



Monthly Information Package Guatemala

Number 243 - December 2023

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.

Sit-in led by indigenous authorities in defense of democracy has lasted for three months

In December 2023, the sit-in in front of the Public Prosecutor's Office (MP), which is led by the indigenous authorities and initiated an unprecedented National Strike in defense of democracy, reach the three month mark. Over these three months the peaceful struggle has experienced aggressions of various kinds, as documented by the Unit for the Protection of Human Rights Defenders of Guatemala (UDEFEUGUA) in its report "Analysis of figures and reflections on attacks on human rights defenders and the right to peaceful demonstration during the #NationalStrike". The report revealed that between October 2 and November 30 there were at least 85 attacks against human rights defenders. This includes ten murders and attempted murders, as well as acts of intimidation and surveillance, judicial persecution and arbitrary detentions, defamation and stigmatization, among others.¹

Congress approved the withdrawal of impeachment proceedings against four magistrates of the Supreme Electoral Tribunal (TSE)² at the end of November, and the MP made public the results of its investigation against the Movimiento Semilla party and TSE officials in a press conference at the beginning of December where they said that the investigation should lead to the annulment of the elections.³ The reaction, both inside and outside Guatemala, was swift. The international community expressed its absolute rejection of the government's actions, aimed at annulling the legitimate election results, and called for the preservation of democratic processes. In addition, the US withdrew the visas of more than 100 congressional deputies and added the former president of the Supreme Court of Justice (CSJ) and a group of prosecutors from the MP, among others, to the List of Corrupt Actors in Central America, known as the Engel List. The European Parliament condemned the MP's actions unreservedly, which they classified as an attempted coup.⁴ The Organization of American States (OAS) called for another extraordinary session due to its concern over recent "events in Guatemala that affect democratic governance and the rule of law in the country."⁵ At this session the OAS decided, by majority, to invoke article 18 of the OAS Democratic Charter and the Guatemalan government was asked to consent to an observation visit during the transfer of executive power on January 14th 2024.⁶

In response to the actions of the MP and Congress, the Indigenous Authorities, called for a peaceful march on December 7 to demand respect for democracy and the handover of power, and to reject the approval of the 2024 Budget, which puts limitations on the coming government's possibilities for social investment. The rally in front of the Supreme Court of Justice (CSJ) was joined by President-elect Arévalo and his team, elected deputies, politicians from other parties and organizations and members of the social movement, as well as the general population, to show their support for the demands of the indigenous peoples. In his speech,

¹ UDEFEGUA, [Análisis de cifras y reflexiones sobre las agresiones a personas defensoras de DD. HH. y al derecho a la manifestación pacífica, durante el #ParoNacional, comprendido del 2 de octubre al 30 de noviembre del presente año](#), Facebook, 7.12.2023.

² Cuevas, D., [Oficialismo consigue al filo de la medianoche desaforar a cuatro magistrados del TSE](#), Prensa Libre, 30.11.2023.

³ Quorum, [Verificamos las supuestas pruebas del MP para anular las elecciones en Guatemala](#), Quorum, 13.12.2023.

⁴ Pérez Marroquin, C., [Presidentes y organismos internacionales condenan acciones del MP que sugieren anular las elecciones en Guatemala](#), Prensa Libre, 8.12.2023; Maldonado, J., [Por acciones antidemocráticas, EE. UU. retira visas a más de 100 diputados](#), La Hora, 11.12.2023; ama, [Parlamento Europeo condena el intento de golpe en Guatemala](#), Deutsche Welle, 15.12.2023; Cuevas, D. y Montenegro, H., [Estados Unidos incluye en lista Engel a expresidenta de la CSJ y tres fiscales del MP en lista de actores antidemocráticos](#), Prensa Libre, 21.12.2023.

⁵ Pineda, S., [Misión Permanente de OEA expresa preocupación por "crisis democrática" en Guatemala y solicita sesión extraordinaria](#), Prensa Libre, 1.12.2023.

⁶ EFE, [Comisión de la OEA visitará Guatemala y asistirá a la toma de posesión de Bernardo Arévalo el próximo 14 de enero](#), Prensa Libre, 20.12.2023.

Arevalo expressed his gratitude for the struggle and resistance in defense of democracy and against corruption: "We have heeded the call of the indigenous leadership of the ancestral authorities who have allowed for an advancement in the struggle for democracy in our country."⁷

On 14 December, the Constitutional Court (CC) ruled by majority to, "guarantee the effective inauguration of all elected officials from the 2023 electoral process", which put an end to the uncertainty over the transfer of power to the elected binomial, generated in recent months by the actions of the MP backed by judicial and congressional decisions.⁸

State of Guatemala condemned for violating the rights of the Q'eqchi' people in El Estor

The Inter-American Court of Human Rights (IACHR) condemned the State of Guatemala for having authorized the operation of the Fénix mine on the properties of Maya Q'eqchi' communities in El Estor, Izabal. The Court ordered the state to hand over land titles to the Q'eqchi' people and to consult the communities about the mining project that has been operating in the area for more than 50 years. The lawsuit was filed by the Agua Caliente Lote 9 community, which requested reparations from the state for violating their rights "in the face of agrarian policy and extractive industry projects in their territories", as well as the lack of legislative and administrative measures taken by Guatemala, such as the registration of their purchased lands with the municipality, to ensure their territorial and self-government rights.⁹

This case is rooted in the history of dispossession that the indigenous peoples of Guatemala have been experienced for a long time, as explained in the following: "The municipality of El Estor exemplifies in its lands a significant part of the dispossession of the last centuries in Guatemala. (...) its original inhabitants were expropriated in the middle of the 19th century to locate an establishment (The Store) for trading coffee and other merchandise from the Alta Verapaz area to the Caribbean Sea across through Lake Izabal (Grandia, 2010; Vasquez Monterroso, 2020, AVANCSO, 2021). One hundred years later, the military governments ceded the territory to the Canadian company Inco for the exploitation of nickel through the company Exmíbal (Exportadora de Mineral de Izabal). Thus began the trail of death and repression that has continued to this day."¹⁰

Five Guatemalan soldiers sentenced to life imprisonment by Belgian court ¹¹

"Belgium can try serious crimes against humanity thanks to its Genocide Law, even if they occurred in another country, as long as it has links to that nation." As a result, the trial for the kidnapping, torture and murder of Belgian missionaries Walter Voordeckers, Ward Capiou and Serge Berten, which took place between 1980 and 1982 during the internal armed conflict in Guatemala, began on 4 December in the city of Leuven, Belgium. The defendants were retired military and civil servants Donaldo Álvarez Ruiz, former Minister of the Interior, Aníbal Guevara, former Minister of Defence, Benedicto Lucas, former Chief of Army Staff, Manuel Callejas y Callejas, retired General and Pedro García Arredondo, former Chief of Command Six of the National Police, all of whom were active during the de facto government of Fernando Romeo Lucas García (1978-1982).

A popular jury found them guilty on 19 counts of crimes against humanity and sentenced them to life imprisonment. "According to the jury, the ex-officials and military officers were part of a structure that perpetrated crimes against humanity, and are behind the murders, disappearances and torture of the Belgian priests."

None of the defendants were present at the trial. Álvarez Ruiz is a fugitive from justice; Lucas and Callejas were convicted in the Molina Theissen case but were granted alternative measures by the Constitutional Court (CC) last June; García Arredondo is serving a 90-year non-commutable sentence in Guatemala for his responsibility in the case of the Burning of the Spanish Embassy.

⁷ Espinoza, I., [Autoridades indígenas se movilizan por las calles del Centro Histórico](#), Prensa Comunitaria, 7.12.2023.

⁸ Rojas, A. y Cuevas, D., [Corte de Constitucionalidad ordena que se garantice la transición de todos los funcionarios electos el próximo 14 de enero](#), Prensa Libre, 14.12.2023.

⁹ Valdez, A., [Corte IDH condena al Estado por autorizar operaciones mineras en propiedades de mayas Q'eqchi'](#), Prensa Comunitaria, 15.12.2023.

¹⁰ Bastos, S., [La mina en El Estor y las políticas del despojo en Guatemala](#), Prensa Comunitaria, 26.05.2022.

¹¹ Pérez, R., [Cadena perpetua a cinco militares guatemaltecos por asesinato de misioneros belgas](#), Prensa Comunitaria, 14.12.2023.

The missionaries Voordeckers, Capiou and Berten came to Guatemala in the 1980s and were based in the municipality of Escuintla. "Later Capiou and Berten joined the Guerrilla Army of the Poor (EGP), one of the four guerrilla organizations of that time". The organization Guatebelga, which has supported the missionaries' families in their quest for justice, considers the resolution of this case "an important chapter in the international struggle against impunity for serious human rights violations." "The work of the missionaries was framed within the context of the 1980s when Guatemala was experiencing an internal armed conflict and in the context of liberation theology in Latin America. By virtue of their religious affiliation and youthful conviction, they firmly supported the oppressed," Guatebelga pointed out.

The arbitrary imprisonment of Virginia Laparra ends but criminalisation and prosecution of former anti-corruption prosecutors continues

On Tuesday 26 December, the Criminal Chamber of the Supreme Court of Justice ordered the release of Virginia Laparra from the Eighth Criminal Sentencing Court, granting a period of five days for her release, "on the grounds that she has been held in pre-trial detention for more than 45% of the total time imposed on her." Laparra, who had been head of the Special Prosecutor's Office against Impunity (FECI) in Quetzaltenango for six years, was arrested on 23 February 2022. "She has had to face criminalization and imprisonment, after the Public Prosecutor's Office (MP) turned on its own prosecutors and other justice operators, including those who investigated high-impact corruption cases in CICIG and the judges who heard these cases."¹²

This case has been described by the international community as a "political persecution." The United Nations (UN) considers it an attack on the rule of law and Amnesty International declared Laparra a prisoner of conscience in November 2022.¹³ She regained her freedom on the night of January 3.

These actions by the legislature, however, which have been questioned inside and outside Guatemala, has not ceased. Half way through the month, Jimi Bremer, a judge from Tenth Criminal Judge B who has been sanctioned, seconded the MP and brought former anti-corruption prosecutors Stuardo Campo and Lesly Pineda to trial, in a new case that is being resolved behind closed doors. The former officials understand the accusation as a reprisal for not having obeyed "illegal orders" from the Attorney General, María Consuelo Porras. The two were sent to pre-trial detention in the Mariscal Zavala preventive center.¹⁴

Guatemala has the third highest number of murdered journalists in the world¹⁵

This December we have to mourn the murder of two journalists in Guatemala, Augusto Leiva Pimentel, of La Red radio and president of the Association of Radio Broadcasters of Jutiapa, and Gleymer Renán Villeda, who ran the Impacto Izabal news page on Facebook. A total of five journalists have been murdered in 2023, as Leiva Pimentel and Renán Villeda are joined by Edin Frangely Alonzo López, Hugo Rolando Gutiérrez Alonzo and Eduardo Fernando Mendizábal Gálvez, making Guatemala the country with the third highest number of journalists murdered in the world in 2023, behind the Gaza Strip and Mexico.

Carlos Jornet, chairman of the Inter American Press Association's (IAPA) Committee on Freedom of the Press and Information and editor of the Argentine daily La Voz del Interior, urged the Guatemalan authorities "to carry out a timely investigation to determine whether the murders are linked to the journalists' reporting work, so that both crimes do not go unpunished".

¹² Ruda, [La libertad de Virginia Laparra, presa de conciencia está por llegar](#), Ruda, 27.12.2023.

¹³ Álvarez, N., [Laparra y Zamora pasarán su segunda Navidad en prisión](#), Emisoras Unidas, 24.12.2023.

¹⁴ España, D., [En total secretismo, ligan a proceso a Campos y Pineda; los envían a prisión](#), La Hora, 18.12.2023.

¹⁵ Efe y Román, J., [Guatemala es el tercer país del mundo con más crímenes contra periodistas en 2023, según informe anual de una oenegé](#), Prensa Libre, 04.01.2024.

2. ACCOMPANIMENTS¹⁶

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

THE FIGHT AGAINST IMPUNITY

We continue to accompany the **Association of Relatives of the Detained and Disappeared of Guatemala (FAMDEGUA)** through different activities that they have carried out following the verdict in the case of the Dos Erres massacre. We travelled to Petén to accompany the meeting with relatives of the victims of the massacre, in which more than 200 people lost their lives. FAMDEGUA explained the judicial process and the resolution of November 8, in which three out of the 13 Kaibiles implicated were acquitted. They were also informed of the appeal that has been lodged and is awaiting a decision. In addition, in Guatemala City, a discussion was held with relatives of the victims to inform them of the latest rulings.



We also accompanied an activity in homage to the victims in Petén. Every December 7, the anniversary of the massacre, the families hold a ceremony in the Las Cruces cemetery to honor their loved ones who were massacred and to reaffirm their tireless struggle for justice. The year 2023 marked the 41st anniversary of this massacre, perpetrated during the internal armed conflict.



We accompanied the **Human Rights Law Firm (BDH)** to Puerto Barrios for the hearing of the Fishermen's case, which is in its intermediate stage. This hearing was meant to determine whether the case should be closed, due to the fact that the adhesive complainant and the MP expressed their willingness to desist from the criminal proceedings. However, the hearing was postponed until 31 January 2024.

With regard to our accompaniment of the **Luz Leticia case**, we were present at a hearing in which the defense lawyer requested the introduction of a new witness as evidence. The two hearings scheduled for 22 and 27 December were adjourned at the request of the accused's defense lawyer.

THE ISSUE OF ACCESS TO LAND

In relation to our accompaniment of the **Community Council of the Highlands (CCDA) - Region Las Verapaces**, we met with its coordinator Lesbia Artola to update us on the political context in Las Verapaces and the current situation of the organization in addition to regular telephone contact. We also visited Jorge Coc Coc and Marcelino Xol Cucul at the Preventive Detention Centre in Cobán. Both, defenders and members of the organization, have been criminalized and sentenced to 35 years in prison. The CC rejected their appeal, so the sentence remains final and the two defenders fear that they will be transferred to another prison further away, which would make it very difficult for their families to visit them. Their lawyers are going to take their case to the Inter-American Court of Human Rights. More information on the following link: <https://cutt.ly/ywHPCPkO>

¹⁶ We maintained regular contact with accompanied organizations who are not specifically mentioned in this section, but there are no activities to highlight.

¹⁷ See our website for general information on organizations and individuals we accompany: <https://pbi-guatemala.org/en/groups-and-individuals-currently-accompanied-pbi>

As part of our accompaniment of the **Union of Peasant Organizations Las Verapaces (UVOC)**, we continue our regular meetings with its general coordinator, Carlos Morales, to follow up on the latest developments in the criminalization of members of the organization, as well as their security situation and their work in defense of access to land.

DEFENSE OF THE TERRITORY

We accompanied members of the **Maya Ch'orti' Indigenous Council of Olopa** to a meeting with the municipality to discuss issues related to a water project in the community of Tituque. We also attended their annual assembly held on 19 December.

This month we held a meeting with the **Indigenous Community of San Francisco Quetzaltepeque**, where its members updated us on the different cases of criminalization that some members of the community are suffering for their defense of their territory.

We travelled to the South Coast to accompany the **Community Council of Retalhuleu (CCR)** for a training on water, aimed at various communities in the department. We also met with several members of the organization to update them on the problems in the region and the security situation of their leaders.



In the Department of Guatemala, we visited the **Multisector Chinautla** at the sit-in located at km 12 of the Chinautla highway during the month of December, where we met with various people from the community. The sit-in is permanent and its objective is to make visible and denounce the contamination and negative impacts that the incessant operations of the clay extraction companies have had on the population. We also accompanied one of their leaders during his participation in the podcast "Voices of the Earth", where he spoke about the situation in the region and the effects of the sandpits on the territory. You can listen to it at the following link: https://www.ivoox.com/voces-tierra-guatemala-rio-audios-mp3_rf_121431427_1.html

We accompanied the **Peaceful Resistance, La Puya** in the mass that they celebrate at the sit-in as we do every month.

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:

- Rafael Chaves Beardo, Minister Counsellor in charge of **Human Rights at the Spanish Embassy**.
- Miguel Ángel López Rojas, Press Attaché; Juan Manuel Olea Contreras, Head of Legal Affairs; Nora Bustamante, Head of Political Affairs, **Mexican Embassy**.
- -Aron Lindblom, Second Secretary at the **Swedish Embassy**.

With regard to our dialogue with Guatemalan authorities, this month we met with:

- Jesus Calderón, Departmental Assistant of the **Human Rights Ombudsman's Office (PDH) in Chiquimula**.
- Luis Jiménez, Deputy Commissioner at the headquarters of the **23rd Police Station in Chiquimula**.
- **National Civil Police (PNC) of Olopa and Quetzaltepeque**.

4. OTHER ACTIVITIES OF PBI GUATEMALA

In December, the Human Rights Office of the Archdiocese of Guatemala (ODHAG) asked us to accompany them to an evidentiary hearing in the **Ixil Genocide case**. There are three defendants in this case: Benedicto Lucas García, ex-chief of the General Staff, Manuel Antonio Callejas y Callejas, ex-chief of military intelligence and César Octavio Noguera, ex-chief of operations (the latter died in the pandemic). They are accused of: 31 massacres, as well as collective killings, burning of houses and crops, torture and forced displacement; 27 acts of sexual violence; more than 80 forced disappearances and the systematic killing of the Mayan Ixil ethnic group.

On the 21st of December we broadcast our video podcast **ACÉRCATE nº 22**. On this occasion, we addressed the **history and struggle of the Communities of Populations in Resistance (CPR)** on the occasion of the 25th anniversary of the Multicultural Community El Triunfo, located in Champerico, Retalhuleu. This community was founded by members of the CPRs from the Sierra. The video can be seen at the following link: <https://cutt.ly/bwHPV3zl>



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 of the project this month met with:

- Tomás Reyes Ortego, Coordinator of the Latin America COLAC working group of the **Council of the European Union**, as well as with those responsible for relations with Latin America in more than 20 EU Member States.
- John Petter, Head of Mexico, Central America and the Caribbean at the **Norwegian Ministry of Foreign Affairs**.

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.

Mi libertad es un pequeño paso hacia la reconstrucción del sistema de justicia.

Nunca debí ser encarcelada: no es delito denunciar y tampoco lo es que haya cumplido con mi trabajo como fiscal con diligencia.

Los 680 días en que estuve detenida fueron un abuso, que tuvo el único objetivo de doblegar mi voluntad. Pero no consiguieron romperme: El Ministerio Público utilizó mi detención como castigo, como demostré ante los ojos del público y de instancias internacionales. No acepté cargos porque me rehusé a aceptar una mentira y porque –tanto ahora como cuando ejercí mi cargo– mi dignidad es primero.

Como debió ser desde un inicio, seguiré defendiéndome y buscando justicia, pero en libertad. Alcanzo así a ver luz luego de una larga oscuridad, que resistí por mi convicción de haber actuado en apego a mis principios y por el apoyo y solidaridad que recibí desde tantos lugares del país y del mundo.

Ese apoyo y atención de mis abogadas, la sociedad civil, la prensa, organizaciones internacionales y personas individuales –que agradezco enormemente– son la clave para que el país que soñamos se haga realidad algún día.

3 de enero de 2024

Lilian Virginia Laparra Rivas

The team of volunteers in PBI Guatemala is currently composed of people from Nicaragua, Ireland, Spain, Brazil and Germany.

All photos published are from PBI

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

**GUATEMALA PROJECT
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