

# URGENT ACTION

## DROP CHARGES AGAINST LAWYER AND HRD

On 28<sup>th</sup> August 2023, Guatemalan lawyer and human rights defender, Claudia González Orellana was arrested at her home after a judge issued a questionable arrest warrant against her. Claudia is a former CICIG official – a UN anti-corruption mechanism that operated in Guatemala until 2019 – and whose former officials have faced widespread persecution. Claudia is also the legal representative for various former anti-corruption prosecutors who have faced criminalization. This unfounded criminal case against Claudia is clear attempt to silence her, and all those fighting for justice and human rights in Guatemala. Amnesty International calls on Guatemala's Public Prosecutor's Office to drop all charges against Claudia González and to take steps to ensure her immediate release.

### TAKE ACTION: WRITE AN APPEAL IN YOUR OWN WORDS OR USE THIS MODEL LETTER

**María Consuelo Porras Argueta**  
Attorney General  
Ministerio Público de Guatemala  
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Guatemala  
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Dear Ms. María Consuelo Porras Argueta

I am writing with respect to the criminal prosecution of lawyer and human rights defender, **Claudia González**. Ms. González is a former CICIG official and the lawyer to several individuals in Guatemala facing unfair criminal processes as a result of their anti-corruption work.

Amnesty International has reviewed the charges against Ms. González and concluded that they are deeply flawed.

Charges have been brought against Ms. González purely due to the fact that, in her capacity as a CICIG official, she requested that the immunity of a magistrate be lifted. Moreover, she is being accused of alleged "abuse of authority" despite never having held a position in Guatemala's administration. Finally, it is of deep concern that the case against Ms. González is being carried out under conditions of secrecy, deeply undermining her right to a fair trial.

**With this in mind, I ask you to immediately drop the charges against Ms. Claudia González and take steps to ensure her immediate release. Her detention constitutes a clear attempt to silence her for her work fighting corruption and impunity in Guatemala.**

Yours sincerely,

## ADDITIONAL INFORMATION

Claudia González Orellana, 55, is a former official of CICIG – the UN Commission against Corruption and Impunity in Guatemala - which operated in the country until 2019. In 2019, the government refused to renew the mandate of this institution, and since then its former officials – including those working for FECCI – the Special Prosecutor’s Office against Corruption and Impunity, which collaborated closely with CICIG – have faced severe persecution and criminalization in retaliation for their work. While CICIG operated, numerous corruption scandals were exposed and high-profile cases of human rights violations and crimes under international law were prosecuted.

In addition to being a former CICIG official, Claudia is also the legal representative for several former CICIG and FECCI officials facing unfair criminal charges in retaliation for their work. She represents, among others, former FECCI official Virginia Laparra, currently serving jail time for filing a complaint against a judge in the course of her duties; and Juan Francisco Sandoval, former FECCI chief, currently in exile from Guatemala. In May 2023, Claudia received the Lawyers for Lawyers Award, which rewards legal professionals who face high risks as a result of their work.

The criminal process against Claudia represents a clear attempt to punish her both for her work at CICIG and her attempt to seek justice for those being unfairly criminalized in her profession. In addition, it leaves those she is representing, such as Virginia Laparra and Juan Francisco Sandoval, unprotected in the legal processes against them, and sends an intimidating message to all those speaking out in favour of justice and human rights in Guatemala.

From 2019 to date, more than 50 human rights defenders, prosecutors, ex CICIG workers, judges and journalists have been forced to flee Guatemala due to unfounded criminal proceedings initiated by the country’s Public Prosecutor’s Office against them; and the absolute lack of impartiality and guarantees of their rights that exist in Guatemala at present. Claudia’s detention takes place in this context. International human rights experts have repeatedly expressed concern regarding criminalization of those involved in the fight against corruption and impunity in Guatemala, including with respect to Claudia’s case.

Prior to her arrest, Claudia repeatedly went to the prosecutor’s office to request information about possible proceedings against her, however she was denied this information. On 28<sup>th</sup> August 2023, agents from the Public Prosecutor’s Office executed several search warrants against former CICIG and FECCI workers, including at Claudia’s home. She was subsequently taken into custody. The charges against her relate to her time as a CICIG official in which she requested that a magistrate’s immunity be lifted in connection with corruption allegations. The magistrate subsequently filed criminal complaints against those involved in the investigation against her. All other implicated officials had previously fled the country, except Claudia.

Amnesty International has conducted an exhaustive review of the charges filed against Claudia and determined that they are deeply flawed. Her role at CICIG included pursuing corruption allegations, and consequently, requesting that a magistrate’s immunity be lifted cannot be considered a crime. It should also be noted that the charges against her are being brought for alleged “abuse of authority” despite the fact that she has not held a position in Guatemala’s administration. CICIG was an international institution not covered by this legislation. The proceedings against her are therefore baseless, and constitute retaliation for her fight against corruption and impunity in Guatemala. Her trial is being held under conditions of secrecy, seriously undermining due process guarantees. Claudia’s lawyers have expressed concern about her right to an impartial and independent judge due to the risk that the plaintiff – who is a magistrate – may misuse her influence.

According to Guatemalan law, the first hearing after a person is arrested, in which a judge determines whether a person is formally charged, should take place within 24 hours. In Claudia’s case, however, this hearing started on 6 September – days after she was arrested - continued on 13 September, and is set to continue on 19 September. Meanwhile Claudia is being held in pre-trial detention, reportedly in solitary confinement. Recent cases documented by Amnesty International demonstrate that the Guatemalan authorities do not guarantee the right to a fair trial and other human rights of people facing unfounded criminal proceedings.

**PREFERRED LANGUAGE TO ADDRESS TARGET:** Spanish  
You can also write in your own language.

**PLEASE TAKE ACTION AS SOON AS POSSIBLE UNTIL:** 14 November 2023  
Please check with the Amnesty office in your country if you wish to send appeals after the deadline.

**NAME AND PRONOUN:** Claudia González Orellana (she/her)

**LINK TO PREVIOUS UA:** <https://www.amnesty.org/en/documents/amr34/7151/2023/en/>