



Monthly Information Package Guatemala

Number 245 - February 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.

February 25: Day for the Dignification of the Victims of the Internal Armed Conflict

February 25 marked the 25th anniversary of the presentation of the Report of the Commission for Historical Clarification (CEH): "Guatemala, Memory of Silence." This report documented and publicized serious human rights violations committed during the 36 years of internal armed conflict (IAC), including acts of genocide, massacres against indigenous communities, extrajudicial executions, forced disappearances, torture and forced displacement. As a follow-up to the recommendations from this report, February 25 was established as the "National Day for the Dignification of Victims."¹

Each year on this date survivors and family members march from the Human Rights Plaza to the National Palace of Culture, in Zone 1 of Guatemala City, to honor the survivors, the more than 200,000 people murdered and the 45,000 disappeared in this bloody period of Guatemala's history.² This year, the commemoration was complemented by an official government event at the National Palace, where delegations of victims' organizations were received by Vice President Karin Herrera, the director of the Presidential Commission for Peace and Human Rights (COPADEH) Oswaldo Samayoa, and the Minister of Culture Liwy Grazioso.³ Nobel Peace Prize Laureate Rigoberta Menchú and Elvia Sep, victim and survivor of the armed conflict, and leader of the National Platform of Victims, also participated in the ceremony by replacing the Peace Rose on behalf of the victims.⁴ Elvia Sep pointed out in her speech that victims and survivors continue to wait for a response to their demands from the government and delivered a copy of the CEH Report to the Vice President so that the recommendations are implemented "and the events of the past are not forgotten."⁵

The organizations' demands included the creation of comprehensive program for dignification of the victims which would include the search for disappeared persons, institutions that facilitate the implementation of such programs and that the preservation of the historical archives of the IAC be guaranteed. They also requested that the contents of the CEH report, as well as the Peace Accords and democratic values, be incorporated into the educational system and that the active participation of the surviving victims of the IAC be guaranteed in the design, implementation and evaluation of these dignification programs. The Vice President reaffirmed the commitment of the current government and announced the creation of a National Plan for the Dignification of Victims, which will be the responsibility of COPADEH.⁶ Regarding this plan, Oswaldo Samayoa, in an interview granted to Agencia Ocote, stated that "the plan is to review the archives from the National Reparations Program (PNR), which was closed, digitalize them and compensate those whose payments were pending. This includes the recovery of the historical memory, and the creation of a single registry of victims, because such a registry does not exist. Also the registry of missing persons. Another area of focus is archives and memory. The State has many historical memory files and many reparations in

¹ CIIDH, [Día de la dignificación de las víctimas del Conflicto Armado Interno](#), Centro Internacional para Investigaciones en Derechos Humanos, 23.02.23.

² NISGUA, [Día Nacional por la Dignificación de las Víctimas del Conflicto Armado – 25 de febrero 2024](#), NISGUA Network in Solidarity with the People of Guatemala, 27.02.24.

³ jha/znc, [Ratifican en Guatemala compromiso con víctimas del conflicto armado](#), Prensa Latina, 25.02.24.

⁴ "La ceremonia del Cambio de la Rosa de la Paz tiene sus orígenes en la firma de los Acuerdos de Paz Firme y Duradera (1996), con esta acción, el Estado de Guatemala a través del Ministerio de Cultura y Deportes reconoce a personas individuales y jurídicas con trayectoria relevante en actividades culturales, deportivas, sociales, económicas, políticas y de otra índole que contribuyan a la promoción de la Cultura de Paz." (<https://mcd.gob.gt/cambio-de-la-rosa-de-la-paz/>).

⁵ Impunity Watch, [Guatemala anuncia un nuevo Plan Nacional de Dignificación de las Víctimas](#), 28.02.24.

⁶ Notimérica, [Guatemala.- El Gobierno de Guatemala anuncia un plan de dignificación de víctimas de la guerra civil](#), 26.02.24.

several cases".⁷ According to him, there are more than 56,000 files pending to be dealt with. Recovering them will be a long process that may take more than a year and a half. They plan to start working on it in March.⁸

New suspension in the second case against Jose Rubén Zamora

A hearing relating to charges in the second case against the journalist Jose Rubén Zamora, founder of the defunct newspaper elPeriódico, was meant to take place on February 21 but was suspended for the third time. The reason for this new suspension was the failure of the prosecutor handling the case at the Public Prosecutor's Office (MP) to appear. The court was meant to review the coercive measures against the journalist during this hearing which was rescheduled for 20 March. Zamora will remain in jail because he is also facing other charges for alleged money laundering, a case for which he was sentenced to six years in prison. However, this sentence was annulled by an appellate court which ordered a retrial. There is still no date for this trial.⁹

President Bernardo Arévalo said he is confident that the journalist, in prison since July 2022, can be released "soon" and criticized the "almost torture-like" conditions he has experienced during his incarceration. According to Arevalo "Zamora is an example of the type of abuses that are generated when the institutions of justice are co-opted" by "political-criminal networks". He also stressed that the journalist "is within the framework of a judicial process in which we, as the Executive Branch, have no capacity to interfere". However, "we have managed to improve, as far as we can, the conditions of detention, which had been intentionally turned into conditions of torture."¹⁰

The special rapporteur for freedom of expression of the Inter-American Commission on Human Rights (IACHR), Pedro Vaca, visited Zamora the Mariscal Zavala prison on February 12, his 563th day of imprisonment. The Special Rapporteur is in Guatemala under the invitation of President Bernardo Arévalo, to verify the situation of freedom of expression in the country. Regarding the conditions under which he is being held, Zamora "assured journalists that, since the inauguration of the new government on January 14, his prison conditions have improved regarding the minimum guarantees such as access to hot water and more hours in the open air." In 2023, the journalist's family denounced that the government of former President, Alejandro Giammattei, had delayed the approval of permits, thus hindering international observers from visiting the journalist. "The U.S. Deputy Assistant Secretary of State for Central America, Eric Jacobstein, also visited Zamora in prison."¹¹

Historic agreement between government and peasant organizations¹²

At the beginning of February, the government of President Bernardo Arévalo signed a historic agreement with four peasant organizations: the Community Council of the Highlands (CCDA), the Union of Peasant Organizations Las Verapaces (UVOC), the Day' Ch'orti' Campesino Central Coordinator (CCCND) and the Committee for Peasant Unity (CUC). "The Agrarian Agreement seeks to promote the progress and welfare of peasant communities, through measures that simplify and facilitate access to land." It aims to be an instrument that anticipates and resolves agrarian conflicts in the country and is the result of a dialogue process that took place during the last months of 2023. Fredy Pérez, facilitator of the National Land Coalition (CNT) of Guatemala, "explains that these working relationships germinated during the complex election period when peasant organizations, the indigenous movement and other civil society organizations, mobilized in defense of democracy."

Among the measures proposed in this agreement "is the creation of a mechanism, under the responsibility of the Private Secretariat of the Presidency, to address the urgent and accumulated conflicts. According to data from COPADEH, there are currently more than 1,500 cases of active agrarian conflicts in the country, caused

⁷ Medinilla, A., [Oswaldo Samayoa: "los derechos humanos son límites al poder"](#), Agencia Ocote, 27.02.24.

⁸ Coronado, E., [Oswaldo Samayoa: «No estamos para negar las violaciones a los derechos humanos»](#), Plaza Pública, 11.02.24.

⁹ Román, J. y Vargas, E., [Suspenden audiencia de Jose Rubén Zamora por incomparecencia del MP](#), Prensa Libre, 21.02.24; España, D., [Retrasos y más retrasos: ahora fue el turno del MP con Jose Rubén Zamora](#), La Hora, 21.02.24.

¹⁰ Emisoras Unidas, [Arévalo se refiere a situación de José Rubén Zamora en prisión](#), 20.02.24.

¹¹ EFE y Marroquín, C.P., [Caso Jose Rubén Zamora: relator de la CIDH visita en prisión a periodista preso desde hace 563 días](#), Prensa Libre, 12.02.24.

¹² International Land Coalition, [Acuerdo histórico entre el Gobierno y organizaciones campesinas de Guatemala para abordar el acceso a la tierra y la conflictividad agraria](#), International Land Coalition, 14.02.2024.

mainly by the lack of legal certainty over land and the illegal occupation of land. Peasant and indigenous communities have been facing – and denouncing – violent evictions from their ancestral territories at the hands of police and military forces, for which agricultural companies and extractive industries endorsed by the State are responsible." As for access to land, this will be promoted "through different modalities, and the Land Fund will be restructured, recovering the original spirit set out in the Peace Agreements, and incorporating indigenous and peasant representatives onto its Board of Directors." "The Private Secretariat of the Presidency shall promote the participatory construction of robust and legally sustainable institutions, whose competence will be the formulation and implementation of an agrarian policy. The follow-up for the implementation of these measures will involve the creation of a political space of permanent communication between the Government and the peasant sector, which will be represented by the Peasant Council, initially integrated by two representatives of each of the signatory organizations."

Cumbre de Alaska verdict disappoints families of victims and survivors¹³

The widows of the victims of the Cumbre de Alaska Massacre, perpetrated on October 4, 2012, have been waiting for justice ever since. On that day, the 48 Cantons of Totonicapán held a peaceful demonstration at the place known as the "Cumbre de Alaska", at kilometer 169 of the Inter-American Highway. They were protesting against the increase in cost of electricity and in defense of the right to education. The victims included Santos Hernández Menchú, José Eusebio Puac Baquix, Jesús Baltazar Caxaj Puac, Arturo Félix Sapón Yax, Jesús Francisco Puac Ordóñez, Rafael Nicolás Batz and Lorenzo Isidro Vásquez.

Eleven years after this massacre, the High Risk Court "B" issued a sentence that has been considered unjust by relatives of the victims and survivors. One of the defendants who received particular favour was Colonel Chiroy, who was acquitted and ordered to be released immediately. Private Manuel Lima Vásquez received similar favour. Abraham Gua Cojoc and Edín Adolfo Agustín Vásquez were given minimum sentences (two years in prison, reduced by a third), while the rest of the defendants were sentenced to seven years in prison and 10 months of non-commutable imprisonment for the crime of injury in a dispute rather than attempted extrajudicial execution.

"At the end of the hearing, the defense for the victims assured that they will analyze the sentence in order to be able to file the special appeal." The lawyer Lucía Xiloj pointed out that "there was indeed an arbitrary action and excessive use of force by members of the army."

2. ACCOMPANIMENTS¹⁴

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.¹⁵

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 against eight of the people accused of responsibility for the deaths of 41 girls and the serious injuries caused to 15 others, in the fire at the Virgen de la Asunción "Safe" Home, on March 8, 2017.
- A hearing in the concluding phase of the Sofía case, against a community leader of Purulhá, criminalized for her work in defense of the territory; sentencing is expected for March.
- Two hearings in the case "Take the USAC: political spoils". Students and other people who shared the motives of the protest, took over the facilities of the Universidad de San Carlos de Guatemala (USAC) for more than a year, as a rejection of the electoral fraud and the imposition of Walter Mazariegos as rector of the USAC. The Prosecutor's Office for Crimes against the

¹³ Valdez, A., Masacre de Alaska: Tribunal absuelve a coronel Chiroy y condena a siete soldados, Prensa Comunitaria, 28.02.2024.

¹⁴ We maintained regular contact with accompanied organizations who are not specifically mentioned in this section, but there are no activities to highlight.

¹⁵ See our website for general information on organizations and individuals we accompany: <https://pbi-guatemala.org/en/groups-and-individuals-currently-accompanied-pbi>

Cultural Heritage of the Nation of the MP has declared these acts to be illegal and that they were carried out for political purposes. The MP issued arrest warrants against 27 students, deans of faculties of the USAC, union members, lawyers, attorneys and activists, among others.

- Two hearings of the Diario Militar case, which were eventually suspended for reasons beyond the control of the plaintiff and their lawyers.

Regarding our accompaniment of the **Luz Leticia case**, we accompanied the family to a hearing that was, once again, cancelled, this time due to the absence of a witness statement. The first statement hearing took place over nine months ago and a total of 20 hearings have been suspended, due to excuses made by court and the legal team for the defendant, retired military officer Juan Francisco Cifuentes Cano. The next hearing is scheduled for May 6, 2024.



THE ISSUE OF ACCESS TO LAND

As part of our accompaniment of the **Community Council of the Highlands (CCDA) - Las Verapaces Region**, this month we met with its coordinators Lesbia Artola and Imelda Teyul, to update us on their human rights work, and we followed up on the increase in threats of evictions in the region and the criminalization processes against members of the organization. We also accompanied one of their leaders to a summons to the MP, regarding a new criminalization process initiated against her.

DEFENSE OF THE TERRITORY

In the Department of Guatemala, we visited the sit-in held by **Multisector Chinautla** during February to increase visibility about the negative impacts on the population caused by the incessant work of the sand extraction companies. We also conducted a tour of the area, during which we were able to observe these impacts.

As part of our accompaniment of the **Peaceful Resistance, Cahabón**, we observed the march organized to request the municipality to remove the participation of hydroelectric companies from the Municipal Development Council (COMUDE) and to stop granting licenses to these companies. Nearly 300 people from different communities in the region participated in this activity.



We also accompanied two of its members to a hearing at the Cobán Courthouse. They were summoned as victims of an aggression they suffered relating to the presence of the companies installed in the territory.

We accompanied members of the **Maya Ch'orti Indigenous Council of Olopa** to the initial hearing in the oral and public debate relating to the criminalization of a group of people from these communities. The objective of the hearing was to request the unification of the cases to expedite and facilitate the judicial process. We also accompanied the Council and its communities in the commemoration of their Eighth Anniversary. The day was festive and passed peacefully. Around 80 people attended.



Regarding our accompaniment of **TZK'AT - Network of Ancestral Healers from Community Feminism**, we held several meetings this month with its members.

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 with international organizations present in Guatemala, this month we met with:

- Roberta de Beltranena, Program Officer at the **Swiss Embassy**.
- Constanza Gajardo, Head of Chancery and Consul at the **Chilean Embassy**.
- The Office of the United Nations High Commissioner for Human Rights (**OHCHR**): Mika Kanervavuori, Representative in Guatemala; Margarita Lema, Coordinator of the Gender Unit; Vanesa Alvarez, Human Rights Officer.

We also participated in a breakfast organized by the **British Embassy**, which was attended by the Ambassador, Nick Whittingham; Isabel Cocker from the Foreign, Commonwealth and Development Office (FCDO); Isabel MacDonald, Human Rights Officer of the Embassy; UN Women; the Unit for the Protection of Human Rights Defenders (UDEFEUGA) and OHCHR.

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

- Jaqueline Valenzuela, head of the Office for Human Rights Defenders and Journalists at the **Human Rights Ombudsman's Office (PDH)**, Guatemala City.
- Mark Christopher Gardiner Bennett, Assistant of the **PDH headquarters in Salamá, Baja Verapaz**.
- Bernardo González, Deputy Commissioner of the National Civil Police (**PNC**) of **Salamá, Baja Verapaz**.
- **PNC of Tactic, Alta Verapaz**.
- Jesus Calderón, Assistant at the **PDH in Chiquimula**.

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.



As part of the **National Day for the Dignification of the Victims of the IAC**, on Saturday, February 24, we attended a **forum about the CEH Report, "Guatemala, Memory of Silence"**, presented 25 years ago. This report gathers, across 12 volumes, testimonies of more than 7,500 cases of human rights violations committed during the IAC. The creation of CEH was mandated in the Peace Accords with the following purposes: "to clarify human rights violations and acts of violence that have caused suffering to the Guatemalan population"; to investigate the causes of the conflict and to offer recommendations for peace and national harmony in Guatemala. One of the commissioners of this report, Otilia Lux de Cotí, shared a summary of the report and key moments in its preparation. Doña Otilia insisted on the importance of the report's recommendations

being used "to build a democratic and inclusive Guatemala."

The following day, on the 25th, **we observed the march** (see first note in the section on current events).

On February 28, we observed the **final hearing in the case of the Cumbre de Alaska Massacre**, where the sentence proved deeply disappointing for the widows, survivors and the people of Totonicapán (see last note in the section on current events).

5. OTHER ACTIVITIES OF PBI GUATEMALA



In February we broadcast **two programs as part of our video podcast ACÉRCATE**. On the 8th we talked with Carlos Ernesto Choc about the situation of community journalism and freedom of expression in Guatemala; on the 22nd we dedicated the program to the case of the Cumbre de Alaska Massacre in Totonicapán, perpetrated on October 4, 2012. We talked with the widows and with the lawyer Lucía Xiloj. Both podcasts are available on our website: <https://pbi-guatemala.org/es/multimedia/acercate>

On February 22 and 23 we held a **healing encounter in Cobán**, facilitated by the Red de Sanadoras, in which women defenders from communities in different regions of Guatemala participated.



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:

- Christine Perenne, **Ambassador of the Netherlands in Costa Rica**, Arjen van den Berg, future Ambassador of the Netherlands in Costa Rica, and Wouter Hougt, Guatemala desk at the **Ministry of Foreign Affairs of the Netherlands**.
- Sandra Hochstoeger, representative from the Permanent Representation of Austria in Belgium for the Latin America (COLAC) and Human Rights (COHOM) Working Groups of the **Council of the European Union**.
- Tilly Metz, MEP of the Green political group and President of the Delegation for Central America (DCAM) of the **European Parliament** and Garance Tardieu, advisor of the same political group for Latin America.

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.



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La Coordinadora Nacional de Viudas de Guatemala CONAVIGUA

A la Opinión Pública Nacional e Internacional

Manifestamos:

Nuestra indignación, rechazo y protesta, frente a la resolución, del Tribunal de Justicia al absorber a militares, señalados y responsables de la masacre de la Cumbre de Alaska, lugar donde varias personas participaban en una protesta pacífica, pero lamentablemente fallecieron 7 personas, quedando varios heridos.

Nuestra solidaridad y apoyo con las viudas sobrevivientes de esta masacre, en su demanda de justicia para los masacrados, nos unimos a su demanda para que este caso no quede en la impunidad.

Es necesario y urgente que este caso sea juzgado y condenado para que nunca más se cometa violación a los derechos humanos y que se respete el derecho a la protesta, pacífica y organizada.

Por los masacrados de Alaska, CONAVIGUA presente.

Guatemala, 01 de marzo 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**

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