

Alejandro Eduardo Giammattei Falla
President of the Republic of Guatemala
Guatemala

16 September 2020

SUBJECT: Public Policy for the Protection of Human Rights Defenders in Guatemala

Dear President Giammattei,

The organisations signing this letter are respectfully writing to remind you of the obligation of the State of Guatemala to comply without delay with the ruling of 2014 of the Inter-American Court of Human Right "[Human Rights Defender and Others vs. Guatemala](#)", in which the adoption of a Public Policy for the Protection of Human Rights Defenders was ordered.

Our organisations receive, on a daily basis, information about intimidation, killings, stigmatisation, arbitrary detentions or unfounded criminal proceedings, as well as other attacks against those who fight for human rights, in capital or urban settings. Human rights defenders live under constant siege in Guatemala without an effective response from the State for their protection. The vast majority of complaints regarding attacks remain in impunity because they are not processed with promptness and efficiency by the Public Ministry. In the case complaints are processed, the few preventive protection measures are generally implemented by agents of the National Civil Police, who lack proper training or capacity to respond comprehensively to these risk situations.

Unfortunately, the COVID-19 pandemic has not implied any truce in violence against those who defend human rights in the country. On the contrary, in the first six months of the year 677 new attacks were registered, a figure much higher than in previous years, including 10 murders¹. This increase reflects more than ever the urgency to address the risks that defenders face in a comprehensive and intersectional manner, through public policy and adequate resources to strengthen the inter-institutional response to the problem.

Nonetheless, we note with concern that, six years after the ruling of the Inter-American Court of Human Rights, Guatemala still hasn't adopted the public policy that was ordered. The efforts that began in 2015 building a draft policy with the participation of multiple sectors of defenders and state institutions -that later would had been consulted with defenders throughout the country-, were left in uncertainty due to the recent announcement by the government that it will close the Presidential Commission for the Coordination of the Executive Policy on Human Rights (COPREDEH) - the institution responsible for monitoring the State's compliance with its international obligations - and replacing it with the Presidential Commission for Peace and Human Rights (COPADEFH).

In addition, other fundamental dialogue spaces for the protection of human rights defenders, such as the Instance for the Analysis of Attacks Against Human Rights Defenders, no longer function.

¹ Unit for the Protection of Defenders of Human Rights Defenders – Guatemala (UDEFEFUGUA)

Mr President, no more time should therefore be wasted. Strengthening the mechanisms for the protection of human rights and the State institutions in charge of the protection of human rights defenders is fundamental for the expansion of civic space. In that regard, there is an urgent need for Guatemala to adopt effective instruments to recognize the valuable work that defenders carry out and guarantee their basic rights to life and personal integrity, as well as their right to defend human rights.

We request that you, without delay, continue the process of designing the public policy for the protection of human rights defenders, in consultation with communities and civil society organisations. Furthermore, we urge the State to fully comply with the judgment of the Inter-American Court of Human Rights in the case Human Rights Defender v. Guatemala

Without any other particular, and expecting the State of Guatemala to soon have a policy for the protection of human rights defenders that allows them to continue with their work, we bid farewell respectfully.

Amnesty International

Centre for Justice and International Law (CEJIL)

Front Line Defenders

Iniciativa Mesoamericana de Mujeres Defensoras de Derechos Humanos (IM-D)

Just Associates (JASS)