



## GUATEMALA HUMAN RIGHTS COMMISSION/USA

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### Summary:

Concern about fair elections in Guatemala is mounting as Guatemala's highest court confirmed the decision to bar the top-polling candidate from the presidential race. The list of reputable judges, lawyers, and human rights advocates prosecutors are managing to link to the case of José Rubén Zamora continues to grow, and criminalization of justice operators is being widely [denounced](#). Amidst the defaming and judicial persecution of those who are fighting for justice and transparency in Guatemala, Vice President Kamala Harris spoke with President Alejandro Giammattei to address illegal migration. This conversation and other high-level talks [resulted](#) in an agreement to open the region's first center in Guatemala to process potential migrants who qualify for various legal means of immigrating to the US, Canada, or Spain.

### Elections:

- *Concerns Abound as Third Candidate Is Struck from Presidential Race*

On May 26, Guatemala's Constitutional Court [rejected](#) barred presidential candidate Carlos Pineda's appeal, making him the third presidential hopeful [shut out](#) of the electoral process. Pineda, running for the Citizens for Prosperity party, held the lead in the polls. Because of an alleged administrative error, all candidates representing the Citizens for Prosperity party in mayoral and congressional races are also [barred](#).

The European Union in a May 25 [statement](#) expressed concern about "repeated decisions on exclusion of electoral candidacies." The EU, which will send an observation mission to Guatemala to monitor the elections, reiterated its call to ensure that candidate registrations were "not obstructed and any dispute raised is promptly processed in full transparency, impartiality and in compliance with the Guatemalan Constitution, in order to offer citizens a genuine choice on the Election Day and ensure respect for the right to stand as a candidate. This is fundamental to guarantee the integrity, inclusiveness and competitiveness of the electoral process, which the EU Electoral Observation Mission (EOM) hopes to witness."

### Corruption in the Courts:

- *International Media Alarmed as Famed Guatemalan Newspaper Closes its Doors*

The closure of *El Periodico* on May 15 and the trial of its founder and president, José Rubén Zamora, thrust the Guatemalan government's growing repressiveness into the international spotlight. The [New Yorker](#), [Washington Post](#), [New York Times](#), [PRX](#), [NPR](#), [ABC](#), [NBC](#), [CNN](#), and other [news outlets](#) have covered the closure of *El Periodico*, founded in 1996, as a telling sign of the times in Guatemala. As the *New York Times* put it, with the closing of the paper, the "small space for free thought" closed. Prosecutors are [seeking](#) a 40-year prison sentence for Zamora, who is accused of influence peddling, blackmail, and money laundering, charges he denies. A sentencing hearing is scheduled to take place on June 14. The trial consisted of only eight hearings.

- *Prosecutors Cast Wide Net in Zamora Case, Snaring Lawyers & Journalists*

The Public Prosecutor's Office has managed to link to the Zamora case accusations against nine other journalists who worked with El Periodico, as well as accusations against high-profile, well-respected human rights advocates, judges, prosecutors, and lawyers. At least [eight people](#), among them five of Zamora's former defense attorneys, have been convicted or accepted the charges against them in hopes of reducing their sentence, distrusting in the possibility of a fair trial. Being tried along with Zamora is Samari Gómez Díaz, She worked as an assistant prosecutor for the Special Prosecutor's Office against Impunity since 2016 and worked in the Public Prosecutor's Office for 12 years. She was arrested along with Zamora in July 2022, allegedly for revealing confidential information. As a member of the FECCI, she has worked on cases linking individuals in acts of corruption.

- *Jorge Santos, Director of UDEFEGUA, Defamed by Key Witness in Zamora Case*

Jorge Santos, director of UDEFEGUA, recently was the target of spurious accusations when the key witness in the case against Zamora accused Santos of influence peddling. On May 18, Ronald García Navarrijo, a former bank manager in Guatemala, declared in a public hearing that Santos had used influence peddling to facilitate the banker's exit from the country to evade justice. In his statement, García Navarrijo declared that Zamora had colluded with Santos to obtain a passport that would facilitate García Navarrijo's exit from the country in order to evade justice. García Navarrijo, who is currently on parole, had been a fugitive for 480 days. Ricardo Méndez Ruiz, founder and director of the Foundation Against Terrorism, is a co-plaintiff in the case against Zamora and a person who often appears to be tipped off in advance of the Public Ministry's next move. He tweeted that very soon, Jorge Santos would be charged by the Special Prosecutor's Office Against Impunity in relation to Zamora's case. See our statement in support of Jorge Santos, co-signed by 25 other NGOs, [here](#).

- *Two More Prosecutors Arrested on Charges Filed by the Foundation Against Terrorism*

Stuardo Campo, head of the Prosecutor's Office against the Smuggling of Migrants of the Public Prosecutor's Office, and Brayan Antonio Palencia, assistant prosecutor, were arrested on May 26 following a complaint by the Foundation Against Terrorism. The charges against Campo and Palencia are related to allegations regarding their actions in three cases, including the infamous [Bitkov](#) case. No evidence has been made public to support the charges.

- *Human Rights Activist Gustavo Meoño Brenner Accused of Assassination*

On May 5, an arrest warrant was issued for Gustavo Meoño Brenner, a human rights activist and former guerrilla. He is charged with planting a bomb in a square in Guatemala City in 1980. Meoño for several years directed the organization and digitalization of the historical [archive](#) of the Guatemalan police. That archive consists of more than 80 million pages of police files documenting human rights violations involving the police and military. He was forced out of the position without explanation in 2018. Evidence from those archives forms the basis of ongoing, high-level trials for crimes against humanity, such as the [Death Squad Dossier](#) trial. No prior charges had ever been filed against anyone in relation to the bombing 43 years ago. Unlike other cases of transitional justice, this case was not brought by the victim-survivors. Instead, the complaint was filed by Ricardo Méndez Ruiz, president of the Foundation Against Terrorism. Méndez Ruiz brought the charges in 2017, just before a bill proposing an amnesty for all conflict-era crimes was introduced in the Guatemalan Congress. Archivists without Borders decried the move to prosecute Meoño, who is currently in exile, according to the organization's [statement](#).

- *Prosecutors Lose Evidence Against Ex-Military Intelligence Director*

The new trial against Colonel Wualfre Orlando Estrada Girón, who was arrested in 2010 for drug

trafficking, has [stalled](#) due to the lack of evidence offered by the Public Prosecutor's Office. At a May 30 hearing, prosecutor Rolando Morales Carías said he was unaware of the whereabouts of witnesses, documents, and audiovisual evidence. He thought they might in a briefcase in a storeroom, he said, but there was some confusion about the case file number. The judge gave the prosecutor until June 6 to produce evidence. Estrada Girón is accused of illicit trade, trafficking, and storage of drugs. He had been acquitted in the case, but the sentence of the Sixth Court was annulled and a retrial was ordered. Reports from the National Civil Police (PNC) from 2010 indicate that the colonel was apprehended “at the moment he was carrying a kilo of cocaine in a briefcase.” When he was arrested he was the army’s spokesman and was director of intelligence. He is not being required to await trial in prison. In 2010, the PNC reported that Estrada was being investigated by the Anti-Narcotics Analysis Division for alleged links to the Zacapa Cartel and was attributed with the construction of a clandestine airstrip in Zacapa, a department the border with Honduras.

## **Migration**

- *Region’s First Safe Mobility Office to Open in Guatemala*

The Guatemalan and US governments [announced](#) the formation of the first “Safe Mobility Office” center in the region, an initiative aimed at reducing irregular migration. Such centers will reportedly be located in Central and South America to provide [legal pathways](#) for migration into the United States, Canada, and Spain. The center’s exact location in Guatemala has not yet been revealed. The establishment of the center follows on the heels of [two high level meetings](#) between officials from Guatemala and the United States, including a telephone call between Vice President Kamala Harris and Guatemalan President Alejandro Giammattei. The [website](#) for the office, according to reports, will begin to accept appointments on June 12 as part of a six-month pilot phase of the project. The United Nations High Commissioner for Refugees (UNHCR) and the UN’s International Organization for Migration (IOM) will also be involved in the work. According to the website, refugee resettlement may be granted to persons who meet the definition of a refugee under US law and are of special humanitarian concern to the United States. Humanitarian parole may be available for certain nationalities. Some migrants with family members in the United States may be eligible for parole procedures for family reunification. Seasonal or temporary work visas could also be issued to certain individuals.