtual meetings as part of our accompaniment of the Union of Peasant Organizations (UVOC), whose security situation remains delicate. This month they continued their coordination work to provide attention to the communities affected by Eta and Iota storms and held meetings with municipal and departmental authorities.

On the night of December 6, Abelardo Quej, auxiliary mayor for the community of Caserío Nueva Gloria (Purulhá, Baja Verapaz) and member of the UVOC, was murdered by unknown actors during his night shift. Abelardo had been defending the rights of the community and demanding justice for the disap-

17 See our website for general information on organizations and individuals we accompany: https://pbi-guatemala.org/en/groups-and-individuals-currently-accompanied-pbi
19 Para más información ver: Ramón, S., Grupo armado ataca a familias de la comunidad q’eqchi’ Pomarrosal, 15.12.2020.
peared religious leader Carlos Enrique Coy. Following the murder, Abelardo's family has received intimidation and threats. UVOC’s coordination accompanied his family in filing complaints about these events. We are keeping a close eye on the progress of the murder investigation. 

**DEFENSE OF THE TERRITORY**

The aggressions against the **New Day Chorti Campesino Central Coordinator (CCCND)** continue with the same level of intensity.

We continue to monitor the situation of the great risk faced by community leaders Héctor Ovidio Vázquez, from the community of Lelá Chancó, and Pedro Esquivel, from the community of Lelá Obraje, in the municipality of Camotán, Chiquimula. The two defenders continue to be the target of many defama- tions, intimidations and death threats in retaliation for their work defending the territory against mega- projects. This month we were in daily contact with them, and provided them with telephone accompani- ment during their meetings with municipal and national authorities. In addition to their work in defense of the territory, they are demanding the rights of their communities in terms of registration and recogni- tion of indigenous authorities elected by community assembly.

We continue to monitor, through calls and meetings with various organizations, the situation of Agustín Ramírez and Timoteo Súchite, criminalized members of the CCCND, who have been imprisoned since 2013. Their release date has been set for 2021.

We have also been attentive to the situation of the communities and resistances in Olopa, who are demanding the right to free, prior and informed consultation regarding the activities of the Cantera Los Manantiales mine. Within this context, we provided telephone accompaniment to the resistances during a peaceful protest march they conducted on December 10. We also provided telephone accompaniment during the meeting held on 29 December in the Chiquimula Mayor's Office with departmental authori- ties and representatives of the Ministry of Energy and Mines (MEM).

As with previous months, we have maintained telephone contact with the members of the **Peaceful Re- sistance La Puya**, who continue their sit-in and are monitoring the arbitration process between the company and the state. On December 4, we visited the camp and were able to get an update on their experiences during this pandemic year and their expectations for the coming months.

The **Peaceful Resistance of La Laguna**, continue to experience a diversity of problems including water pollution, logging and food shortages which they are addressing through collective organization. We met with their members on December 4 and on the 5th we provided telephone accompaniment during a peaceful demonstration to protest the contamination of the water, during which they presented the petitions of the communities to the Municipality of San Pedro Ayampuc. They received several intimidations, during this day as well as acts of defamation on social networks.

With regard to the **Peaceful Resistance, Cahabón**, we continue to monitor the situation of its mem- bers, who continue to report multiple threats and intimidations. We also continue to pay close attention to the situation of criminalized defender Bernardo Caal Xol, who has been imprisoned for three years.

We have maintained constant contact with the **TZ’KAT - Network of Ancestral Healers from Community Feminism**. We provide accompaniment by telephone in their activities in accompanying and healing with women human rights defenders at risk which took place in a number of departments across the country this month. Members of the Network have experienced diverse threats and defamations for their work providing presencial, psychological and spiritual accompaniment.

**Chinautla Multisector**, continue to respond to the lack of access to water and food shortages through mobilization and organization. We continue to monitor the security situation of their members in the defense of their environment, which is threatened by the actions of sand extraction companies.

We continue to monitor the security situation of the **Retalhuleu Community Council (CCR)**, in the context of the hearings that will begin in January, due to the criminalization that four of its members are experiencing.

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20 Ver Comunicado UVOC, Denunciamos y repudiamos el cobarde asesinato de Abelardo Quej Ixim, 09.12.2020.
3. POLITICAL ACCOMPANIMENT
Meetings and other contact with the diplomatic bodies, international organisations and Guatemalan authorities.
Meetings with national and international authorities are an important way for PBI to make known what we do and what our objectives are. Through these meetings, where necessary and in a reserved manner, we share our concerns about worrying situations that we have witnessed first-hand from the work we do in the field.

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

- Alejandro Gallardo, in charge of Human Rights at the British Embassy
- José María Laviña Rodríguez, Ambassador for Spain in Guatemala

4. OTHER ACTIVITIES OF PBI GUATEMALA IN GUATEMALA

On December 8, the fifth Acércate program took place through our Facebook profile, where we spoke with Lesbia Artola (CCDA - Las Verapaces) and Sandra Calel (UVOC) about the situation of the communities affected by the storms Eta and Iota. You can find it on our website.

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.

The European Representative held meetings with:

- Tomás Reyes, Guatemala desk of the European External Action Service (EEAS).
6. NON-GOVERNMENTAL ORGANISATIONS

In this section we publish statements (some abbreviated) from human rights organisations in which they express their concerns regarding recent events.
PBI team in Guatemala: Andrea Rey López (Spain), Irene Salinas Cortés (Colombia), Sara Lodi (Italy) y Jordi Quiles Sendra (Spain).

PBI GUATEMALA DOES NOT NECESSARILY IDENTIFY WITH THE OPINIONS AND CONTENT OF THE REPRODUCED ARTICLES AND MEDIA RELEASES.

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