



Attacks on Human Rights Defenders Soar

The 1,004 attacks on defenders in 2020 were double the 2019 total.



Guatemala is on the brink of regressing into repression not seen in decades, with 2021 likely to be the most violent year for human rights defenders since the end of the war. Opponents of transparency and justice have captured state institutions and are working to shatter the framework of protection for human rights and those who defend them.

This December marks the 25th anniversary of the signing of the Peace Accords. Broad agreements on Indigenous rights, land and socio-economic issues, and human rights, including a specific agreement to protect defenders, were reached after 36 years of war. But there were 1,004 attacks on defenders in 2020, more than double the 2019 total of 494. Mid-year statistics suggest 2021 is on track to be worse yet.

When President Alejandro Giammattei, backed by former military officers, took office in 2020, he dismissed concerns about whether one of his appointments violated the Peace Accords. "What Peace Accords?" he said. "The Peace Accords have already been violated." Since then, under his administration, malnutrition has soared 64 percent, attacks on defenders have skyrocketed, and the already narrow civic space is closing.

In June, a law was passed to limit the work of NGOs and punish them at the whim of the executive branch. Congress is now considering an amnesty bill that would immediately free those convicted of grave human rights violations during the armed conflict and ban future prosecutions. Meanwhile, judges, prosecutors, and others in the judicial system are under attack and are fleeing into exile.

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GHRC Mission

The Guatemala Human Rights Commission (GHRC) is a nonprofit, solidarity, grassroots organization dedicated to promoting human rights in Guatemala and supporting communities that face threats and violence. GHRC documents and denounces abuses, educates the international community, and advocates for policies that foster peace and justice.

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Letter from the Directors

Dear Friend,

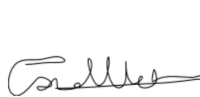
This has been a devastating year for Guatemala's human rights defenders. We're grateful that you've stood with them, even when the violence was taking place in the shadow of the pandemic.

We're thankful for GHRC's new supporters, and for all of you who've been steadfast human rights activists throughout our nearly 40 years of advocacy.

With your support, we'll continue denouncing human rights abuses, protecting those who risk their lives for justice each day in Guatemala, and pressing for positive change.

To this end, we've doubled the staff of our DC office, and we're maintaining our work in Guatemala, while recognizing the long hours our personnel there put in on a daily basis.

Thank you again for making this work possible.



Corie Welch
Director of Advocacy



Isabel Solís
Director, Guatemala Office



Jon Pattee
Director of Development & Outreach



Isabel Solís is a Mayan lawyer and director of GHRC's Guatemala City office. In her 20 years of protecting human rights defenders, Ms. Solís has specialized in communal land rights, Indigenous rights, the impacts of international extractive industries, and defense of human rights. She studied legal and social science at the University of San Carlos in Guatemala.



Corie Welch is a human rights activist, focused on Central America. She recently served as Director of the Honduras Program with WFP Solidarity Collective, providing human rights accompaniment to defenders. Rooted in principles of participatory education, she lived with and learned from communities throughout Central America directly impacted by US policy. She received her undergraduate and Masters degrees from Clark University.



Jon Pattee began his career at Neighbor to Neighbor and the Nicaragua Solidarity Committee. Since settling in Washington, DC in 2002, he has raised tens of millions of dollars for nonprofits and earned media in outlets including CNN, the Washington Post, and Newsweek. He received his BA in history, with a focus on Latin America, from Northwestern University.

Attacks Soar

Among the victims of the attacks on the judicial system have been Constitutional Court Judge Gloria Porras and Juan Francisco Sandoval, chief prosecutor against corruption and impunity, who was arbitrarily fired by the Attorney General and fled the country with evidence implicating the president in corruption.

Entrenched corruption and rising threats to independent judges have left the battered legal system increasingly incapable of protecting the rights of Guatemalans, while forging it into a weapon to persecute those who challenge Guatemala's economic and political elites.

According to the Campesino Committee of the Highlands, which unites communities to address agrarian conflicts, 962 warrants for the arrests of campesino leaders have been issued, and two of their members have been unjustly sentenced to 35 years in prison.

Indigenous land defender Bernardo Caal, meanwhile, is serving seven years in prison for taking part in leading peaceful resistance to two hydroelectric projects on the Cahabón River in northern Guatemala.

Caal was sentenced without evidence linking him to alleged crimes dating back to 2015. The UN Special Rapporteur on the rights of Indigenous peoples called Caal's prosecution "consistent with the patterns of criminalization directed at those that defend their land and the environment."

Despite extensive international pressure, including Amnesty International's designation of Caal as a political prisoner, the Supreme Court in September rejected his appeal.

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The Biden administration has been notably silent on attacks on Indigenous and land defenders, and on land conflict and land distribution issues. While Biden has debuted a plan aimed at addressing the root causes of migration to the United States, with Vice President Kamala' Harris's high-profile visit to Guatemala and new bilateral investment and security programs, these measures show little promise of achieving the desired results.

Biden's migration-focused plans do not address the basic structural issues in Guatemala, such as land tenure for the Indigenous majority. Instead they include, among other measures, investment by the Development Finance Corporation in the expansion of a banana plantation.

There is a small window to act before Guatemala descends into the kind of authoritarianism that plagues neighboring countries.

Biden's administration has, at the same time, exacted consequences for Sandoval's ouster by suspending funding to the Attorney General's Office. The State Department added Attorney General Consuelo Porras and the Secretary General of the Public Ministry to its list of Central American officials who are corrupt or obstruct democracy, and cancelled their visas.



Vigil for peace and justice, Guatemala City.

Stronger measures, however, will be needed to reverse the precipitous decline in respect for the rule of law and human rights in Guatemala.

The question remains whether the Biden administration has the willingness or foresight to take further action, now that it has secured Guatemala's cooperation on migration and sealed agreements on investment that provide opportunities for US companies.

There is a small window to act before Guatemala descends into the kind of authoritarianism that plagues neighboring countries. Once that window closes, securing the kind of change the Peace Accords envisioned will be all but impossible. The time for the international community to act is now.

We have doubled the staff in our DC office and increased the resources devoted to our personnel in Guatemala. As at our founding in 1982, we're committed to fighting for the rights of the Guatemalan people. Thank you for standing with us.

"Do Not Come," Biden Team Tells Guatemalans

Immigration was a cornerstone of both the Biden and Trump campaigns in the 2020 election. While Trump took a hard line on immigration, including plans to build a southern border wall, Biden promised to reverse such policies, which he called "a moral failing and national shame."

Since taking office in January, however, Biden's policies have had crushing consequences for tens of thousands of Guatemalans. The people who are heading to the US are usually seeking to escape violence at the hands of state and private-sector actors, the effects of natural disasters and climate change, and crises caused by an extractive model of economic development. These migrants now find themselves facing even more danger and hardship.

Upon taking office, Biden fulfilled several campaign promises to reinstate programs from the Obama era and earlier that Trump had demolished. In two actions applauded by immigration justice organizations, he renewed Temporary Protective Status (TPS) for six countries and began the process of reinstating Deferred Action on Childhood Arrivals (DACA).

In addition, in February 2020, Biden signed an executive order to suspend the Asylum Cooperation Agreements, or "Safe Third Country Agreements." These agreements allowed immigration authorities to send asylum seekers out of the US and back to a cooperating country they had passed through on their way to the United States, to seek asylum from those governments, which could not offer them safety and lacked the infrastructure to support asylum seekers.

The United States and El Salvador, Honduras, and Guatemala, which originally signed these agreements, have now suspended or cancelled them.



Biden's strategy for working with Central America continues Trump's focus on deterring migration.

Biden also moved to suspend the "remain in Mexico" policy—known as the Migrant Protection Protocol (MPP)—which was forcing asylum seekers to wait outside the US for their cases to be decided. MPP was officially rescinded for 2.5 months until the Supreme Court ruled against the administration, forcing it to restart the policy.

Biden's team has faced criticism for failing to push back against this ruling; immigration justice organizations continue to pressure the administration to ensure that MPP is terminated once and for all.

Despite making positive changes, at its core Biden's strategy for working with Central America continues Trump's focus on deterring migration. Even the multi-billion dollar development package announced for the region is designed with the intention of "stopping irregular migration."

In another echo of Trump's policies, Biden continues to rely on Mexico, and even Guatemala, to block migrants from reaching the southern border of the United States.

In ongoing bilateral discussions, the US has pressured Mexico to expand its migration enforcement capacity. In August, footage was released of agents with the National Institute for Migration and the Mexican National Guard using excessive force against migrant caravans, sparking concern.

Another concern is the continuing use of Title 42, a public health authority that allows the US to expel migrants who arrive at the border without giving them the chance to apply for asylum.

Trump began using Title 42 in 2020. Biden has continued this use, despite evidence that the policy is worsening, not protecting, public health, if migrants' well-being is considered.

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Isabel Solís Leads GHRC Office in Guatemala

Isabel Solís, the director of GHRC's Guatemala office, has anchored the organization's in-country human rights work since 2017.

Working in close coordination with the team of GHRC staff and board members in Washington, DC, Solís keeps human rights issues on the front burner of US lawmakers, the State Department, and key regional institutions such as the Inter-American Commission on Human Rights.

As director, Solís's hours and working conditions are variable and taxing. She offers protective accompaniment to human rights defenders under threat; monitors violence against peaceful protestors; contributes legal advice to Indigenous communities facing theft of their land and resources; escorts criminalized leaders to court or visits them in jail; and arranges for safe housing for defenders who can't go home because their lives are in danger.



Isabel Solís

Solís, a lawyer and Mayan activist, studied legal and social science at the University of San Carlos. She has over 20 years of experience specializing in communal land rights, Indigenous rights, and defense of human rights.

Biden *Cont'd from page 4*

Since coming into office, the Biden administration has expelled over 600,000 people under Title 42, including over 76,000 parents and children. Human Rights First documented over 6,000 attacks against asylum seekers blocked from ports of entry, including kidnappings, extortions, and sexual assaults. Harold Koh, a senior adviser and the sole political appointee on the State Department's legal team, resigned in early October in protest of the policy, calling it "illegal" and "inhumane."

According to Witness at the Border, which has been documenting expulsion and deportation flights from the United States, Guatemala is the primary Northern Triangle country to receive direct expulsion flights. Returns from the US by air in the period September 2–30 totaled 34 flights with 3,350 migrants. This is a huge rise compared to 587 flight arrivals in August and 374 in July.

Until recently, Mexico enforced US policy by bussing migrants arriving from Title 42 expulsion flights to remote towns along the Guatemalan border. The bussing program was cancelled, but only after outcry from human rights groups.

While the Trump administration never managed to build a wall to stop migrants, it created other obstacles that Biden has chosen to keep in place.

In October, a group of organizations requested precautionary measures from the Inter-American Commission on Human Rights on behalf of asylum seekers.

The request aims to stop the US from expelling asylum seekers at the border and argues that Title 42 violates the international principle of nonrefoulement, which "guarantees that no one should be returned to a country where they would face torture, cruel, inhuman, or degrading treatment or punishment and other irreparable harm."

Despite campaign promises, too little has changed in terms of migration policy under Biden. While the Trump administration never managed to build a wall to stop migrants, it created other obstacles that Biden has chosen to keep in place.

GHRC supports human rights, including the right to migrate. Even as conditions in Guatemala worsen, the Biden administration—from Vice President Kamala Harris' explicit statement in Guatemala in June, to the myriad avoidable cruelties migrants continue to suffer—is crystal clear in its message: "Do not come."



GHRC Increases Advocacy, Accompaniment of Defenders

GHRC spent 2021 pushing back against the new wave of violence gripping Guatemala. Attacks on defenders doubled from 2019 to 2020, and surged again in 2021. Meanwhile, the government undermined institutions engaged in protecting defenders.

These attacks gave new urgency to GHRC actions. We responded by doubling the size of our Washington, DC advocacy and outreach team, and by devoting resources to the Guatemala work commensurate with the long hours logged by the director there each day.

This ramping up, achieved with the generous support of grassroots donors and the Osprey Foundation, resulted in GHRC providing support in multiple cases:

El Estor. GHRC supported Maya Q'eqchi community members in their peaceful resistance to a nickel mine owned by Guatemala Nickel Co., a subsidiary of Switzerland's Solway Investment Group. GHRC arranged for safe housing for defenders under threat, funded their efforts to communicate their struggle to the world, accompanied them to legal proceedings, and kept the issues before US lawmakers through October congressional visits.

Anastasia Mejía, Petrona Siy, Manuel Hernández. GHRC accompanied Mejía, a Maya K'iche' woman criminalized for her work as a journalist. GHRC also facilitated her communication with the US Embassy. In addition, GHRC accompanied Siy and Hernández, two local leaders detained with her.

Bernardo Caal. A Maya Q'eqchi' teacher from Alta Verapaz, Caal received a seven-year prison term for defending his community against a hydroelectric dam project. GHRC helped him get his message for justice and Indigenous and environmental rights beyond the prison walls, and will continue to do so, as his appeal for release was denied in September.

Alaska Massacre. GHRC accompanied survivors of the 2012 murders of six K'iche protestors by soldiers, specifically by taking part in their visits to court.

This is to mention only a few examples. Your support meant GHRC could devote resources to these and other key cases in 2021. Thank you!

Guatemala Human Rights Commission

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