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.

Guatemala: an extremely dangerous country for women and girls

On November 25, hundreds of demonstrators marched through Guatemala City to mark International Day for the Elimination of Violence Against Women. The central demand was an end to male violence and its most extreme expression, femicides. Members of the November 25th coordinator lit 5000 candles in the Plaza de la Constitución, symbolizing all the women who have experienced violence.

The figures related to violence against women in Guatemala are alarming. The Mutual Support Group (GAM), in a report published on November 25, found that almost 10 thousand women have been murdered in the country since 2008. In the first 10 months of 2021 alone, 538 femicides were registered, a figure that surpassed the 494 perpetrated in 2020. There was also an increase in the number of reports of sexual assault, which increased from 5,738 filed in 2020 to 8,537 registered so far for 2021. As for pregnancies in girls and adolescents, there were 1,453 cases of pregnancies in girls between 10 and 14 years of age, and 52,590 pregnancies in adolescents between 15 and 19 years of age, registered between January and September 2021 alone.

The Observatory of Children's Rights (CIPRODENI) and the National Institute of Forensic Sciences of Guatemala (INACIF), had registered 381 murders of minors as of September 2021. Although the total number of girls murdered was lower than that of boys (91 cases), the extreme cruelty to which girls were subjected is of concern. While boys are usually killed in shootings, the murders of girls often involve kidnapping, disappearances, physical and mental torture, rape and, finally, murder.

Nevertheless, these shocking figures do not reflect the full extent of the serious structural problem of violence suffered by women and girls in Guatemala, as not all cases are documented. According to data from the National Survey of Maternal and Child Health (ENSMI), only 36.8% of women who acknowledged having been victims of some type of violence sought help. But this does not mean that they went so far as to report the incident to police, as many seek help through unofficial circles of trust, and even fewer approach the Public Prosecutor's Office (MP) to report the crime.

25 year anniversary of the Peace Accords: Achievements and Setbacks

To mark the occasion of the 25th anniversary of the signing of the Peace Accords, Impunity Watch presented its report "Achievements and Setbacks of Transitional Justice in Guatemala" on November 11. According to Denis Martinez, director of this organization, the implementation of these agreements "has been a very difficult process, because the governments that followed the signing of the peace accords have demonstrated no political will nor interest in the agenda for peace. Furthermore, the army and the economic elites (...) have maintained a denialist position regarding the genocide and atrocities committed during the internal armed conflict (IAC), and have not allowed the conditions of exclusion, racism and economic exploitation, which gave rise to the armed conflict, to change."

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However, Martinez also noted some important advances such as: more than 20 trials against military personnel responsible for major human rights violations; more than 3000 exhumations have been carried out leading to the recovery of the remains of more than 9000 victims; the creation of the National Reparations Program (PNR); the recovery of the Historical Archive of the National Police (AHPN); 15 sentences in the Inter-American Court of Human Rights (CorteIDH) for cases related to the IAC, etc. All this was achieved "thanks to the commitment and persistent struggle of the victims and survivors" as well as "the solidarity of human rights organizations, forensic organizations and the international community."\(^8\)

But despite these achievements, he also highlighted the serious setbacks that have occurred in recent years: the forced termination of the International Commission Against Impunity in Guatemala's (CICIG) mandate; the closure of peace institutions; the transfer and paralyzation of the PNR; the co-optation of the justice system; the dismantling of the Special Prosecutor's Office against Impunity (FECI) and the Human Rights Prosecutor's Office at the MP.\(^9\) On November 22 this year, surviving victims of the IAC protested in front of the MP against the dismantling of the Human Rights Prosecutor's Office and demanded progress in the investigations of cases related to the IAC.\(^10\)

**Tension in El Estor Continues: State of Prevention Declared following State of Siege**

Following a month during which a State of Siege was maintained in El Estor, a State of Prevention was decreed for 15 days on November 22, meaning the freedoms and guarantees of the local population have not be reactivated. The Ministry of the Interior and the Ministry of National Defense have justified this situation by arguing that the aim is to maintain public order in the region.\(^11\) However, the social climate has remained very tense throughout the month of November.

In a communiqué published on November 4, the Inter-American Commission on Human Rights (IACHR) repudiated the excessive use of force exercised by the police against the Q'eqchi' population of El Estor, as well as the indiscriminate use of tear gas and the violence and repression exercised against journalists. The Commission also called on “the State to adopt positive measures to guarantee the right to protest, particularly vulnerable groups, such as indigenous peoples”, highlighting how indigenous peoples enjoy specific protection when their protests "are related to specially protected rights such as their cultural identity and their lands."\(^12\)

The Convergence for Human Rights, following its observation and verification mission to El Estor, has warned about the disproportionate use of force, violations of freedom of the press, raids on the homes of human rights defenders, violence against children and the illegal detention of the human rights defender Eduardo Bin.\(^13\)

**Hearings in Creompaz case suspended, creating further obstacles for access to justice**

The public hearing in the Creompaz case scheduled for November 4 was suspended again due to a “material impossibility”, according to the reasoning of the Criminal Chamber of the Supreme Court of Justice (CSJ). The case was postponed in September for the same reason. This case relates to the largest crime of forced disappearance perpetrated in Latin America. Between 2012 and 2015, the Guatemalan Forensic Anthropology Foundation (FAFG) conducted 14 exhumations at the site in Creompaz finding 558 skeletons spread over four graves. Ninety of the remains found corresponded to children, most of them showed signs of torture and bruises on the head and throat. Other remains showed signs of "coup de grace" shootings, the use of blindfolds as well as ties and chains on limbs and around their necks.\(^14\)

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8 Ibidem.
9 Ibidem.
10 Prensa Libre, *Víctimas del conflicto armado interno en Guatemala acusan a fiscal Consuelo Porras de proteger a militares*, 22.11.2021
14 Vásquez, J., *Por “imposibilidad material” aplazan de nuevo Vista pública por el Caso Creompaz*, La Hora, 02.11.2021.
The plaintiffs in the case were informed of the suspension on the same day they had filed a request to guarantee the progress of the case on the stipulated date. They also requested that the necessary conditions be assured so that the families of the victims could be present at the public hearing. According to the attorney Francisco Vivar, from the Center for Legal Action on Human Rights (CALDH), the repeated violation of the human rights of the victims contradicts the mandate from the IACHR, which establishes that this type of process must be tried within a reasonable time, removing all obstacles of fact and law, so that the access to justice of the victims and their families is not violated.\textsuperscript{15}

Another Suspension in the Dos Erres Case

Retired military officer Alfonso Bulux Cifuentes (68 years old), wanted for his alleged participation in the Dos Erres massacre (Petén), perpetrated in December 1982, was captured this September in Belize. More than 250 people, adults and minors, were killed during this massacre. The accused had remained a fugitive from justice for 21 years, as the warrant for his arrest was issued in 2000.\textsuperscript{16} On November 22, the hearing for the first plea was scheduled for the second time and was once again suspended, as the defendant claimed to have pain in his lungs and breathing difficulties. He was ordered to be immediately admitted to the Military Medical Center.\textsuperscript{17}

2. ACCOMPANIMENTS\textsuperscript{18}

\textsc{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.\textsuperscript{19}

THE FIGHT AGAINST IMPUNITY

On November 4, we accompanied Edgar Perez of the \textbf{Human Rights Law Firm (BDH)} to the first hearing in the case of murdered activist Benoit Maria. The judge decided to indict one of the three accused for the crimes of murder and illegal possession of a firearm. The next hearing has been set for February 17, 2022.

THE ISSUE OF ACCESS TO LAND

This month we visited Jorge Coc Coc and Marcelino Xol Cucul, members of the \textbf{Community Council of the Highlands (CCDA) - Las Verapaces Region}, in Cobán prison. We also maintained regular contact with Lesbia Artola and Imelda Tuyul, the organisation’s coordinators.

We are concerned about the security situation in the communities accompanied by the \textbf{Union of Peasant Organizations of Verapaz (UVO\textsc{c}).} We meet regularly with the members of the organization to keep up to date on the problems affecting them. We also accompanied some of their members to an activity in the community of Naranjales, Baja Verapaz.

DEFENSE OF THE TERRITORY

Regarding our accompaniment of the ‘\textbf{New Day’ Ch’orti’ Campesino Central Coordinator (CCCND)}, we visited the region at the end of the month. We also continue to monitor the situation of Agustín Ramírez and Timoteo Súchite, members of the CCCND who have been in jail since 2013. We are awaiting the date of their next hearing, where the release of both leaders from the penitentiary center located in the department of Puerto Barrios will be defined, as they have already served half of their sentence.

\begin{footnotes}
\item[16]Por masacre de aldea “Dos Erres” capturan a fugitivo Alfonso Bulux Vicente en Belice, Prensa Comunitaria, 01.10.2021.
\item[18]We maintained regular contact with accompanied organizations who are not specifically mentioned in this section, but there are no activities to highlight.
\item[19]See our website for general information on organizations and individuals we accompany: \url{https://pbi-guatemala.org/en/groups-and-individuals-currently-accompanied-pbi}
\end{footnotes}
Regarding the Peaceful Resistance, Cahabón, on November 11 we visited Bernardo Caal Xol, Mayan Q'eqchi' defender and leader, in prison. We also maintained regular telephone contact with members of the organization from various communities.

On November 21 we accompanied Multisector Chinateul during one of their assemblies and as always we maintained regular telephone contact throughout the rest of the month.

Regarding the Community Council of Retalhuleu (CCR), we met with the Council’s Youth Association. They shared the main problems that are affecting their communities with us and how they have been addressing them by putting into practice the knowledge acquired in the workshops they are conducting. We also accompanied their four criminalized members, Anabella España Reyes, Abelin Salvador Mejía, Flavio Vicente and Virgilio Garcia Carrillo, to sign a register, which is part of the substitute measures of house arrest imposed on them after they were put on trial. The next hearing will take place on March 14, 2022.

Regarding the Communities of Olopa and Quetzaltepeque, this month we accompanied them during their meeting with the Council of Indigenous Communities of Quetzaltepeque, where the main problems affecting the community were addressed.

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, this month we met with Rahnhild Immerslund, Ambassador of Norway.

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

- Noe Guerra, Mayor of Camotán, Chiquimula (photo) and Juan de Dios Pineda, Municipal Coordinator.
- Cesar Macario, Officer at the National Police Civir (PNC) substation of Champerico.
- Julio Cesar Herrera, Vice-Mayor of the Mayor’s Office, Champerico.
- Edin Felipe Orellana, Chief, Lester Florian and Gusto Arana, officers at the PNC Departmental Office Agents of Chiquimula.
- Juan Gregorio, Citizen Attention Officer and Joaquín Díaz, head of the PNC substation in Quetzaltepeque.
- Velmer Quiñonez, Municipal Secretary, Mayor’s Office, Jocotán.
- Edwin Avalos and Singrid Argota, PNC Officers, Jocotán.
- Ligia Sagastume, Head of the Complaints Department, and Saul Orellana, assistant, at the Human Rights Ombudsman’s Office (PDH) Guatemala.
- Luis Rodolfo Burgos Segura, Governor of Petén.
- María del Rosario Paiz, assistant of the Presential Commission for Peace and Human Rights (COPADEH) in La Libertad.
- Mariam Juarez, COPADEH assistant in Santa Elena.
- Erick Pérez, service officer of the PNC in Petén.
- Santos Augustín, service officer of the PNC in La Libertad, Petén.
- Leslie Filiales, educator, and Jennifer Cardena, temporary assistant PDH La Libertad.
- Karla Akuña, auxiliary officer of the PDH office in Petén.
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.

The European Representative held meetings with:

- Rahnhild Immerslund, Ambassador for the Kingdom of Norway in Mexico and Fernando Abril, Counselor at the same embassy.

5. INTERNATIONAL OBSERVATION

PBI Guatemala is present in international public events when requested to do so by Guatemalan social organisations, in order to show international attention and interest and in order to report internationally on what we observe.

This month we made our semi-annual observation visit to Petén. In addition to the meetings held with the authorities mentioned in section three, we also met with members of the following organizations: O-Trans; Asociación de Mujeres Ixqik; The Petén Front Against Dams; La Otra Cooperative; Permanent Delegation to the Sierra del Lacandón and Laguna del Tigre, who are demanding the implementation of an alternative proposal for the integral and sustainable development of the communities affected by the protected areas declaration; members of the communities el Triunfo, Nueva Esperanza and Centro Uno. In all these meetings, the organizations updated us on their activities and shared their concerns.
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.

Sin periodismo no hay democracia

Este Día del Periodista, las y los reporteros, editores, columnistas y comunicadores no aspiramos a escuchar los cantos heroicos a la profesiòn. Hoy apelamos, más bien, a la atención de la sociedad: nuestro ejercicio se encuentra bajo un asedio inusitado.

El último año se han multiplicado y diversificado las formas para limitar el derecho universal a conocer e informar.

• Desde una Presidencia que irrespecta a la prensa; un Ministerio Público que en sintonía con el Organismo Judicial fabrican casos y no investigan abusos contra periodistas, hasta oficinas de información pública obligadas a fomentar una cultura de transparencia que optan por convertirse en la primera barrera de censura.

• Desde oficinas de comunicación institucional que dedican recursos públicos para organizar campañas de descrédito en contra de reporteros que cuestionan la función pública o acosan a periodistas, desde su condición de mujeres.

• Desde intimidaciones a reporteros que suben de tono hasta llegar a ataques a su integridad física y su familia.

Esta situación se agudiza en los departamentos donde los periodistas son criminalizados por las autoridades locales, los fiscales y jueces.

¿Por qué llamamos su atención en este Día del Periodista? Porque cumplimos una función que es una precondición de la democracia: Informar sobre hechos que de una u otra manera le afectan.

Gracias a la prensa, la sociedad conoce el uso que se da a los impuestos, los abusos que cometen los diputados, la existencia de una obra sobrevaluada y defectuosa. Si no fuera por los periodistas, se desconocería que Guatemala negoció en condiciones desfavorables 16 millones de vacunas rusas y que el hospital temporal del parque La Industria solo tiene 300 camas y no las 3 mil que ofreció el presidente. Se entorpeció gracias al trabajo minucioso de reporteros que investigan y relatatan estas historias.


Periodistas contra la censura

#NoNosCallaran
PBI team in Guatemala: 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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