



Monthly Information Package Guatemala

Number 244 - January 2024

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.

Indigenous peoples continue to be at the forefront of the defense of democracy

In the days running up to the presidential inauguration in Guatemala City on January 14, multiple caravans of indigenous peoples from different parts of the country arrived in the city to accompany the inauguration of President-elect Bernardo Arévalo and Vice President Karin Herrera. The morning of January 14, they marched from Morazán Park (zone 2), passing by the peaceful sit-in which had been present in front of the central headquarters of the Public Prosecutor's Office (MP) for 105 days, and ending in the Plaza de la Constitución or Central Park. During the march they made multiple references to the centuries of struggle against political and social exclusion suffered by indigenous peoples which sent the following message: "Here we are."¹ Accompanied by flowers and the marimba, the ancestral authorities of the Mayan, Xinka and Garifuna peoples, alongside social and student organizations, marched through the streets of downtown Guatemala City.²

The outgoing legislature in Congress obstructed the election of the new board of directors, to the point where the Constitutional Court (CC) had to issue a resolution calling for the completion of the formalities for the investiture of Bernardo Arevalo and Karin Herrera. The inauguration took place once these obstacles were resolved a few minutes after midnight, eight hours late. In the meantime, the Plaza de Constitución filled with people and the atmosphere became lively as people waited to welcome the presidential couple at 3:00 am. Before arriving at the Central Park, Arevalo and Herrera passed by the sit-in located in front of the MP where he thanked the indigenous authorities for their resistance of more than 100 days in defense of Guatemalan democracy.³

After 2.500 days of delays, the hearings in the Hogar "Seguro" case begins

After almost seven years and 91 suspended hearings, Judge Ingrid Vannesa Cifuentes opened the public hearings in the trial against eight of the 12 people accused for the terrible events that occurred in the Hogar "Seguro" (Safe Home) Virgen de la Asunción on March 8, 2017. This case is the first of three criminal proceedings that seek to determine the truth relating to the incidents that caused the death of 41 girls between 14 and 17 years old and serious injuries to 15 others. 12 public officials were initially indicted. The first to be arrested were the Director of *Hogar Seguro*, Santos Torres, the Secretary of the Social Welfare Secretariat (SBS) Carlos Rodas, and the Undersecretary of Protection and Shelter for Children and Adolescents of the SBS, Anahy Keller, who were "accused of abuse of authority, breach of duty, mistreatment of minors, culpable homicide and culpable injuries. These crimes correspond with the decisions taken to lock the girls in the classroom and, in the case of Santos Torres, for having called the police." A few months later, three more public officials and two agents of the National Civil Police (PNC) were arrested. The last four arrests were made in early 2018.⁴ At the opening hearing of the trial the prosecutor for the MP, Edgar Gómez, stated that "the adolescents were at the home because they had suffered some violation of their rights or were at risk and needed protection, something they did not receive in the State home." In addition, there were already

¹ Pérez, R., [Pueblos indígenas dicen en jornada de toma de posesión: ¡Aquí estamos!](#), Prensa Comunitaria, 14.01.24.

² Pérez, R., [Pueblos llegan en caravanas a la capital para acompañar la transición](#), Prensa Comunitaria, 14.01.24.

³ Goyoy, M., [Entre incertidumbre, baile y fuegos artificiales: así se esperó en la Plaza Central el discurso de Karin y Bernardo](#), Plaza Pública, 18.01.02024.

⁴ Galanova, M., [Los 2500 días de retraso en el juicio del Hogar Seguro](#), No Ficción. 19.01.2024.

complaints of abuse at the home before the fire, which remained unanswered at the Prosecutor's Office and the PDH.⁵

An analysis of the hearings in the case, conducted by the media outlet No-Ficción, reveals that since the process began, in March 2017, more hearings have been canceled (91) than those which have gone ahead (86). The main reasons for these cancellations "have been the absence of lawyers, the lack of judges and logistical failures, in both the Judicial organism and in the Penitentiary System." In this regard, Human Rights Watch (HRW) published an analysis in 2017 of eight legal processes including cases related to the Internal Armed Conflict to investigations by the International Commission against Impunity in Guatemala (CICIG), in which it "revealed a consistent pattern whereby defense lawyers find it easy to cause extensive delays in criminal proceedings. According to the report, the defendants' lawyers take advantage of the slow and hesitant manner in which many courts resolve injunctions and recusal petitions to cause delays. And the courts allow it".⁶

Critical situation of press freedom in Guatemala

A mission of the Inter American Press Association (IAPA) and the Committee to Protect Journalists (CPP) visited Guatemala on January 25 to evaluate the complex situation faced by journalists in the free exercise of their profession and restrictions on freedom of expression in the country.⁷ The mission met with President Bernardo Arévalo to address this situation. This visit took place in a context in which journalists and communicators are murdered,⁸ harassed, threatened, criminalized and face judicial persecution, which in many cases forces them to leave their communities, and even the country, to protect their integrity and even their lives. According to Catalina Botero, former Rapporteur for Freedom of Expression of the Inter-American Commission on Human Rights (IACHR), Part of the problem is the "stigmatizing discourse from the authorities which influences the increase in violence against journalists, because they legitimize violence against freedom of expression." For this reason, international institutions see the need for the State to take measures to comply with its "obligation to protect freedom of expression, reduce violence against journalists and generate guarantees for the exercise of free journalism."⁹

Some of the most notorious examples of attacks against journalists in recent years include José Ruben Zamora, editor of the newspaper El Periódico (which has since shut down), who has been imprisoned since July 2022. In October of last year the Second Court of Appeals of Guatemala ordered the annulment of his six-year prison sentence and a retrial (scheduled for February 5) this year.¹⁰ Another is, community journalist Carlos Choc, who has been criminalized for seven years following a complaint filed by members of the PNC and the MP for "instigation to commit a crime" and who was acquitted on January 31, 2024.¹¹ Another relates to the Maya-Kaqchikel community journalist Norma Sancir, who was victim of a five-day illegal detention while covering a demonstration in 2014 in Chiquimula. In the trial held this January 31, she finally succeeded in having three policemen convicted of this crime.¹²

In regards to this problem, the new President Arévalo declared on social media that under his government "no person will be persecuted for their opinions", because "journalism is a pillar of our democracy and should never be persecuted or intimidated".¹³

⁵ Longo Bautista, M.J., [Arranca, al fin, el juicio por el incendio del Hogar Seguro](#), Agencia Ocote. 12.01.2024.

⁶ Galanova, M., Op. Cit.

⁷ Redacción, [La SIP envía comisión a Guatemala para evaluar la libertad de prensa](#), La Silla Rota, 25.01.2024.

⁸ Ver el apartado coyuntura del [PIM 243, diciembre 2023](#).

⁹ Mazariegos, A., [De la entrevista al banquillo o al exilio criminalización a periodistas](#), Agencia Ocote. 15.12.23.

¹⁰ Ibídem.

¹¹ Albani, P., [Inocentes: juez cierra el caso de criminalización de tres pescadores y un periodista comunitario](#), Prensa Comunitaria, 31.01.2024.

¹² Pérez, R., [Periodista Norma Sancir logra justicia contra policías que la detuvieron ilegalmente](#), Prensa Comunitaria, 31.01.2024.

¹³ Román, J., [Gobierno presenta desestimación de la denuncia que la administración anterior hizo en el MP contra personas que se expresaban en redes sociales](#), Prensa Libre. 26.01.24.

Guatemala: the Latin America country with the highest rates of child undernutrition and number six in the world

Malnutrition has a great impact on the Guatemalan population in general, and children in particular: "of the 17.1 million Guatemalans, almost 60 percent live below the poverty line and over 20 percent are struggling to survive in conditions of extreme poverty." Guatemala ranks first in Latin America and sixth in the world in chronic child malnutrition. Despite the Q31,000 million budget that the Giammattei government has allocated to alleviate this situation, no progress has been made. "At the beginning of this government, official figures showed that one out of every two children under five years of age suffered from chronic malnutrition, and the situation has not changed." The government prior to Giammattei's reported 15,395 cases of acute malnutrition in 2019, but the average for the last four years has been 18,800 cases annually. "Although this condition has multiple causes, inadequate nutrition is part of the problem." In rural households, where the population is mostly indigenous, "this food insecurity is a constant issue for 3.2 million Guatemalans daily, according to the latest report of the Integrated Classification of Food Security in Phases (CIF)".¹⁴

In addition to the increase in cases of acute child malnutrition with respect to 2022, there has also been an increase in deaths caused by malnutrition, as of December 16, 2023 "there were 54 deaths registered - four more than number of deaths that occurred during the whole of 2022 - and another 76 deaths are still being investigated to establish whether they occurred due to acute malnutrition".¹⁵ The regional health departments where there is a greater increase in cases of acute malnutrition in children aged 0 to 5 years" are "Alta Verapaz, Escuintla, Guatemala Sur, Guatemala Noroccidente, San Marcos and Chimaltenango".¹⁶

Regarding the official efforts to alleviate this dramatic situation, the deputy and coordinator of the Parliamentary Front Against Hunger, Jairo Flores, highlights how, during the inspection work they carried out in 2023, they were able to verify that the warehouses of the Ministries of Social Development and Agriculture were full of food that had not been delivered. He also stated that "during the electoral campaign, the government distributed the aid in places where candidates for mayors and deputies from the ruling party were based and not in places where there was a real need." For this reason, the congressman described the previous government's strategy, known as the Great National Crusade for Nutrition, with a budget of 10 billion quetzales (almost 1.3 billion dollars), as a resounding failure.¹⁷ Similarly, María del Carmen Aceña, an analyst from the National Economic Research Center (Cien), explains how the poor progress that has been made in the fight against malnutrition is not due to a lack of budget, since resources have been available, rather it is a problem of public management.¹⁸ Jorge Pernillo, professor at the School of Nutrition of the Universidad Panamericana, states that "structural factors, such as seasonal hunger, keep the population vulnerable, in addition to the effect of natural events, the recent Covid-19 pandemic, international conflicts and political instability that have reduced people's livelihoods and made agricultural inputs and foodstuffs more expensive. Therefore, to address the determinant and structural causes of chronic malnutrition, it is necessary to rescue public services, expanding their coverage and quality."¹⁹

Bernardo Arévalo's new government "intends to reduce the prevalence of malnutrition in children under five years of age in the country by 10%. The Protecting the New Harvest program, which was announced during the electoral campaign, seeks to address the structural problems that cause this condition in children, such as lack of household income, precarious housing conditions, environmental sanitation and access to water for human consumption".²⁰

¹⁴ [Mueren 51 niños en Guatemala en 2023 por desnutrición aguda](#), Prensa Latina, 06.12.23; Ola, L., [Q31 mil millones ha tenido el Gobierno en cuatro años para desnutrición y los avances son pocos](#), Prensa Libre, 17.03.23.

¹⁵ Ola, L., [Casos y muertes de desnutrición aguda del 2023 superan las del año anterior](#), Prensa Libre, 27.01.24.

¹⁶ Redacción, [Guatemala registra más de 18 mil casos de desnutrición aguda en lo que va de 2023](#). Prensa Comunitaria, 03.10.23.

¹⁷ *Ibidem*.

¹⁸ Ola, L., *Op. Cit*, 17.03.23.

¹⁹ Ola, L., *Op.Cit.*, 27.01.24.

²⁰ *Ibidem*.

2. ACCOMPANIMENTS²¹

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.²²

THE FIGHT AGAINST IMPUNITY

This month we accompanied the **Human Rights Law Firm (BDH)** to the following hearings:

- Five hearings in the Hogar "Seguro" case (more information on this case above in the "Context" section). The opening arguments from all parties were presented during these first hearings, as well as the review of measures requested by the defense for Lucinda Marroquín and Luis Armando Pérez Borja which were dismissed, the first statements were made by the defendants and the presentation of expert witnesses by the Public Prosecutor's Office began.
- A continuation hearing in the Sofia Case. This case of a community leader from Purulhá who was criminalized for her work in defense of the territory, is now ending the debate stage. Two witnesses presented by the BDH testified during the hearing, while the MP waived the testimony of its witnesses due to their repeated absences.
- A sentencing hearing in the Fishermen's Case. After seven years of criminalization against the three fishermen Tomas Che, Cristóbal Pop and Vicente Rax and the community journalist Carlos Ernesto Choc, the judge dismissed the charges presented by the MP and the nickel mining company CGN for lack of evidence. With this resolution, they will regain their total freedom after remaining on substitute measures and having to sign the registry at the MP of El Estor every 30 days.



THE ISSUE OF ACCESS TO LAND

Regarding our accompaniment of the **Community Council of the Highlands (CCDA) - Las Verapaces Region**, this month we maintained telephone contact and met with its coordinators Lesbia Artola and Imelda Teyul, to update us on their work, as well as to follow up on the increased threat of evictions in the region and the criminalization processes against several members of the organization. We also visited the Cobán Penitentiary Center to visit the seven CCDA members deprived of their liberty.

As part of our accompaniment of the **Union of Peasant Organizations Las Verapaces (UVOC)**, we continued 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.

²¹ We maintained regular contact with accompanied organizations who are not specifically mentioned in this section, but there are no activities to highlight.

²² 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

In the Department of Guatemala, during the month of January we accompanied **Multisectorial Chinautla** to their annual community assembly. We also visited the protest camp located at Km 12 of the Chinautla highway, where they continue to highlight the pollution and impacts on the population caused by the incessant work of the clay extraction companies. On this occasion we met with the women of the community, who updated us on their security situation and their work in defense of the territory and human rights.

In the Department of Alta Verapaz we met with members of the **Peaceful Resistance, Cahabón**, to follow up on the problems faced by the communities in the area in their struggle for land and territory as well as their security situation. We accompanied them during various activities in which they responded to the aggressions they experience for being an active part of the resistance.



We were present at the ordinary assembly and the act of transfer of staffs for the **Indigenous Community San Francisco Quetzaltepeque**, in the department of Chiquimula, where the election of the new Board of Directors of ancestral authorities for the period 2024-2025 took place.

With respect to our accompaniment of **TZK'AT - Network of Ancestral Healers of Community Feminism from Iximulew**, we have held several meetings with its members and have continued to monitor and accompany them, both in person and by telephone, in the framework of their activities.

and have continued to monitor and accompany them, both in person and by telephone, in the framework of their activities.

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:

- Erick Ulate, **Costa Rican Ambassador to Guatemala.**
- Jennifer Echeverría, Human Rights Officer of the **Delegation of the European Union in Guatemala.**
- Caroline Amyot, Head of the Public Affairs Section, and Monica Izaguirre, Political Officer of the **Canadian Embassy.**

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

- Sergio Pineda, Assistant and Coordinator of the headquarters of the Presidential Commission for Peace and Human Rights (**COPADEFH**) in **Cobán, Alta Verapaz.**
- The **PNC of Cahabón, Alta Verapaz.**
- The **Departmental PNC of Alta Verapaz**, located in Cobán.

4. 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.



We continued to observe the hearings in the **case of Norma Sancir**, a Maya Kaqchikel community journalist who was demanding justice for her arbitrary detention in 2014. We were present at two continuation hearings of oral and public debate in the Criminal Sentencing Court of Chiquimula. On January 31, after nine years of waiting, Judge Jorge Douglas Ochoa of the Criminal Sentencing, Drug Trafficking and Environmental Crimes Court of Chiquimula, sentenced three police officers to three years and nine months of commutable prison, for abuse of authority against the journalist.

5. OTHER ACTIVITIES OF PBI GUATEMALA

The documentary "TZK'AT la Red de Sanadoras" was awarded in the category of Best Production on January 26, at the 8th Festival and Short Film Competition "Express yourself with another roll without hate", organized by the Guatemalan Unit for the Protection of Human Rights Defenders (UDEFEQUA). The recognition went to documentary filmmakers Verónica Sacalxot, Ixmucané Color and Daniela Pinto of the Lemow Collective. This documentary was produced by PBI Guatemala and financed by the Valencia Municipality and Perifèries. You can watch it at the following link: <https://pbi-guatemala.org/es/multimedia/videos>

On January 29 and 30, we held a **healing meeting in Cobán**, facilitated by the Network of Healers, with the participation of women defenders from communities in the Cahabón region.

6. 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:

- Jordi Cañas, MEP of the Renew political group, and Head of the **European Union Election Observation Mission to Guatemala**, and his assistant, Sofia López Piqueres.
- Karolien Kras, Guatemala desk from the **European External Action Service**.

7. NON-GOVERNMENTAL ORGANISATIONS

In this section we publish statements (some abbreviated) from human rights organisations in which they express their concerns regarding recent events.

La reconstrucción del Estado, sólo es posible desde los derechos humanos

La Unidad de Protección a Defensoras y Defensores de Derechos Humanos -Guatemala (UDEFEQUA) ante la toma de posesión del Presidente de la República, Bernardo Arévalo, y la Vicepresidenta de la República, Karin Herrera, manifiesta:

- 1 Que los Pueblos que habitan en Guatemala han realizado un largo camino de lucha y resistencia, con miras a construir un Estado donde la democracia, la garantía de los derechos humanos, la equidad y la justicia social sean los principios que rigen a nuestra sociedad.
- 2 Que en ese largo camino de lucha y resistencia han sufrido sistemáticas y graves violaciones a sus derechos humanos. Pobreza extrema, pobreza, desnutrición crónica, violencia, falta de educación, salud, vivienda, trabajo e ingreso digno, medios de producción como la tierra, han resistido el terror del Estado y Genocidio y han padecido en carne propia el latrocinio que distintos gobiernos, desde la Firma de la Paz hasta la fecha, han realizado.
- 3 Que aún y en esas condiciones, los Pueblos y en particular los indígenas, han dado una muestra de resistencia pacífica, que para el día de hoy cumple 105 días de su sostenimiento y que la misma ha sido la columna central de la defensa de la voluntad popular y la posibilidad de que podamos construir una sociedad distinta a la que históricamente hemos vivido.

Ante ello, La Unidad de Protección a Defensoras y Defensores de Derechos Humanos - Guatemala (UDEFEQUA), demanda del nuevo gobierno de la República:

- 1 Es necesario que, en el proceso de reconstrucción de la institucionalidad pública, la perspectiva de los derechos humanos prevalezca como principio fundante del quehacer del nuevo gobierno.
- 2 Que se recupere el diálogo y la interlocución con la sociedad guatemalteca, en particular con los sectores históricamente vulnerados y excluidos, y que el resultado del mismo, se concrete en acciones de política pública, para garantizar derechos humanos de la población.
- 3 Que se desarrolle en el menor tiempo posible la construcción y aprobación de la Política Pública de Protección a Defensoras y Defensores de Derechos Humanos, así como la asignación de los recursos necesarios para su implementación. De la misma manera, que se cumpla con los compromisos y obligaciones que emanan de las resoluciones de la Corte Interamericana de Derechos Humanos, de las recomendaciones de la Comisión Interamericana de Derechos Humanos, así como de los Procedimientos Especiales de las Naciones Unidas.
- 4 Iniciar un proceso firme de descriminalización de la defensa y promoción de los derechos humanos y que se garantice el retorno seguro del exilio guatemalteco.
- 5 Reconocimiento y respeto a las autoridades indígenas, así como a las decisiones que en el marco de la Consulta previa, libre e informada se desarrollen y que orienten así la libre determinación de los Pueblos.
- 6 Cesar de inmediato los desalojos en las comunidades indígenas e iniciar un proceso de diálogo que garantice la resolución pacífica de la conflictividad agraria en el país.
- 7 Implementar una política social activa, que ponga en el centro de sus objetivos a la persona y que a través de esta se garantice la salud, la educación, la soberanía alimentaria, la vivienda y el trabajo digno de la población guatemalteca.

“ La primavera solo florecerá con la garantía plena de los derechos humanos para todas y todos. ”

Guatemala, 14 de enero de 2024



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
PEACE BRIGADES INTERNATIONAL**

Website: www.pbi-guatemala.org

facebook: pbiguatemala

Instagram: pbiguatemala

Office of the team in Guatemala

3a Avenida "A" 3-51, Zona 1

Ciudad de Guatemala, Guatemala

Phone/ Fax: (+502) 2220 1032

E-mail: equipo@pbi-guatemala.org