



Monthly Information Package Guatemala

Number 248 - May 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.

25th anniversary of the publication of the *Diario Militar*

On February 25, 1999, the Commission for Historical Clarification (CEH) publicly presented its report "Guatemala Memory of Silence" documenting the atrocities committed against the Guatemalan population during the Internal Armed Conflict (IAC). It demonstrated how, over the 36 years of the IAC, 93% of the documented violations were perpetrated by state forces. That same week, researcher and archivist Kate Doyle, who works at the National Security Archive¹ in the United States, received a document from Guatemalan military intelligence that she spent several months analyzing in depth. This document, known as the *Diario Militar* (Death Squad Dossier - DM), was sent out of Guatemala for security reasons. The DM is of great value, as it is key in the search for justice in cases of forced disappearance because it documents the Guatemalan State's strategy of terror during the IAC, records counterinsurgency activities and provides information on people kidnapped, tortured and killed between 1983 and 1985. According to Doyle, the DM evidences that forced disappearance was used as a key tool of the counterinsurgency policy applied by the Guatemalan state during those years.

The task Doyle was given upon receiving this document was to verify its authenticity, as she and the research institute where she works have extensive experience in analyzing declassified files. After the hard work was done and its authenticity verified, Doyle and her team publicly presented the DM at a press conference on May 20, 1999. "The original file was also scanned and shared on the Internet to make it available to anyone." Upon learning of this, family members of the people mentioned in the DM contacted Doyle "seeking more information or to tell us more about their missing persons."

As the researcher points out, the DM is part of the recovery of Guatemala's historical memory. The original document is stored in the National Security Archive in Washington, United States. Today, judicial processes are underway in which the document is an important piece of evidence. Doyle hopes that this document will one day be returned to Guatemala. What makes her most proud about this experience is working "side by side" with human rights defenders in Guatemala.²

Following the release of the DM, the Association of Relatives of the Detained-Disappeared of Guatemala (FAMDEGUA) summoned the then president of the republic and commander general of the army, Alvaro Arzú, "so that military intelligence would release other documents on disappearances." This never happened.

This document has been key to bringing to justice those responsible for these atrocious crimes, particularly an emblematic court case: the DM case. On May 27, 2021, the authorities managed to capture ten people accused of participating in the operations recorded in this document. "On May 6, 2022, the then judge in charge of the case Miguel Ángel Gálvez admitted the case presented by the Public Prosecutor's Office (MP) and sent nine of the accused to trial. Four days later, Toribio Acevedo Ramírez, a trusted employee of Cementos Progreso, who had been a fugitive since May 27, 2021 and was trying to flee to Germany, was arrested at Panama's international airport. Gálvez's resolution and the arrest of this individual caused an increase in attacks against the judge, a situation that worsened after General González Taracena, who had headed the agency in charge of the kidnappings, tortures, rapes and murders registered in the Dossier, died

¹ The National Security Archive is "a U.S. non-governmental research organization. It also functions as a repository of declassified U.S. government records." Coyoy, M., [Código 300. Episodio 1. La archivista](#), Plaza Pública, 20.05.2024.

² *Ibidem*.

on June 14, 2022, while he was in custody at the Military Hospital. The threats increased and finally the judge was forced to resign and go into exile on November 15 of that same year.”³

Currently, the process is moving very slowly and is practically at a standstill. However, the families and friends of the people who appear in the DM commemorate the publication of this document every year, in the hope of learning the whereabouts of their loved ones and raising awareness about the importance of this document in the history of Guatemala.

A Worsening Human Rights Situation Throughout 2023

On April 30, the Unit for the Protection of Human Rights Defenders of Guatemala (UDEFEGUA), presented the report “The defense of human rights in 2023 was under systematic siege.” The report shows that during 2023 there were a series of events that caused a significant increase in aggression against individuals, organizations and communities defending human rights (HRDs). “2023 began with the absolute capture of State institutions, which was particularly dangerous in an election year. Unfortunately, the general elections, contrary to the democratic spirit, became a scenario where violence, repression and criminal persecution against human rights defenders, justice operators and journalists worsened.”⁴

On the other hand, on May 15, the Office of the United Nations High Commissioner for Human Rights (OHCHR) presented its annual report “The Human Rights Situation in Guatemala”. In its conclusions, the report agrees with UDEFEGUA in stating that in 2023 “attacks against human rights defenders increased, affecting the democratic space.” It also concludes that “systemic and structural problems related to inequality and discrimination worsened” and that “there was a significant increase in deliberate attacks against judicial independence” and an attempt to undermine the integrity of the electoral process.⁵

Similarly, Amnesty International (AI) published its report “Guatemala: The whole system against us: Criminalization of women, justice operators and human rights defenders in Guatemala”, last May 23. The report “analyzes, from a gender perspective, the pattern of harassment and criminalization of former prosecutors, former judges, former members of the now defunct Commission Against Impunity in Guatemala (CICIG), as well as justice operators and human rights defenders who have contributed to the fight against impunity and corruption. The investigation exposes the human rights violations that these individuals have faced in retaliation for their legitimate activities and presents specific recommendations to Guatemalan authorities.”⁶

Criminal prosecution and criminalization of journalists and justice operators continues.

José Rubén Zamora, founder of the elPeriódico newspaper and a veteran of investigative journalism in Guatemala, obtained a judicial victory on May 15 that grants him house arrest for one of the cases open against him. After 656 days of incarceration in the Mariscal Zavala prison relating to two ongoing criminal proceedings, the Ninth Criminal Sentencing Court of Guatemala granted the journalist house arrest, stating that there is no danger of flight or risk of Zamora hindering the investigation.⁷

In exchange, the Court imposed several measures to guarantee that Zamora remains in the process, such as bail of 30,000 Quetzales and to sign a register at the Public Prosecutor's Office (MP) every 15 days.⁸ However, the journalist will remain in preventive detention, since the house arrest measure only applies to the first of the MPs cases against him, in which he is charged with money laundering, peddling influence and blackmail. The arrest and preventive detention imposed on José Rubén Zamora is publically understood as a case of political persecution, due to the reporting that the journalist and his media outlet had been carrying out in

³ Orantes, R., [25 años del apareamiento del Diario Militar](#), Prensa Comunitaria, 20.05.2024.

⁴ UDEFEGUA, [La defensa de los derechos humanos, en 2023, estuvo bajo asedio sistemático](#), 30.04.2024.

⁵ OACNUDH Guatemala - Oficina del Alto Comisionado de DDHH, [Situación de los derechos humanos en Guatemala durante 2023](#), 15.05.2024.

⁶ Amnistía Internacional, [Guatemala: Todo el sistema en contra: Criminalización de mujeres operadoras de justicia y defensoras de derechos humanos en Guatemala](#), 23.05.2024.

⁷ Miranda, W., [Victoria judicial para José Rubén Zamora: el juez le concede arresto domiciliario por uno de los casos en su contra, pero seguirá en prisión](#), El País, 15.05.2024.

⁸ Pérez, S., [Guatemala: tribunal otorga la libertad al periodista Zamora, reconocido por denunciar la corrupción](#), AP News, 15.05.2024.

relation to the corruption cases of the government of Alejandro Giammatei.⁹

Despite the change of government, the criminal prosecution and criminalization of journalists and justice operators who denounce cases of corruption in Guatemala continues. With the appeal filed by the MP on April 15 before the Superior Court of Justice, the Special Prosecutor's Office against Impunity (FECI) seeks to maintain the criminalization of elPeriódico journalists Julia Corado, Gerson Ortiz, Alexander Valdez, Rony Ríos, Cristian Velix and Denis Aguilar and columnists Edgar Gutiérrez and Gonzalo Marroquín, who are now in exile.¹⁰

On the other hand, the second trial began against the former head of the FECI in Quetzaltenango, Lilian Virginia Laparra Rivas, began on May 6 after several suspensions. She is accused of having revealed confidential information when she presided over the FECI.¹¹ Meanwhile, the evidentiary hearing in the case against the former head of the International Commission Against Impunity (CICIG), Claudia González, was suspended as the judge excused himself.¹² Likewise, the intermediate stage hearing in the case against another former prosecutor of the MP, Stuardo Campo, was suspended due to an excuse presented by the MP. When consulted, the former prosecutor “expressed that the suspension of the hearing is a sign of the ‘malicious delay’ promoted by the current administration of the MP.”¹³

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

The intermediate phase of the offering of evidence in the **Case of the Enforced Disappearance of Luz Leticia Hernández** began this month. In the context of this case we accompanied Luz Leticia's family to two hearings. In the first one, the reading of evidence began, but after three hours of presentations, the judge decided to end the hearing and schedule a new date for its continuation. The press and international observers were not allowed to enter. The second hearing, where the continuation of the presentation of evidence was scheduled, was suspended due to the fact that the defendant, Juan Francisco Cifuentes Cano, did not appear before the court for health reasons. The hearing was rescheduled for June 6 at 11am.



We accompanied the **Association of Relatives of the Detained and Disappeared of Guatemala (FAMDEGUA)** to the following hearings and activities:

- A hearing in the “Diario Militar” case for the revocation of substitutive measures for the defendants Jacobo Salán Sánchez and Malfred Orlando Pérez Lorenzo. This had been rescheduled on April 26 due to the absence of Pérez Lorenzo's lawyer, as well as Salán Sánchez and his lawyer. On this occasion the hearing was suspended again due to the assignment of a new judge for this case.

⁹ Miranda, W., Op.Cit.

¹⁰ Maldonado, A., [MP apeló la resolución que cierra el caso de periodistas en el exilio](#), Agencia Ocote, 02.05.2024.

¹¹ Prensa Comunitaria, [Organizaciones internacionales denuncian la persecución judicial en contra de la ex Fiscal Virginia Laparra](#), 06.05.2024.

¹² Véliz, C., [Audiencia del caso Claudia González en la que ofrecerían pruebas se suspende](#), La Hora, 09.05.2024.

¹³ Véliz, C., [MP pide suspender audiencia de acusación a Stuardo Campo y Juzgado accede](#), La Hora, 14.05.2024.

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>

- Two commemorative events in the framework of the 25th anniversary of the publication of the *Diario Militar*. In the 'Forum on Children and Women in the *Diario Militar*', three women spoke about their personal experience during the IAC and their connection with the missing persons. On May 20, the "Forum commemorating the 25th anniversary of the publication of the *Diario Militar*" took place, where relatives of the missing persons mentioned in the DM spoke about the relevance of DM in the history and present of Guatemala, the impact of its publication in the country and their personal experiences.

We accompanied the **Human Rights Law Firm (BDH)** to four hearings in the "Hogar Seguro" case. Two were for the review of precautionary measures for the defendants Luis Armando Pérez Borja and Lucinda Eva Marroquín Carrillo. These petitions were rejected because the court found that the danger of obstruction of the truth persisted. In the other hearings, the debate stage continued, with the presentation of several psychiatric, medical and toxicological expert opinions.

THE ISSUE OF ACCESS TO LAND

We continued our accompaniment of the **Community Council of the Highlands (CCDA) - Las Verapaces Region**. We met with its coordinator, Lesbia Artola, and members of the community of Chirrix Tzul, during their visit to Guatemala City to corroborate the validity of the deeds to their land and to follow up on the complaints filed in relation to the extrajudicial evictions suffered by the community at the beginning of April. We also accompanied the CCDA coordinators to the MP of Cobán, for the evictions mentioned above, as well as to the municipality to follow up on the registration requests and land registries of the Xtyaal Kobe and Sa'job'che communities.

Regarding our accompaniment of the **Union of Peasant Organizations Las Verapaces (UVOC)** we maintained our periodic meetings with the general coordinator, Carlos Morales, to follow up and update us on the security situation and their work in defense of access to land.

DEFENSE OF THE TERRITORY



In the department of Guatemala, this month we visited the sit-in held by **Multisector Chinautla** to denounce the pollution and negative impacts on the population caused by the incessant work of the clay extraction companies operating in the area. On this occasion, we met with women from the community, who updated us on their security situation and their work in the defense of the territory and human rights. We also met with other ancestral authorities from the community, who shared with us their concern and the insecurity they suffer after the bloody attack perpetrated last month in the community (for details read the ALERT published on April 25).

In the Department of Chiquimula we accompanied the **Maya Ch'orti Indigenous Council of Olopa** to different activities they carried out in the framework of their struggle for the defense of territory and water. We attended an event where they socialized the findings of an investigation they carried out together with the Observatory of Extractive Industries (OEI) on the impacts of mining exploitation. We also accompanied them to a meeting about the Upper Lempa River Basin Project, where members of the San Francisco Quezaltepeque Indigenous Community, associations from El Salvador and Honduras, and other international organizations were present.

We visited the **indigenous community of San Francisco Quetzaltepeque** in the same department and met with several of its members. They updated us on the problems caused by the sale of the volcano and logging in the region, and shared with us their concerns regarding their security situation.



With respect to the **Community Council of Retalhuleu (CCR)**, we held meetings with several of its members to update us on the existing problems in the region, and accompanied them to various proceedings before protection institutions, to denounce the threats they have been subjected to due to their struggle against the sugar cane and shrimp industries present in the territory.

In our accompaniment of **TZK'AT Network of Ancestral Healers from Community Feminism** we have continued monitoring and accompanying them in the framework of their multiple 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:

- Rafael Chaves Beardo, Ministerial Counselor (Responsible for Human Rights) from the **Spanish Embassy**.
- Marie González, Cooperation Officer, and other actors from the **French Embassy**.

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

- Alexander Marroquín, Commissioner of the **National Civil Police (PNC) in Olopa**.
- Bryan José Morales, Municipal Secretary of the **Mayor's Office in Olopa**.
- Claudia Samayoa of the **Ministry of the Interior, Guatemala City**.
- Eric García, Commander of the **PNC in Quezaltepeque**.
- Secretary of the **Mayor's Office in Quezaltepeque**.
- Emilio PENERO and Dayana Cabrera, from the **Human Rights Ombudsman's Office (PDH) in Chiquimula**.
- Claudia Morales, Administrative Chief of the **Departmental Government of 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.

We attended the **Gastronomic Festival for the 2nd anniversary of the delivery of Initiative 6086 (Biodiversity and Ancestral Knowledge Law)** and against the so-called Monsanto Law, where we accompanied Multisector Chinautla and the Community Council of Retalhuleu (CCR) who participated in these activities along with other ancestral authorities and organizations from all over the country.

5. OTHER ACTIVITIES OF PBI GUATEMALA

This month we held **two healing meetings** facilitated by the Network of Ancestral Healers: on May 13 and 14 **in Chinautla** and May 30 and 31 **in the department of Sololá**. These meetings are a protection tool for women defenders of land, which address the specific risks they face because they are women and because of their work to protect the lives and rights of their communities.

On May 21 and 22, a **security workshop** was held **in the San Francisco Quezaltepeque Indigenous Community**. It consisted of a legal clinic on criminalization and rights of indigenous peoples, facilitated by the Q'eqchi' lawyer Santiago Choc Cú and a space facilitated by the Q'eqchi' defender and security expert, Arturo Chub Ical, on security strategies for the defense of rights with a gender approach.



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.



Coordinación y Convergencia Nacional Maya Waqib' Kej

A la opinión pública hace saber:

Su condena total al desalojo de las familias Q'eqchi' de la comunidad Tzinte, Buena Vista en el municipio de El Estor, Izabal realizado el 22 de mayo del 2024, con el uso de fuerte contingente de las fuerzas de la Policía Nacional Civil, además de incendiar las escasas pertenencias de las familias.

Desalojo realizado en medio de diligencias judiciales pendientes de resolver y con el beneplácito de los delegados de la Procuraduría de Derechos Humanos y de la Procuraduría General de la Nación quienes favorecieron a los intereses particulares de las familias pudientes Arriaza y Mogoya, condenando a las familias q'eqchi' a permanecer a la intemperie y abandono Estatal.

Como Waqib' Kej al gobierno de turno

Exigimos

- Las diligencias para investigar la actuación del gobernador departamental, los mandos de la PNC y los representantes de la PGN, quienes en lugar de garantizar los derechos humanos de la comunidad q'eqchi' garantizan los intereses particulares de las familias pudientes Arriaza y Migoya.
- La dotación de alimentación, salud, vivienda temporal, atención psicosocial y demás necesidades inherentes a condiciones de dignidad de las familias q'eqchi'.
- El cese definitivo de los desalojos, la criminalización de la dirigencia y liderazgo comunitario.
- Al presidente de la República Bernardo Arévalo, el respeto y cumplimiento de los compromisos asumidos en el Acuerdo Agrario firmado con organizaciones campesinas en las primeras semanas de su gobierno.

Iximulew, Ka'i B'atz'

Guatemala, 23 de mayo de 2024

The team of volunteers in PBI Guatemala is currently composed of Amparo Terrón Salvador (Spain), Carlos Fernández Arrúe (Spain), Marina García Alacreu (Spain), Elisa de Oliveira Ribeiro (Brazil), Gisela Farell Reviejo (Spain), Leonie Malin Höher (Germany), Anna Morales Mateu (Spain), Ana Gabriela Ascarrunz Ponce (Bolivia), Sebastián Aguirre Orozco (Colombia) y David Félix Azemar (Spain).

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**GUATEMALA PROJECT
PEACE BRIGADES INTERNATIONAL**

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