



Monthly Information Package Guatemala

Number 217 - October 2021

1. THE CURRENT SITUATION

Monthly update on the situation in Guatemala as highlighted by the press, related to the main thematic areas of PBI Guatemala's work: the fight against impunity, land issues and defense of territory.

The Community Evicted from Laguna Larga Remains Living in Inhuman Conditions

Four years following the eviction of the Laguna Larga community (San Andrés, Petén), more than 400 people continue to live as refugees in a camp set up on the border between Guatemala and Mexico. 115 families were evicted under the pretext that the territory where they lived was within the boundaries of a protected area. Since then, they have been living in deplorable conditions, suffering from food insecurity, exposed to water and food-borne diseases, and with almost no access to health, education and other basic services. It is feared that this case could set a precedent for future evictions, putting the 55 communities living within the region of Laguna del Tigre and Sierra de Lacandón at risk. According to Aldo Ledón, coordinator of the Mesoamerican Voices organization, if these evictions were carried out, it would provoke an exodus of some 400,000 people towards the Mexican border, which would require an immediate response.¹

On October 25, the communities of La Laguna del Tigre and Sierra de Lacandón organized protests to reject the criminalization and the difficult living conditions endured by the population: poverty, malnutrition and unhealthy conditions, as in the case of Laguna Larga. The communities stated that since 2016 the National Council of Protected Areas (CONAP) has refused to engage in dialogue, despite the fact that the communities presented an alternative proposal for comprehensive and sustainable development for the region.²

Defamations and Criminalization of ACOGUATE

On October 21, the Forum of International NGOs in Guatemala (FONGI) issued a statement expressing its concern for the defamations and criminalization experienced by the international accompaniment organization ACOGUATE, who have been present in the country since 2000.³ The communiqué highlights how "international accompaniment is considered a mechanism for the protection of citizens' free expression" and asks the Government of Guatemala "to reaffirm its commitments, expressed in the Declaration of Defenders, to promote the defense of human rights and the protection of human rights defenders".

On October 27, ACOGUATE issued a communiqué in which it publicly explained the nature of its activities and mandate, in response to the campaign of defamation and criminalization it has been experiencing since October 12, as a result of the observation they carried out within the framework of the so-called "March for Dignity". The organization completely disassociated itself from any violent and/or illegal acts which may have occurred during the march, reaffirming its full recognition and respect for the Guatemalan authorities.⁴

Impunity in the Hogar "Seguro" Case Continues

More than 4 years have passed since the fire at the Hogar "Seguro" Virgen de la Asunción, in which 41 girls died and 15 were injured. Juanita Pérez, lawyer for the Human Rights Law Firm (BDH) and representative of the survivors, stated in a press conference that "the criminal process continues to be fragmented" and that

¹ Pérez, R., [Laguna Larga y el riesgo de que ocurran más desalojos en Petén](#), Prensa Comunitaria, 01.10.2021.

² Ponce, E., [Petén: comunidades de laguna del Tigre y Sierra de Lacandón rechazan criminalización](#), Prensa Comunitaria, 25.10.2021.

³ FONGI, [Comunicado contra el Cierre de Espacios Democráticos](#), 21.10.2021.

⁴ ACOGUATE, [Comunicado](#), 27.10.2021.

"none of the defendants have faced an oral or public trial." She also pointed out that the progress of the case has been slow and that there has been no attempt to criminalize serious human rights violations such as torture, extrajudicial execution and the very serious physical and emotional injuries suffered by the survivors.⁵ Furthermore, the current risk faced by the victims and their families, which has been described in the report "Still at Risk. Death and disappearance of the survivors of the fire at the Hogar Seguro Virgen de la Asunción", published by Disability Rights International. It denounces the murders of two of the victims' mothers, the threats and intimidation suffered by others, and the problems in the conduct of the criminal proceedings. It also urges the State of Guatemala to locate the survivors and guarantee their safety, access to housing, medical coverage and psychological and emotional counseling.⁶

Repudiation of the dismantling of the Human Rights Prosecutor's Office

Attorney General Consuelo Porras has ordered the transfer of Prosecutor Hilda Pineda, head of the Human Rights Prosecutor's Office, to the Prosecutor's Office for Crimes Against Tourists. This change was ordered at a time when the Public Prosecutor's Office (MP) unit that Pineda was in charge of was leading a series of high-impact cases linked to crimes that took place during the Internal Armed Conflict (IAC), such as the Diario Militar case, which accuses 12 retired military officers of participating in forced disappearances, kidnappings, torture and executions of at least 183 people between 1983 and 1985.⁷ Pineda also litigated in the trial against General Efraín Ríos Montt, and obtained convictions against retired military officers in the Sepur Zarco case and in the case of the Dos Erres massacre.⁸

In a communiqué published on October 11, the Convergence for Human Rights highlights the "exemplary work" of Pineda "in the processes which have resulted in the criminal prosecution of perpetrators of crimes such as genocide, forced disappearance, crimes against humanity, sexual violence during the IAC, extrajudicial execution and torture". The communiqué accuses Attorney General Consuelo Porras of acting "to dismantle the Human Rights Prosecutor's Office" and attacking "the rights of the victims of serious human rights violations."⁹

Petition for Precautionary Measures from the IACHR for Q'eqchi' Communities in El Estor

The lack of community consultation regarding the installation of the Fénix mining project of Guatemalan Nickel Company (CGN-Pronico), a subsidiary of the Russian company Solway Investment Group, has exacerbated the conflict in El Estor, Izabal. To protest the company's lack of respect for the rights of indigenous peoples, the Maya Q'eqchi' Anti-Mining Resistance "set up a roadblock at the exit from the municipality of El Estor leading to Río Dulce, and the only people they prevented from passing were the trucks transporting coal for the mine. The rest of the population, light vehicles and merchants' trucks, were allowed to pass without problems."¹⁰

On October 23, the people present at the sit-in confronted dozens of cars from the National Civil Police (PNC) who tried to evict them and allow the mining company's trucks to pass through the blockade. In a communiqué published this same day, the Convergence for Human Rights denounced the "disproportionate and abusive force used against the Q'eqchi' people in resistance" by the State of Guatemala, the PNC, the army and personnel from the CGN company. The communiqué affirms that "the violence exercised by the security forces has been widely documented by the journalists who have also suffered aggression and severe limitations to their work of informing."¹¹

⁵ EFE, [Caso Hogar Seguro: Sigue impune la muerte de 41 niñas calcinadas](#), CRN Noticias, 14.10.2021.

⁶ Albani, P., [La impunidad y la indefensión de las niñas continúa en el Hogar Seguro](#), Ruda, 13.10.2021.

⁷ La Hora, [Consuelo Porras traslada a fiscal que tenía a su cargo casos del conflicto armado](#), 11.10.2021.

⁸ Ovalle, L., [Separan del cargo a fiscal de derechos humanos: un duro golpe a la justicia transicional](#), Prensa Comunitaria, 11.10.2021.

⁹ Convergencia por los Derechos Humanos, [Repudiamos el desmantelamiento de la Fiscalía de Sección de Derechos Humanos, dirigida por la Fiscal Hilda Pineda](#), 11.10.2021.

¹⁰ Prensa Comunitaria, [Organizaciones denuncian protección de intereses rusos frente a derechos Q'eqchi'](#), 22.10.2021.

¹¹ Convergencia por los Derechos Humanos, [Alto a la represión del Estado en contra del Pueblo Q'eqchi'](#), 23.10.2021.

Following these events, President Alejandro Giammattei decreed a state of siege in the region, which was ratified by the Congress of the Republic on October 25 and will be in force for 30 days. In view of the escalation of the conflict, social organizations announced that they will present a request for precautionary measures before the Inter-American Commission on Human Rights (IACHR) in favor of the people affected in El Estor.¹²

2. ACCOMPANIMENTS¹³

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.¹⁴

THE FIGHT AGAINST IMPUNITY

On October 13 we accompanied the **Human Rights Law Firm (BDH)** to a hearing in the intermediate phase of the trial against José Mardoqueo Ortiz Morales, an ex-kaibil who is accused of committing murder and crimes against humanity in the Dos Erres massacre, carried out by the Guatemalan army in 1982, during the government of Ríos Montt.

On October 6, we were present at the Cobán Courthouse to accompany the 21 community members of the **Chicoyogüito Neighbours Association of Alta Verapaz (AVEHAV)**, who were detained during a peaceful march on June 9 and who were later tried. The hearing was suspended and rescheduled for March 30, 2022.



THE ISSUE OF ACCESS TO LAND

During October we accompanied the **Community Council of the Highlands (CCDA) - Las Verapaces Region** on three occasions, and maintained permanent contact with the organisation's coordinators, Lesbia Artola and Imelda Tuyul. We accompanied Lesbia to file a complaint with the MP in Cobán, and Imelda and several community members to file complaints with the MP in the capital. On October 26 we accompanied two community members of the Santa Elena Samanzana II community to an intermediate phase hearing, for the case where they are accused of causing serious injuries. The hearing was suspended and rescheduled for November 22.



This month we were present at the celebration of the 41st Anniversary of the **Union of Campesino Organizations for the Verapaces (UVOC)**, held in the community of Chintún and attended by leaders from different regions of Guatemala. We also held regular meetings with the members of the organization to keep up to date on the issues affecting the communities in the region.

¹² Alvarez, N., [Organizaciones piden a la CIDH medidas cautelares a favor de pobladores de El Estor](#), Emisoras Unidas, 29.10.2021.

¹³ We maintained regular contact with accompanied organizations who are not specifically mentioned in this section, but there are no activities to highlight.

¹⁴ See our website for general information on organizations and individuals we accompany: <https://pbi-guatemala.org/en/groups-and-individuals-currently-accompanied-pbi>

DEFENSE OF THE TERRITORY

We maintained regular telephone contact with members of the **'New Day' Ch'orti' Campesino Central Coordinator (CCCND)**. We also continued to monitor the legal process of Agustín Ramírez and Timoteo Súchite, members of the organization who have been imprisoned since 2013. We are awaiting the date of the next hearing, where the release of both leaders from the penitentiary center located in the department of Puerto Barrios will be defined.

Regarding **the Peaceful Resistance of Cahabón**, we continue to monitor the situation of the criminalized and imprisoned Maya Q'eqchi' human rights defender and leader, Bernardo Caal Xol. We maintain regular telephone contact with members of the organization from various communities.

As part of our accompaniment of **TZ'KAT Network of Ancestral Healers of Community Feminism from Iximulew**, we are monitoring the security situation of each of their members closely, maintaining weekly telephone contact and for whom we also provide accompaniment in the healing meetings they carry out with women human rights defenders.

We provided telephone accompaniment to the **Multisector Chinautla** during their activities in defense of the territory.

On October 22, we accompanied the four criminalized members of the **Community Council of Retalhuleu (CCR)**, Anabella España Reyes, Abelino Salvador Mejía, Flavio Vicente and Virgilio García Carrillo, to a hearing in which they were indicted but granted alternative measures of house arrest. The next hearing will take place on March 14, 2022.

Regarding the communities of **Olopa and Quezaltepeque**, we are following up on the situation of the five criminalized people from Olopa, who were accused of illegal detention, detained in September and subsequently released.

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, this month we met with:

- Carlos E Moya-Linares, head of political affairs for the **US Embassy**.

At departmental level we met with the following institutions and authorities:

- Belsy Ruano, Officer at the **PNC Police Station for the department of Alta Verapaz**.
- Herbeth Pamal, Officer at the **PNC Police Station in Chiquimula**.
- Jilmer Bin, Officer at the **PNC Police Station in Retalhuleu**.
- Nancy Evanury Galindo Gramajo, Head of the **Human Rights Ombudsman's Office (PDH) in Retalhuleu**.

4. ACTIVITIES OF PBI GUATEMALA OUTSIDE GUATEMALA

Outside the country we constantly develop and strengthen the network of support for the Guatemalan PBI project, as this is one of the essential tools necessary to protect defenders of human rights. Regional Representatives, the Project Office Coordinator and other members of the committee and the Project Office and national groups of PBI, conduct public relations campaigns with many NGOs, agencies and national governments, parliamentarians and others. In this context we develop actions and public relations campaigns, and / or advocacy aimed at protecting defenders of human rights.

This month the project's EU representative met with:

- Anne Souleliac, of the **Paris Bar Association** and member of the **International Observatory for Lawyers at Risk**, during a virtual tour with the BDH.
- Appoline Blanchard, head of Central America at the **French Ministry of Foreign Affairs** and Igor Ramar, from the **Office of the French Special Rapporteur on Human Rights**, within the framework of the BDH's tour.
- Genevieve Garrigos, Councilor from the **Paris City Council**, within the framework of the BDH's tour.
- Norma Caballeros, assistant to MEP Javier Nart, from the Renew political group, and Vice-President of the **Delegation for Central America of the European Parliament**.

5. OTHER ACTIVITIES OF PBI GUATEMALA

On October 14 we broadcast our **11th ACÉRCATE**, in which we spoke with lawyer, human rights defender and director of Indigenous Peoples' Law Firm, Wendy López, **about the process of criminalization and prosecution of water and land defenders on the South Coast of Guatemala**. You can access this program through our Facebook page: <https://es-es.facebook.com/pbiguatemala> and PBI International's Youtube channel: https://www.youtube.com/channel/UCMmRgzS_KnewLjsXXn2VjAw/videos.

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.

LAS AUTORIDADES INDÍGENAS MAYA CH'ORTI' DE OLOPA, CHIQUIMULA, GUATEMALA

Informa sobre la detención de autoridades indígenas y defensoras de la madre tierra el día de hoy 30 de septiembre de 2,021

DETENCIÓN

El día de hoy representantes del Consejo Indígena Maya Ch'orti' de Olopa y defensoras, se presentaron a una citación al centro del Municipio de Olopa, luego les indicaron que debían declarar en el organismo judicial de la cabecera departamental de Chiquimula, donde fueron capturados por denuncia que realizó Odilio de Jesus Guzman Salazar y su hijo Rony Guzman Guzman dueño de las tierras donde se encuentra la empresa minera Cantera Los Manantiales, que se encuentra actualmente suspendida por un amparo interpuesto por el Consejo Indígena en contra del Ministerio de Energía y Minas MEM.

MOTIVO DE LA DENUNCIA

El 1 de julio de 2,019 el señor Odilio Guzman en provocación rompió una cadena de paso, destruyó un motocicleta, su personal de seguridad disparó en contra de las personas que se encontraban en resistencia pacífica contra la minería, violentó físicamente a Irma Pacay autoridad indígena. La población se reunió para verificar los daños y pedir la reparaciones tanto física como psicológica, el Consejo Indígena Maya Ch'orti' procedió a llamar a la Policía Nacional Civil y Procuraduría de Derechos Humanos para verificación y por temor a represalias futuras en contra de las autoridades indígenas. Al lugar se presentó la PNC y el día siguiente se hizo presente la delegaciones de la PDH.

DENUNCIAS

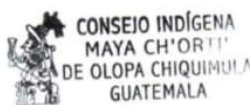
Se realizaron las denuncias contra Odilio Guzmán y su hijo, por las agresiones de estos hechos, estas no procedieron, mientras las denuncias realizadas por él y su hijo fueron efectuadas el día de hoy con la captura de las autoridades indígenas y defensoras, por el delito de detención ilegal. Siendo ellos: Santos Geronimo Ramos Méndez, María Méndez, Bernardino Pérez, Rosa Margarita Pérez Canan y Juan Agustín de 82 años.

VULNERACIÓN DE DERECHOS A LA NIÑEZ

La defensora Rosa Margarita Pérez Canan, fue capturada con sus hijas de 2 años y 1 año con 6 meses, que aún es lactante, las menores fueron trasladadas de la cabecera departamental al municipio de Olopa por la PNC, sin el acompañamiento de familiares, vulnerando sus derechos. Representantes del Consejo Indígena se presentaron a la sub- estación de la PNC en Olopa, para acompañar a las niñas y familiares para verificar su integridad física.

Hacemos un llamado a las autoridades indígenas, organizaciones y observadores de Derechos Humanos y de la niñez, se unan a la denuncia pública y acciones por la forma que se dieron las capturas, violentando los derechos individuales y colectivos de los pueblos indígenas.

¡Exigimos libertad y justicia para nuestros hermanos y hermanas criminalizadas por defender el territorio de proyectos extractivos!



PBI team in Guatemala: Irene Salinas Cortés (Colombia), Alexandra de Almeida Galo (Portugal), Laura Carolina Saavedra Garzón (Colombia), Anuja Pathak (Switzerland/United Kingdom), Elisa Molinaro (Italy), Tiago Delgado (Brazil), Karen Katherine Vinasco Jiménez (Colombia), Marianne van de Vorle (Netherlands), Siglinde Luthner (Germany).

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**GUATEMALA PROJECT
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