



Monthly Information Package Guatemala

Number 174 - March 2018

1. THE CURRENT SITUATION

Monthly selection of news 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 the negative effects of globalization on human rights.

International Women's Day in Guatemala

This year the March 8th demonstration started outside the Supreme Court of Justice (CSJ) as an act of solidarity towards María Eugenia and Ana Lucrecia Molina Theissen, sisters of [Marco Antonio](#), kidnapped and disappeared at age 14 during the internal armed conflict. Since the disappearance, the Molina Theissen family has fought for justice in Marco Antonio's disappearance and the rape and torture of his sister Emma Guadalupe. The Molina Theissen sisters marched with the rest of the participants through the streets of the Guatemala City's Historical Center, demanding, among other things, equal rights for women and justice for the adolescent victims of the Virgen of Asuncion House fire one year earlier.¹

The day before, March 7th, another march took place for the 41 girls killed in the state-run home. For this reason the march covered 41 kilometers starting in the town of Sumpango and ending at the Public Prosecutor's Office (MP) in Guatemala City. Upon arrival participants held a press conference with 41 questions posed to the State on the status of the investigation and the protection of children.² In addition, the Inter-American Commission on Human Rights (IACHR) expressed on March 8th their concern for State of Guatemala's slow and deficient response to this tragedy that occurred a year ago.³

The inequality gap between men and women in Guatemala still runs very deep. The country is ranked 110 out of 144 in gender equality according to the World Economic Forum 2018.⁴ This gap is present in all spheres of life: between January and June 2017, 34,685 births were registered to girls aged between 15 and 19 years; 92% of maternal mortality could have been prevented with increases in health coverage and improving the quality of health services; between 2007 and 2014, the State invested 88 cents to the Quetzal (Q .88) on women for each Quetzal spent on men; unpaid domestic and family work falls 80% on women; 7 out of 10 women work in the informal sector, without a contract, benefits or social security; 3 out of 4 households in extreme poverty are female headed-households; there has never been a woman to preside the Coordinating Committee of Agricultural, Commercial, Industrial, and Financial Associations (CACIF) nor the executive branch and there are only 9 female mayors out of 340 municipalities and 26 female members of Congress of 158 seats.⁵ As Giovana Lemus, Coordinator of Guatemalan Women's Group (GGM), states violence against women does not stop increasing. January of this year has been considered the most violent in the last five years, having accounted for 76 fatalities.⁶

March 8th is a day to denounce all inequalities that women suffer and demand justice, and also a time to recognize women's struggles to obtain a better world for all. Along these lines, it is necessary to highlight Guatemalan human rights defender Aura Elena Farfán as a recipient of the International Women of Courage Award granted by the United States for her tireless fight in favor of people disappeared during the internal

¹ Ramos, S., [Recuerdan a víctimas del Hogar Seguro y desaparición forzada](#), Publinews, 03.08.2018.

² García, O., [Menores marchan de Sumpango hacia la capital para exigir justicia por víctimas de Hogar Seguro](#), Prensa Libre, 03.07.2018

³ CIDH, [CIDH expresa preocupación ante respuesta lenta e incompleta del Estado de Guatemala al cumplirse un año de la tragedia en el Hogar Virgen de la Asunción](#), 03.08.2018.

⁴ Orozco, A., Gándara, N., [Día de la Mujer | Datos que marcan la desigualdad de las mujeres en Guatemala](#), Prensa Libre, 03.08.2018.

⁵ Menkos, J., [Día internacional de la mujer](#), Prensa Libre, 03.08.2018.

⁶ Orozco, A., Gándara, N, Op. Cit.

armed conflict. Ms. Farfán is director of the Association of Families of the Detained-Disappeared of Guatemala (FAMDEGUA).⁷

Guatemala before the United Nations (UN)

UN Human Rights Committee review of Guatemala

On March 12 a UN committee of experts on human rights reviewed the State of Guatemala on its progress and setbacks on matters of respect, protection and guarantees for civil and political rights like: nondiscrimination and equal rights for men and women; measures to reduce violence against women, specifically against transgender women; prevention and sanction of discrimination against people with disabilities; prevention and sanction of human trafficking, especially women and children; situation of the penitentiary system, especially as it pertains to overcrowding in jails; measures to protect journalists and human rights defenders. *After the review and dialogue with the State, committee experts issued a series of recommendations so the country can progress in its compliance with provisions in the International Covenant on Civil and Political Rights. The State of Guatemala must report back in five years.*⁸

Universal Periodic Review (UPR) - Guatemala

*Guatemala informed the Human Rights Council of its decision to accept 150 of the 205 recommendations formulated by UN member states in the third UPR which took place in November of 2017. Among the topics in the 50 recommendations rejected by Guatemala are the recognition of rights of indigenous peoples, protection against LGBTI discrimination, decriminalization of abortion, the ratification of Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty.*⁹

2. ACCOMPANIMENTS

*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 the negative impacts of globalisation on human rights.*¹⁰

STRUGGLE AGAINST IMPUNITY

A public hearing in the **CREOMPAZ Case** took place on March 16 in which we accompanied the joint plaintiff, **Neighborhood Association of Chicoyogüito (AVECHAV)**. The court ruled that the accused Colonel Garavito Moran, would not be granted alternative measures but rather be transferred from prison to a hospital due to his poor health.

During the month of March we also accompanied the **Human Rights Law Firm (BDH)** to several hearings:

- March 7: **Bernardo Caal Xol Case** of the Peaceful Resistance of Cahabón, which PBI accompanies since July 2017. Bernardo has been in jail since January 30, 2018. No progress was made during the hearing, so new hearings are expected to take place in April. There was a protest in support of Bernardo outside the court building.
- March 16: **Ixil Genocide Case**, expert evidence was presented.
- March 16: **Virgen of Asunción "Safe" House Case**. Lawyers accompanied the petition of victims' relatives who expressed their refusal to be represented by public defenders, due to a conflict of interest, given that one of the accused is a member of the Office of the Procurator General of the Nation.

⁷ El Periódico, [EEUU entregará premio "Mujer de Coraje" a la guatemalteca Aura Elena Farfán](#), 03.22.2018.

⁸ CERIGUA, [Guatemala rendirá cuentas ante el Comité de Derechos Humanos de la ONU](#), 03.09.2018.

⁹ CERIGUA, [Guatemala aceptó 150 de 205 recomendaciones del EPU 2017; ocho relativas a la seguridad de los periodistas](#), 03.16.2018.

¹⁰ For general information about the organizations and people we accompany see our website: <http://www.pbi-guatemala.org/field-projects/pbi-guatemala/who-we-accompany/>

ACCESS TO LAND

During the month of March we visited the office of the **Union of Campesino Organizations of Verapaz (UVOC)**, monitored their activities in communities and we met with representatives of the organization. We continue to follow the situation in Santa Ines, La Primavera, Nueva Seamay and San Miguel communities, among others.

NEGATIVE IMPACT OF GLOBALISATION ON HUMAN RIGHTS



Sunday, March 4th we accompanied the **Peaceful Resistance of La Puya** – formed by residents of San Pedro Ayampuc and San José del Golfo – in the commemoration of their 6th anniversary. Since 2012, the Resistance has maintained a protest camp outside the entrance to the El Tambor gold mine, whose operations are currently suspended due to injunction ruling in favor of the Resistance.

We continue accompanying the **Peaceful Resistance of La Laguna**, an organization who struggles against the TRECOSA company consistent in building an electric substation in the area. This project is directly related to mining activity in La Puya and the coordination between both resistances is permanent.

In our accompaniment to the **Campesino Central Coordinator New Day' Chortí (CCCND)**, this month we visited communities near Camotán, Jocotán and Olopa. During these visits we observed with concern the threats and intimidations that the organization's members and indigenous authorities who have spoken out against extractive projects are receiving. The people we accompany also spoke of irregularities in the elections of Community Development Councils (COCODE) as well as irregularities in the recognition of Ch'orti' indigenous authorities.



We were also present in El Tular community and are concerned for the threats against girls and women in the region, bearing in mind the murder of a girl in from the community last month.

We continue following the security situation of the **Ecu- menical and Social Coordinator in Defense of Life in Zacapa and Chiquimula**.

We also monitor the situation of the **Council of K'iche' Peoples (CPK)**, and we met with a few of its members.

In our accompaniment to the **Communities in Peace- ful Resistance of Cahabón**, we visited Sakta and Tres Cruces communities. We accompanied them on a walk to the shores of the Cahabón River where we observed clear-cutting of trees that is taking place to make head- way in the installation of the OXEC hydroelectric dam.



This month we also visited Bernado Caal, member of the resistance who is incarcerated in the Preventative Detention Center for Men and Women of Cobán. The Resistance showed concern for Bernardo Caal's legal situation by being present at court proceedings.

On **March 8th** we accompanied the women of **TZK'AT - Network of Ancestral Healers of Community Feminism** to a ceremony to commemorate the first anniversary of the fire in the Virgen of Asunción Safe Home, where 41 girls died and 15 suffered serious injuries. This took place in the Central Park in Guatemala City where the Network of Healers have a permanent space dedicated to the memory of these girls.

Also, we monitored the Network's participation in the "First International Political, Artistic, Sports, and Cultural Encounter for Women who Struggle" which took place in Chiapas, México.

3. 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.

On February 28, we observed a press conference given by the Molina Theissen family due to the imminent start of the public hearing of the case. The family read a statement which highlighted *the importance of constant presence and social accompaniment as well as support for the family who has fought for justice for decades. This is a necessity and another way to fight against impunity.*¹¹

Since the start of the trial in March, we have observed **Molina Theissen Case** hearings. Five high ranking military officials are accused of crimes against humanity in this case. On our Facebook page, you can follow daily updates on the hearings.

4. 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 interlocution work with the diplomatic corps and international organisms in Guatemala this month we met with:

- **Embassy of the United Kingdom:** multilateral meeting held on the occasion of Tom Heaps, **Official for the Americas in charge of Northern Triangle**, visit to Guatemala.
- Anders Kompass, **Swedish Ambassador**.
- We were present at the presentation of the Office of the High Commissioner for Human Rights' **(OHCHR)** annual report.

At the departmental and regional level we met with the following authorities:

- Yury Ramirez González, **Deputy Commissioner of the National Civil Police (PNC), Department of de Chiquimula.**
- Yesenia Sandoval, **Office of the Human Rights Ombudsman (PDH) in Chiquimula.**
- **Mayor of Olopa, Department of Chiquimula.**
- **PNC representatives in Olopa, Camotán y Jocotán, Department of Chiquimula.**

¹¹ Burt, J.M. y Estadra, P., [Inicio debate oral y público Caso Molina Theissen, un reto para el sistema de justicia guatemalteco](#), CMI, 03.01.2018.

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.

During the month of March the project's European representative met with the following people in Brussels:

- Jenny Lennung Malmqvist, **Advisor to the Permanent Representation of Sweden before the EU** to the **COHOM** human rights working group and EU's **CODEV** development work group.
- Philipp Woschitz, **Responsible for the Permanent Representation of Austria before the EU for COHOM** and the COLAC working group on Latin America and the Caribbean.

On March 12, PBI Guatemala, via PBI Switzerland's representative, intervened in the **United Nation's Human Rights Committee Session on Guatemala** in Geneva. Also on March 15, PBI Guatemala participated and made an intervention in the **Human Rights Council's Session on the recommendations for the State of Guatemala in the Universal Periodic Review (UPR)**. In addition the project's European Representative met with the following people in Geneva:

- Hannah Rau, **Advisor on Human Rights Policy for the Permanent Representation of Germany before the United Nations.**
- Gotzon Onandia Zarrabe, **Human Rights Officer at the office of the UN Special Rapporteur on the situation of human rights defenders, as well as the UN Special Rapporteur on the promotion and protection of right to freedom of opinion and expression.**
- Laurens van der Woude, **Human Rights Officer for the Permanent Representation of Holland before the United Nations.**
- Margarita Lema Tome, **Desk Officer at the Office of the High Commissioner for Human Rights (OHCHR).**
- Ruth Cormican, **Human Rights Officer for the Permanent Representation of Ireland before the United Nations.**
- Christine Evans, **Human Rights Officer at the office for the UN Special Rapporteur on the rights of indigenous peoples.**
- Jamshid Gaziyeu, **Human Rights Officer at the office for the UN Special Rapporteur on human rights and environment.**
- Alexia Ghyoot, **Human Rights Officer for the Secretariat of the UN Working Group on Business and Human Rights.**
- Kirsten Abi Habbid, María Victoria and Rhiannon Painter, **Human Rights Officers for the Special Rapporteur on torture, and other cruel, inhuman, or degrading treatment or punishment, Special Rapporteur on extrajudicial, Summary or Arbitrary Executions as well as the Working Group on Forced or Involuntary Disappearances.**

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.

La Unidad de Protección a Defensoras y Defensores de Derechos Humanos - Guatemala repudia la agresión contra nuestro Coordinador General

El día de hoy, 23 de marzo de 2018, Jorge Santos se encontraba junto con Iduvina Hernández en nombre de la Convergencia por los Derechos Humanos acompañando al Comité de Huelga y a la Asociación de Estudiantes Universitarios ante las graves amenazas proferidas en su contra por parte de una mafia estudiantil a quienes la lucha en contra de la Corrupción llevada por el nuevo liderazgo les ha quitado el poder y sus negocios.

Mientras esperaban la presencia de otros miembros de la Convergencia por los Derechos Humanos y de la Procuraduría de Derechos Humanos vieron como un grupo de alrededor de 20 encapuchados de naranja (usando el símbolo de la Facultad de Ingeniería) se dirigía con bates y machetes a agredir a estudiantes de ingeniería que preparaban su participación en el desfile bufo de la Huelga de Dolores. Luego de rescatar a un estudiante que estaba siendo vapuleado y mientras se retiraban del lugar para ponerse a resguardo, Jorge Santos fue agredido con un bate en la cabeza por unos encapuchados. El golpe fue tan fuerte que el bate se quebró.

Afortunadamente, Jorge Santos no tuvo lesiones internas ni fracturas y solo le suturaron la herida abierta en su cabeza. El Ministerio Público y el Procurador de Derechos Humanos inmediatamente abrieron expediente de investigación. Asimismo, se han recibido muestras de solidaridad de parte de los estudiantes mismos, las organizaciones de derechos humanos y sociales y la comunidad internacional las cuáles agradecemos.

Sin embargo, ante los hechos ocurridos, las múltiples agresiones sufridas por los estudiantes y las agresiones en contra de defensoras y defensores incluidas la criminalización exigimos:

1. La investigación de la agresión sufrida por Jorge Santos y todos los demás hechos de violencia cometidos por las mafias dentro de la Universidad.
2. El involucramiento de la CICIG en la investigación de las mafias que funcionan a lo interno de la Universidad San Carlos de Guatemala y que desvirtúan la naturaleza de la misma.
3. El impulso de la Política Pública de Protección a Defensoras y Defensores de Derechos Humanos acompañada de cese de la criminalización y de reducción de la impunidad de los hechos denunciados por todos los defensores y defensoras independientemente de su actividad.
4. La aprobación inmediata de la Instrucción para la Investigación de Delitos contra Defensores y Defensoras de Derechos Humanos por parte del Ministerio Público.
5. La creación de una Dirección de Protección a Defensores y Defensoras de Derechos Humanos a lo interno de la Procuraduría de Derechos Humanos.

Guatemala, 23 de marzo de 2018

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GUATEMALA PROJECT PEACE BRIGADES INTERNATIONAL

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