

Recent developments in Guatemala shed light on the intensifying battle for civic space and judicial independence.

Lead Anti-Corruption Prosecutor Dismissed The Public Prosecutor's Office [has removed](#) Juan Francisco Sandoval as lead prosecutor for the Special Prosecutor's Office against Impunity (FECI). According to [El Faro](#), this step taken by Attorney General Consuelo Porras, on July 23, represents “a major move against the most independent wing of state prosecutors tasked with investigating corruption and impunity.” Guatemala’s Human Rights Ombudsman, Jordan Rodas, publicly [called for](#) Attorney General Consuelo Porras’ resignation. “The message that you are implicitly sending is that those who ensure strict compliance with the law and defend the independent action of the prosecutors’ offices will be removed from their duties, marginalized, exiled, or persecuted . . . Given so much damage that you have caused to the rule of law, to the institutionality of the Republic and the hope of obtaining justice that you have systematically frustrated for millions of Guatemalans, Madame Attorney General, I publicly recommend that you present your irrevocable resignation from your position.”

US Congressman Albio Sires [tweeted](#), “The removal of Juan Francisco Sandoval from [#FECI](#) is a lethal blow to the fight against corruption in [#Guatemala](#). Unless this decision is reversed, the US Govt should designate AG Porras under US law for obstructing anti-corruption investigations.” Representative Norma Torres [tweeted](#), “President Giammattei and AG Porras has now yielded all the power to the corrupt elite. The U.S. cannot support her and her campaign to dismantle the [#RuleofLaw](#). I support [#FECI](#).” Samantha Power, director of USAID, tweeted, “As I stressed in my visit last month, the independence of [#FECI](#) is an essential test of Guatemala’s commitment to the rule of law. Attorney General Porras’s firing of anti-corruption champion Juan Francisco Sandoval is an outrageous move. The Guatemalan people deserve better.”

Julie Chung, Acting Assistant Secretary for US Department of State's Bureau of Western Hemisphere Affairs, stopped short of calling for a reversal of the decision to remove Sandoval or any consequences related to that move but [denounced](#) his firing: “The firing & removal of immunity of Juan Francisco Sandoval, Chief of Guatemala's Prosecutor Against Corruption and Impunity (FECI), is a significant setback to rule of law. It contributes to perceptions of a systemic effort to undermine those known to be fighting corruption. As with all justice defenders, the safety of Juan Francisco Sandoval must be protected. Guatemalan authorities must ensure his safety. It is also essential that Feci remain intact and empowered to ensure the fight against corruption in Guatemala. Any politically-motivated interruption of investigations has no place in an open and strong democratic system.” National Security Council Director for the Western Hemisphere Juan Gonzalez [tweeted](#), “I don’t know what [@MPguatemala](#) Fiscal Porras is playing at, but every day it becomes clearer it’s not the rule of law. The Guatemalan people deserve better.”

Prominent international human rights organizations issued a [statement](#) denouncing Sandoval's removal and calling for his immediate reinstatement.

Indigenous organizations throughout the country protested the dismissal of Sandoval, including the [indigenous municipality of Solola](#) and the indigenous organization of the [48 Cantons of Totonicapán](#), which demanded the restitution of Sandoval, the resignation of President Giammattei, and the resignation of Attorney General Porras.

In a [press conference](#) at the Human Rights Ombudsman's Office, Sandoval said his dismissal was illegal and that he would challenge it. Attorney General Porras, he said, blocked and delayed investigations that affected her allies. After finishing the press conference, escorted by Human Rights Ombudsman Jordan Rodas and the [Swedish ambassador](#) to Guatemala, as well as other human rights defenders, Sandoval [left Guatemala](#), fearing for his safety and that of his family.

The Guatemalan Conference of Bishops [said](#) the abrupt, illegal, and arbitrary dismissal of Sandoval was “an enormous loss for the credibility of the Public Ministry” and that his dismissal “had caused an irreparable harm to the country.”

Sandoval was replaced by Carla Isidra Valenzuela. She [reportedly](#) is the cousin of Roxana Baldetti, the former Vice President convicted of corruption, and the great niece of former president Serrano Elías. The FECCI, created over a decade ago to work closely with the UN-backed anti-impunity commission known as CICIG, has continued prosecuting cases begun with the assistance of CICIG. Sandoval—an “anti-corruption champion,” as the [State Department's Bureau of International Narcotics and Law Enforcement Affairs \(INL\) deemed this past February 23](#), spoke to *El Faro* in the weeks before his dismissal. Without CICIG, as, the work became more complicated. “CICIG gave us great support,” Sandoval [told El Faro](#), “from the logistic to the political. If we were accusing politicians with power, someone had to give us a sort of cover, and the [CICIG](#) did that. Now, we don't have that.”

National Strike Begins Demonstrations have begun throughout Guatemala as residents demand the resignation of Attorney General Porras and President Alejandro Giammattei and the reinstatement of Juan Francisco Sandoval. A national strike, convoked by indigenous authorities at the national level and supported by various sectors of society, began on July 26 and is programmed to last through the week of July 26. “We are going to demonstrate that the united peoples will know how to impose what we want: an inclusive country. We apologize for the actions taken to every working or enterprising citizen for the inconveniences we will cause, but only in this way the government will understand,” reads a communiqué from the 48 Cantons of Totonicapán.

IN OTHER NEWS:

Land Rights Defender Murdered Regilson Choc Cac, a sixteen-year-old land rights and indigenous defender and member of the [Campesino Committee of the Highlands](#) (CCDA), was murdered on July 20 in San Juan Tres Ríos, Alta Verapaz. Choc Cac is the third member of the CCDA murdered in this community. On June 8, 2016, Daniel Choc was murdered, and on May 13, 2018, Mateo Chaman was murdered. Neither case was successfully prosecuted. The CCDA Committee in San Juan Tres Ríos has petitioned the Land Fund to grant them legal ownership of

land disputed with the owner of the Rancho Alegre estate. Choc Cac, although very young, was a community leader and had participated in dialogues related to the land dispute.

Although the murders of CCDA members have not been resolved, CCDA members themselves are being criminalized for “usurpation” of land. [According to](#) the CCDA, 962 warrants for the arrests of campesino leaders have been issued, and two CCDA member have been sentenced to 35 years in prison.

President Declares Temporary Suspension of Certain Constitutional Rights On July 13, Guatemalan President Alejandro Giammattei declared a [state of prevention](#) for fifteen days, limiting freedom of movement and banning unauthorized protests. Although many of the provisions of the decree relate to measures apparently designed to deter the spread of COVID-19, day before he announced the state of prevention—as hundreds gathered to protest the lack of COVID vaccines and demand Giammattei’s resignation—Giammattei [stated](#), referring to the protests, “[W]e are going to limit this type of thing. I think this is enough already.”

The Human Rights Convergence, a coalition of prominent human rights organizations in Guatemala, [decried](#) the state of prevention, stating that it “seeks to prevent the exercise of rights and not to protect the population from the pandemic.” The coalition stated it would “hold the government, particularly President Giammattei and his Minister of the Interior, Gendry Reyes, responsible for any aggression, violation of rights and restriction of freedoms to those who legitimately demand his resignation, due to incapacity, corruption, and dereliction of duties.” In spite of the state of prevention, demonstrations have continued.

The Guatemalan government has instituted an unprecedented number of states of prevention since the start of Giammattei’s term. According to the UN Office of the High Commissioner on Human Rights, the government declared [11 states of exception in 2020](#), “establishing limitations on the rights to freedoms of movement, peaceful assembly and due process rights.”

Judges Threatened and Surveilled Four judges of the High-Risk Court announced in a [press conference](#) on June 21 that they have been threatened and followed by armed men in vehicles without license plates. Among these judges is Miguel Ángel Gálvez, in charge of the [Diario Militar case](#), a pivotal case of transitional justice. Yasmín Barrios, who presided over the genocide trial in which Efraín Ríos Montt was found guilty, told reporters that her security team must now report all her movements on a daily basis to the Director of Police, a requirement that she said interferes with judicial independence and endangers her. [Erika Aifán](#), who was [honored](#) by the US State Department as a 2021 Woman of Courage, and Pablo Xitimul also [reported](#) surveillance and harassment. The four judges also have multiple lawsuits pending against them, some filed nearly a decade ago, which they said the Public Ministry should either have found to have merit or dismissed, rather than leaving open.

NGO Law Provokes Alarm A [law](#) that allows the Guatemalan executive branch to shut down nongovernmental organizations that “alter the public order” or are not considered to be contributing to the common good took effect on June 21. The UN and the OAS expressed [alarm](#) about the [NGO law](#), saying it “violates international human rights standards and could criminalize human rights defenders and civil society in general.” Several appeals against the law have been filed with the Constitutional Court on the grounds that the law violates the

Guatemalan Constitution. More than 200 Guatemalan organizations decried the law in a [statement](#), and over [seventy international organizations](#) denounced the threat to free association the law implies. The specifics of the law's implementation are yet to be announced. The Constitutional Court made some small changes to the law, [modifications](#) that in the end are insufficient, according to human rights organizations in Guatemala.

Amnesty Bill Introduced The [latest proposal](#) of a law to grant blanket amnesty to perpetrators of crimes against humanity during the internal armed conflict was introduced in the Guatemalan Congress by the Valor party in June. When a similar bill was introduced in 2019, the UN expressed [concern](#) it would "seriously affect victims' rights to justice, truth, reparation, and guarantees of non-repetition. It could also lead to reprisals and attacks against victims, judges, prosecutors, lawyers, plaintiffs, witnesses, experts and others involved in human rights trials, putting at risk their own safety and that of their families." Under this law, anyone already convicted of grave human rights violations during the internal armed conflict would be freed within twenty-four hours. Current criminal proceedings would be ended and future suits would be impossible.

The process of approval in 2019 was interrupted by a resolution from the Inter-American Court requiring the Guatemalan government to shelve the law, which interfered with rulings the Court had made in 14 cases. It is believed that this time, regardless of external pressure, the Constitutional Court could rule in favor of the law. The bill is likely to be debated in Congress in August. Survivors of grave human rights crimes have [denounced](#) the amnesty law

Peace Brigades International is a nongovernmental organization with consultative status before the United Nations and a dedication to nonviolence. PBI sends teams of international observers to areas of conflict and repression to provide protective accompaniment to human rights defenders whose lives and work are under threat. Founded in 1981, PBI has worked in fourteen countries and on four continents. PBI's international office in Brussels and advocacy staff around the world support efforts in the field to open space for peace and for the defense of human rights.

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