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**Annual report of the United Nations High Commissioner  
for Human Rights and reports of the Office of the  
High Commissioner and the Secretary-General**

## Situation of human rights in Guatemala

### Report of the United Nations High Commissioner for Human Rights\*, \*\*

#### *Summary*

In this report, the United Nations High Commissioner for Human Rights describes the human rights situation and the activities of his office in Guatemala from 1 January to 31 December 2025. He highlights advances and persisting challenges in the promotion and protection of human rights, with a focus on issues related to equality and non-discrimination, inclusive and sustainable human development, justice, the fight against impunity and democratic space.

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\* Agreement was reached to publish the present report after the standard publication date owing to circumstances beyond the submitter's control.

\*\* The summary of the report is being circulated in all official languages. The report itself, which is annexed to the summary, is being circulated in the language of submission and English only.



## Annex

# Report of the United Nations High Commissioner for Human Rights on the situation of human rights in Guatemala

## I. Introduction

1. The present report is submitted pursuant to the agreement between the Office of the United Nations High Commissioner for Human Rights (OHCHR) and the Government of Guatemala signed in January 2005 and renewed in January 2024 for three years. The report presents an analysis of the human rights situation in Guatemala from 1 January to 31 December 2025 and is based on information collected and analysed by OHCHR in Guatemala, as well as information provided by State institutions and other stakeholders at the request of OHCHR. The report also describes the main activities carried out by OHCHR.

2. OHCHR continued to monitor the human rights situation in line with its methodology for human rights monitoring<sup>1</sup> and through continued engagement with the authorities and civil society. It conducted 10 public information campaigns on freedom of association and peaceful assembly, the right to a fair trial, the human rights of women, young people and migrants and the work of OHCHR in the context of the twentieth anniversary of its activities in the country.<sup>2</sup> It conducted 58 monitoring missions throughout the country and produced 26 publications addressing the situation of various human rights in Guatemala.<sup>3</sup>

3. OHCHR provided technical assistance to various State institutions, including: the Congress of the Republic, in particular the Committee on Women's Affairs and the Committee on Disability Affairs; the Offices of the Secretary-General and the Private Secretary to the President; the Presidential Secretariat for Women; the Presidential Commission on Peace and Human Rights; the Presidential Commission on Discrimination and Racism against Indigenous Peoples; the Office of the Ombudsman for Indigenous Women's Rights; the Counsel General's Office; the Office of the Human Rights Advocate; the National Youth Council; the National Council for Persons with Disabilities; the Cabinet Committee for Social Development; the Ministry of Social Development; the Ministry of Environment and Natural Resources; the Ministry of the Interior; the Ministry of Health and Social Welfare; the National Civil Police; and local mayors' and governors' offices in various regions of the country.

4. OHCHR also organized 45 workshops attended by several of these institutions on topics including: the rights to land, territories, natural resources and collective intellectual property; the right to housing and development; the right to freedom of expression; the right to participate in civic life; the right to justice, memory and reparation in the context of transitional justice; the rights of Indigenous Peoples, persons of African descent, the Garifuna people, persons with disabilities, young people and women; human rights and business; judicial independence; and arbitrary detention, the use of force and extrajudicial executions.

5. OHCHR observed 32 court hearings in person, conducted 13 visits to human rights defenders deprived of their liberty and worked in partnership with regional and United Nations human rights protection mechanisms. It also continued to work with victims, victims' families, civil society organizations, Indigenous Peoples, persons of African descent and State institutions to provide advice and help to prevent future human rights violations.

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<sup>1</sup> See Training Manual on Human Rights Monitoring (United Nations publication, 2001). A revised version from 2011 is available for consultation (in English only) at <https://www.ohchr.org/en/publications/policy-and-methodological-publications/manual-human-rights-monitoring-revised-edition>.

<sup>2</sup> See <https://oacnudh.org.gt/20aniversario/>.

<sup>3</sup> See <https://www.oacnudh.org.gt>.

## II. Context

6. The Government has continued to express its commitment to respecting and protecting human rights through changes in official discourse and measures to strengthen the rule of law. OHCHR welcomes this commitment to the rule of law, democracy and human rights. However, the country continues to face systemic and structural challenges in relation to inequality and discrimination, the judicial system and impunity, democratic space and the promotion and protection of human rights.

7. In 2025, the Public Prosecution Service continued its attempts to overturn the results of the 2023 election.<sup>4</sup> For example, in April, Luis Pacheco and Héctor Chaclán, former Indigenous authorities from the 48 Cantons of Totonicapán who had led peaceful demonstrations in 2023, were arrested at the request of the Organized Crime Office of the Public Prosecution Service.<sup>5</sup> In August, Esteban Toc Tzay, a former official of the Indigenous municipality of Sololá, was arrested for his participation in these demonstrations. In October, at the request of the Public Prosecution Service, Judge A of the Seventh Criminal Court of First Instance issued an order voiding the legal personality of the party known as Movimiento Semilla, thereby seeking to invalidate the election of officials from this party in the 2023 general elections. However, the Constitutional Court overturned this order. The Public Prosecution Service also requested the lifting of the immunity of the President and Vice-President in connection with the Government's handling of the prison crisis that erupted in September, which included a prison escape.

8. While the Executive Committee of Congress has demonstrated openness to prioritizing the review and discussion of bills on the rights of women, Indigenous Peoples, persons with disabilities, young people and migrants, significant challenges remain in advancing such bills to debate and final approval. In addition, for the second consecutive year, bills No. 6453, on sex education for the protection of children and adolescents, and No. 6475, on amendments to the Criminal Code regarding "sexual inviolability", remained under review; these bills are contrary to international norms and standards on the right to equality and non-discrimination of LGBTQI+ persons and sexual and reproductive rights.<sup>6</sup> Moreover, bill No. 6153, on ensuring dignified handling of fetal remains after a prenatal death, remained under discussion.<sup>7</sup> By contrast, OHCHR welcomes the fact that the Committee on Children and the Family issued an unfavourable opinion, on the ground of non-compliance with international human rights standards, regarding bill No. 6473, on the comprehensive conservation of society. Bill No. 6493, on amendments to Congressional Decree No. 51-92 setting out the Code of Criminal Procedure, also contains elements that are incompatible with international norms and standards, as it retains and expands the scope of the circumstances and offences that trigger "mandatory" or "automatic" pretrial detention. Furthermore, the amendments set out in the opinion issued with regard to bills No. 6355 and No. 6430, which together comprise the draft act to prevent child sexual abuse, include a provision that could result in criminal penalties for consensual sexual relations between adolescents.

9. In 2025, OHCHR observed that despite discourse by government actors in favour of human rights defenders, significant challenges remain due to the absence of effective prevention and protection strategies in this regard. OHCHR documented 1,465 attacks against human rights defenders, including journalists and justice officials, with most carried out by State actors, especially from the justice sector. Criminalization, intimidation and threats remain the most common forms of attack.

10. The Special Rapporteur on the independence of judges and lawyers and the Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context, conducted official visits to the country in May and July, respectively.

<sup>4</sup> A/HRC/55/21, paras. 11 and 72–75; and A/HRC/58/22, para. 10.

<sup>5</sup> A/HRC/55/21, paras. 93 and 94.

<sup>6</sup> In March, five United Nations special procedure mandate holders raised concerns about this issue.

See

<https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gId=29773>.

<sup>7</sup> A/HRC/55/21, para. 13.

### III. Equality and non-discrimination

#### A. Indigenous Peoples, the Garifuna people and persons of African descent

11. In 2025, racial discrimination and systemic racism continued to have an impact on the enjoyment of rights by Indigenous Peoples, the Garifuna people and persons of African descent. However, OHCHR observed progress in the strengthening of Indigenous institutions with the appointment in January of new authorities to the Office of the Ombudsman for Indigenous Women's Rights and the Presidential Commission on Discrimination and Racism against Indigenous Peoples. OHCHR provided technical assistance to the Presidential Commission, women's organizations and Indigenous and Afrodescendent authorities in preparation for the review of the combined eighteenth to twentieth periodic reports of Guatemala to the Committee on the Elimination of Racial Discrimination in November.<sup>8</sup>

12. The President of the Republic and Indigenous authorities continued their high-level national dialogue, making progress on measures to protect the rights of Indigenous Peoples in the context of public construction projects on communal lands. As a result of this process, Congress adopted Decree No. 13-2025, amending the Budget Act. OHCHR, in coordination with the Embassy of Norway in Mexico, facilitated an exchange between the Sami Parliament of Norway and Guatemalan Indigenous authorities on best practices in dialogue between States and Indigenous Peoples.

13. Indigenous authorities continued to face criminalization for their leadership of peaceful demonstrations in 2023, which has had a chilling effect on the exercise of their rights. OHCHR is concerned about the growing number of public accusations that equate Indigenous Peoples' forms of organization with criminal structures, thereby restricting the exercise of their collective rights to autonomy and self-determination and their right to peaceful assembly, which are fundamental to the defence of their human rights and to their survival as peoples.

14. OHCHR continued to provide technical assistance to Indigenous Peoples involved in promoting compliance with rulings on their collective rights to lands and territories, free, prior and informed consultation, freedom of expression and the rights of Indigenous women. In March, a ruling issued more than eight years ago by the Constitutional Court was enforced through a decision of the competent court in favour of the communities of Sierra Santa Cruz, Izabal, in which this court ordered the Central Zone Property Registry to initiate proceedings for the regularization of folio and registry entries before a competent judge.<sup>9</sup>

15. In relation to the activities of the Escobal mining project, the Xinka authorities organized community assemblies in seven municipalities in Santa Rosa and Jalapa, during which official information from government institutions, reviewed by independent experts, on the potential impacts of the project was presented. The company responsible for the project has expressed concerns about possible bias in the management of the information shared at these meetings. In May, during a peaceful demonstration, the Xinka Parliament presented the results of the consultation to President Arévalo and the Ministry of Energy and Mining and informed them that it did not consent to the continuation of the company's operations. The Ministry of Energy and Mining is expected to convene a round table to reach a final decision on the company's operations.

16. OHCHR documented a lack of measures to curb pollution of Indigenous territories, mainly caused by municipal open-air solid waste dumps, wastewater discharge, erosion resulting from poor agricultural practices and deforestation, including in the Lake Atitlán basin (Sololá) and the PalajunNoj valley (Quetzaltenango).

17. With regard to the situation of the Garifuna people and persons of African descent, and in the context of the first International Decade for People of African Descent (2015–2024), positive developments include the signing of a work agenda between the Government and the Garifuna people, targeted training activities for public institutions in Izabal and the inclusion of an "African descent" option for self-identification in the 2018 census. However,

<sup>8</sup> See the website of the Committee on the Elimination of Racial Discrimination.

<sup>9</sup> Third Chamber of the Civil and Commercial Court of Appeal of the Department of Guatemala, acting as an *amparo* court, application for *amparo* No. 01010-2012-00134, 3 January 2025, pp. 10 and 11.

three bills remain pending before Congress: bill No. 5398, on the national day of dignity and affirmative action in favour of Garifuna and Afrodescendent women; bill No. 4345, on the establishment of a Garifuna development institute; and bill No. 5133, on the recognition of the Afrodescendent Creole people in Guatemala. Also still pending are the approval of the national plan of activities for the International Decade for People of African Descent and the designation of a lead institution. Furthermore, the Garifuna people continue to face barriers to the enjoyment of their rights due to limited participation in decision-making spaces, limited access to public resources and services in education, health, housing and employment, the impact of migration on the erosion of their culture and violations of women's rights, including gender-based violence.

## B. Women and girls

18. Data on violence against women and girls continue to be a source of concern for OHCHR. As at 31 December 2025, the Women's Observatory of the Public Prosecution Service had recorded 26,351 cases of violence against women, including 623 possible femicides and violent deaths and more than 9,370 cases of sexual violence.<sup>10</sup> Between January and December 2025, 54,788 births among girls aged 15 to 19 and 2,101 births among girls under 14 were recorded.<sup>11</sup> These figures reflect, in part, the impact of sexual violence against girls, particularly those under 14 years of age.<sup>12</sup>

19. In February, the Ministry of the Interior issued Ministerial Agreement No. 119-2025, which regulates the procedure for disbursing, implementing and liquidating funds granted to comprehensive support centres for women survivors of violence. The Agreement was implemented in a timely manner, and in June, 100% of the funds were transferred to the organizations that met the requirements.

20. In April, for the first time, an Indigenous woman assumed the position of Presidential Secretary for Women. OHCHR provided technical assistance to the Presidential Secretariat for Women and civil society organizations in preparing follow-up information to the concluding observations on the tenth periodic report to the Committee on the Elimination of Discrimination against Women.<sup>13</sup>

21. OHCHR monitored the human rights situation in relation to the sexual and reproductive health of Indigenous women in the departments of Alta Verapaz, Izabal, Petén, Quetzaltenango, Quiché, Sololá and Totonicapán. In Izabal, OHCHR also continued to monitor the human rights situation of Garifuna and Afrodescendent women. The authorities took measures to implement some of the reparations recommended by the Human Rights Committee in its Views on the communication *Fátima v. Guatemala*.<sup>14</sup> However, the following challenges persist in the departments monitored: high rates of adolescent and child pregnancies, often resulting from sexual violence; discrimination against pregnant women and traditional elder midwives in public health centres and hospitals; limited availability of culturally appropriate services; lack of comprehensive sex education in schools; the persistence of stereotypes and structural machismo; and insufficient budget allocations or budget cuts that undermine the fulfilment of these rights.

22. OHCHR continued to provide technical advice to the National Weavers' Movement to help its members to secure recognition of collective intellectual property rights in respect of the weavings and clothing of Indigenous women. Bill No. 6136, introduced in Congress in 2022, has not been adopted.<sup>15</sup> OHCHR recognizes the progress made by the Guatemalan Tourism Institute in the implementation of the Constitutional Court ruling urging the Institute to introduce mechanisms to ensure the proper participation of Indigenous Peoples in the

<sup>10</sup> See <https://observatorio.mp.gob.gt/portal-estadistico/>.

<sup>11</sup> See <https://osarguatemala.org/registros-de-nacimientos-de-madres-entre-10-19-anos-ano-2025/>. The Criminal Code (arts. 173 and 174) defines sexual relations with minors under 14 years of age as rape.

<sup>12</sup> See <https://osarguatemala.org/forzadas-a-renunciar-a-sus-suenos-violencia-sexual-contra-ninas-en-guatemala/>.

<sup>13</sup> CEDAW/C/GTM/FCO/10.

<sup>14</sup> CCPR/C/143/D/3629/2019.

<sup>15</sup> CEDAW/C/GTM/CO/10, para. 41 (c).

formulation and design of public policies that may affect them. The Guatemala Sustainable Tourism Master Plan 2026–2036, presented in December, was developed with the participation of the National Weavers’ Movement.

23. In August, more than eight years after the events, a judgment was delivered in the case of the Virgen de Asunción shelter.<sup>16</sup> The judge in the case sentenced six of the seven defendants to prison terms ranging from 6 to 25 years for crimes including child abuse, dereliction of duty, abuse of authority and manslaughter. One defendant was acquitted for lack of evidence. The judgment also ordered the Public Prosecution Service to carry out further investigations, including into the chain of command on the day of the events. It was drafted in line with international standards on children’s rights and reparations. For example, it required a public apology from the State and the implementation of coordinated measures to prevent similar incidents in the future.

### C. Persons with disabilities

24. OHCHR continued to monitor the situation at Federico Mora Hospital<sup>17</sup> and observed that while there have been partial improvements in infrastructure, staffing levels and staff competencies and patient separation procedures, conditions and practices that contravene international human rights standards persist, including involuntary institutionalization, overcrowding, overmedication and acts of torture and other cruel, inhuman and degrading treatment.

25. OHCHR facilitated training activities for staff of the National Council for Persons with Disabilities on equality, non-discrimination and reasonable accommodation in the workplace. In addition, the Council formally approved guidelines on the participation of persons with disabilities in consultation processes and on reasonable accommodation, incorporating them into its internal regulations. This progress reflects the institutionalization of technical tools that strengthen the Council’s capacity to guide both public and private entities. Within the framework of a programme designed to create the preconditions for guaranteeing the rights of persons with disabilities – financed by the Global Disability Fund, coordinated by OHCHR and implemented jointly with the United Nations Population Fund (UNFPA) and the United Nations Development Programme – support was provided to the Ministry of Health and Social Welfare to train evaluation boards responsible for disability certification. This process constituted a key step in generating reliable data and informing inclusive public policies.

26. OHCHR also provided technical advice to organizations of persons with disabilities during the legislative analysis that led to the drafting of bill No. 6571, on equality and the rights of persons with disabilities.

### D. Sexual diversity and gender identity

27. In 2025, lesbian, gay, bisexual, transgender and intersex persons continued to face stigmatization, harassment, discrimination and violence. As at December, the National Human Rights Observatory responsible for monitoring cases of violence motivated by sexual orientation and gender identity, which is run by Asociación Lambda, had recorded 29 violent deaths believed to be connected to sexual orientation and gender identity (8 gay men, 9 transgender women, 3 lesbian women, 1 transgender man, 7 bisexual men and 1 travesti woman). Although lower than the 35 documented in 2024, this figure still reflects an alarming level of violence.

<sup>16</sup> This case concerns events that took place on 7 and 8 March 2017 at a State-run child protection facility, where a fire resulted in the deaths of 41 girls and seriously injured 15 others. See <https://oacnudh.org.gt/2018/11/29/oacnudh-presenta-informe-sobre-el-hogar-seguro-virgen-de-la-asuncion/>.

<sup>17</sup> Inter-American Commission on Human Rights, case No. 13524, “Personas sin implicancias penales internadas en el Federico Mora – Guatemala”, 21 May 2025, available at [https://www.oas.org/es/cidh/decisiones/Corte/2025/GT\\_13.524\\_NdeREs.PDF](https://www.oas.org/es/cidh/decisiones/Corte/2025/GT_13.524_NdeREs.PDF). Federico Mora Hospital is the only public facility in Guatemala that provides outpatient and inpatient mental healthcare.

28. In June, the Constitutional Court granted a request for provisional *amparo* to prevent the sexual diversity and gender identity parade from taking place, on the grounds that it would violate children’s rights and undermine the protection of public morals. Although the parade was ultimately allowed to proceed, the Court ordered various State institutions to ensure that the spiritual and moral values of society were protected during the event. This marked the second consecutive year in which attempts were made to prevent the parade from taking place.

29. In October, several OHCHR country offices in the Americas, including the office in Guatemala, together with Red Sin Violencia LGBTIQ+ and other partners, continued to develop a regional instrument for the criminal investigation of violent deaths motivated by prejudice against LGBTIQ+ persons.

## E. Young persons

30. OHCHR welcomes the adoption of the National Youth Policy 2025–2040 and notes the availability of government programmes, projects and measures to promote access to education and employment and encourage youth participation, such as the “Scholarships for Our Future” programme and locally tailored initiatives.

31. OHCHR recognizes the work of youth organizations, student associations and young leaders from diverse areas and with diverse identities and perspectives in promoting human rights. However, it notes with concern reports of threats, physical attacks, intimidation, hate speech, including in the digital sphere, criminalization and, in the case of young women, sexual and gender-based violence faced by young people exercising their civil and political rights. In 2025, OHCHR provided technical assistance to the Network of Young Human Rights Defenders, composed of 19 organizations representing young people from Maya, Xinka, Garifuna, Afrodescendent and mestizo communities, as well as young people with disabilities and LGBTIQ+ youth.

32. OHCHR organized a training course for the National Youth Council team, including regional delegates, to strengthen the Council’s capacity to support State entities in promoting the human rights of young people, with particular attention to those who face greater barriers to the enjoyment of their rights: young women, Indigenous Peoples, persons of African descent, persons with disabilities and LGBTIQ+ persons. In coordination with the Network of Young Human Rights Defenders and the Council, OHCHR organized “youth dialogues”, which brought together young people from 17 organizations with the Council, the Presidential Commission on Peace and Human Rights and the Ministry of the Interior to exchange views and identify needs. Based on this process, actions were proposed to promote the effective enjoyment of human rights by young people. In March, together with the United Nations Resident Coordinator, UNFPA and the National Youth Council, OHCHR accompanied the United Nations Assistant Secretary-General for Youth Affairs during his visit to Guatemala.

## F. Migrants

33. In 2025, the return of migrants from the United States of America and Mexico continued, although at lower levels than in 2024.<sup>18</sup> To support returnees, the Government shifted from a welfare-based model to a State-led approach covering the full continuum of assistance, from consular protection in countries of destination to community reintegration upon return. Noteworthy developments include the incorporation of the “Return Home” plan into the National Migration Policy, the collection of disaggregated data on returnees, the provision of differentiated assistance according to needs and community-based planning for the reintegration of returnees into local development strategies. OHCHR monitored the human rights situation of migrants and participated in the specialized group on migration in Guatemala convened under the auspices of the United Nations.

<sup>18</sup> See

<https://app.powerbi.com/view?r=eyJrIjoiZDUxN2E5MjktYjQ1MC00OTAwLWI4MzMtN2JmZmI5ODgwMDc0IiwidCI6ImViOTEyNjQxLTExwNGEtNDRmOC1iNzk3LWIzYjU4ODU4NGYxZCJ9.>

## IV. Inclusive and sustainable human development

### A. Access to land, territories and natural resources

34. In 2025, agrarian conflicts continued to occur. Between January and October, OHCHR documented eight forced evictions and seven eviction threats issued by State authorities in compliance with court orders, as well as four extrajudicial evictions carried out by unidentified private actors. Two of these extrajudicial evictions resulted in violent incidents: one involving a confrontation between private security personnel and community members, the other a confrontation between police officers and private citizens. The Public Prosecution Service received 650 complaints of unlawful occupation and, as at September, had carried out 36 evictions in various departments across the country. Concerns remain that evictions are not conducted in accordance with international human rights standards and that effective development alternatives are not offered to affected communities. During his visit, the Special Rapporteur on adequate housing as a component of the right to an adequate standard of living examined this situation in depth.<sup>19</sup> These processes disproportionately affect women who, when displaced, often bear the burden of securing access to water for domestic use and ensuring their children's education, among other tasks that are assigned to them as their exclusive responsibility.

35. The Government carried out a second reform<sup>20</sup> of the executive branch's institutional framework to address agrarian conflicts by creating the temporary Presidential Commission for Conflict Resolution.<sup>21</sup> These institutional changes, implemented over a short period, have caused confusion within communities, uncertainty regarding the procedures to be followed in addressing cases and instability among staff who serve communities and in the regional coverage they provide. They have also affected the functioning of regional offices, which operate in areas where most conflicts occur.

### B. Business and human rights

36. OHCHR, the Organisation for Economic Co-operation and Development and the International Labour Organization promoted human rights due diligence among various stakeholders within the framework of a new European Union regulation applicable to the agricultural sector in Guatemala.<sup>22</sup>

37. Within this framework, OHCHR developed training programmes and identified priority areas of work and regulatory needs with the Guatemalan Palm Growers' Association, the Guatemalan Exporters' Association, and CentraRSE to support the integration of human rights due diligence. OHCHR also maintained dialogue with stakeholders such as Guatecaña, Pan American Silver and Grupo HAME on the United Nations Guiding Principles on Business and Human Rights. In addition, OHCHR delivered a training programme for the Ministry of Environment and Natural Resources and the Presidential Commission on Peace and Human Rights. Through the Commission, OHCHR convened inter-institutional meetings with the Secretariat of Planning, the Ministry of Energy and Mining, the Ministry of Labour and Social Security, the Ministry of Economic Affairs, the Ministry of Environment and Natural Resources, the National Council for Protected Areas, the Ministry of Foreign Affairs and the National Forestry Institute.

38. OHCHR also conducted monitoring visits to assess the human rights situation in the context of business operations and facilitated dialogue with civil society organizations and Indigenous authorities to analyse the human rights situation in the business sector, supporting the documentation of emblematic cases.

<sup>19</sup> See the statement made by the Special Rapporteur on adequate housing as a component of the right to an adequate standard of living at the conclusion of his visit to Guatemala from 14–25 July 2025: <https://www.ohchr.org/sites/default/files/documents/issues/housing/2025-07-25-eom-guatemala-sr-housing-sp.pdf>.

<sup>20</sup> With reference to [A/HRC/58/22](#), para. 40.

<sup>21</sup> Government Agreement No. 100-2025, 4 June 2025.

<sup>22</sup> See <https://eur-lex.europa.eu/EN/legal-content/summary/fighting-deforestation-and-forest-degradation.html>.

## V. Justice and the fight against impunity

### A. Access to justice

39. The lack of access to justice in Guatemala remains a structural challenge, particularly for the most vulnerable sectors of society. This situation not only fosters impunity and undermines confidence in the justice system, but also limits the effective participation of victims in judicial proceedings. For Indigenous Peoples and persons of African descent, barriers related to language and geography, discriminatory discourse and the absence of an intercultural approach in the administration of justice persist, further deepening their exclusion and significantly restricting the full exercise of their rights.

40. OHCHR and the Office of the Human Rights Advocate initiated a training programme for this institution's staff on international standards relating to judicial independence, with the aim of strengthening their knowledge and capacity to protect justice operators. OHCHR also continued to strengthen the capacity of justice operators and civil society organizations to use United Nations human rights protection mechanisms.

### B. Judicial independence and impartiality

41. In 2025, OHCHR remained deeply concerned about the Public Prosecution Service's use of criminal law to target justice officials who investigated cases of corruption and serious human rights violations, creating a climate of fear and impunity. The Special Rapporteur on the independence of judges and lawyers also expressed concern about this situation following her visit to the country in May.<sup>23</sup>

42. With regard to cases involving the criminalization of human rights defenders, including justice officials, OHCHR continued to document patterns of inadequate procedural safeguards, including undue delays, restrictions on access to case files, failure to hold public hearings when required and the conduct of hearings without due publicity or valid justification. These practices undermine the right to an effective defence and constitute violations of the right to a fair trial and due process. In addition to the targeting of defence lawyers, there is also the arbitrary imposition of procedural fines<sup>24</sup> without proper justification, as well as the threat of other sanctions used as a means of pressure.

43. In 2025, OHCHR documented at least 1,375 attacks by State and private actors against 29 justice officials and lawyers (17 women and 12 men), including in the digital sphere, and continued to document criminal proceedings against 66 justice officials (39 women and 27 men) brought by the Public Prosecution Service before courts of first instance. Notable cases include those involving Judge Eric García, lawyer Claudia González, former prosecutor Stuardo Campo and former assistant prosecutor Paola Pimentel and the unjustified transfer of Judge Nancy Anel Oajaca.

44. The criminalization of the prosecutors previously in charge of investigating the Odebrecht case warrants special attention. In May 2025, the Third Chamber of the Criminal Court of Appeal issued arrest warrants against and declared 26 individuals in contempt of court<sup>25</sup> and issued international arrest warrants against Amy Girón and Mayra Véliz, which were subsequently forwarded to the International Criminal Police Organization (INTERPOL). On 26 September, the criminal court granted, on its own initiative, provisional *amparo* with suspensive effect in relation to the arrest warrants and contempt-of-court decisions for some of these individuals. However, this *amparo* may be lifted at any time, as the court has not yet examined the merits of the *amparo* request.

<sup>23</sup> See the preliminary observations of the Special Rapporteur on the independence of judges and lawyers following her visit to Guatemala from 12 to 23 May 2025: <https://www.ohchr.org/sites/default/files/documents/issues/ijudiciary/statements/12052005-com-sr-ijl-visit-guatemala-en.pdf>.

<sup>24</sup> With reference to articles 66 and 203 of the Judiciary Act and article 46 of the Amparo Act.

<sup>25</sup> Six of these individuals are justice officials whose cases have been documented by OHCHR: Thelma Aldana, Amy Girón, Ingrid Letona, Juan Francisco Sandoval, Eva Siomara Sosa and Mayra Véliz.

45. The acquittals of three justice officials are particularly noteworthy. The first is Claudia Maselli, former deputy prosecutor of the Office of the Human Rights Advocate, who was acquitted by the Third Chamber of the Criminal Court of Appeal; the second is Stuardo Campo, who was acquitted in the Alfa 7 case; and the third is former assistant prosecutor Paola Pimentel. The latter two acquittals were issued by the Eleventh Criminal Trial Court and have been appealed by the Public Prosecution Service.

### C. Transitional justice

46. OHCHR continued to monitor 19 transitional justice cases. Progress has been made in the Mujeres Achí II case, with the conviction of three former members of civilian self-defence patrols for crimes against humanity in the form of sexual violence. In the CREOMPAZ case, the Constitutional Court revoked a 2024 *amparo* ruling that had ordered the annulment of the proceedings in the case and the release of the defendants.

47. OHCHR is concerned about the application of the National Reconciliation Act to the prosecution of crimes against humanity in the “White Van” case and the request for the suspension of criminal proceedings against five individuals charged in 2021 and 2022 in the “Diario Militar” case. It is also concerned about significant delays in the proceedings in the Ixil Genocide (1978–1982), Molina Theissen, Rancho Bejuco, Achí Women I, Dos Erres Massacre and Luz Leticia cases.

48. OHCHR continued to support the strengthening of initiatives aimed at civil society organizations, particularly those representing young people, regarding the importance of historical archives for the exercise of the right to memory, truth and justice. OHCHR is concerned about reports of a deterioration in the physical and digital accessibility of the Historical Archive of the National Police. It urges compliance with the *amparo* ruling issued by the Supreme Court of Justice in case No. 1281-2019, concerning the permanent handover of the building that houses the Archive and the adoption of the measures necessary to ensure the continuity and sustainability of the archival process under optimal conditions.

49. OHCHR provided technical assistance to the Presidential Commission on Peace and Human Rights on standards for the search for disappeared persons and promoted dialogue with victims and civil society organizations to expedite the implementation of the Humanitarian Search Plan and the National Plan for Dignity and Reparations for Victims of the Internal Armed Conflict.

## VI. Democratic space

50. OHCHR has observed that the misuse of criminal law has a clear negative impact on the rights to freedom of expression and peaceful assembly. It deters citizens from protesting and encourages self-censorship among journalists due to concerns about potential complaints.

51. In 2025, OHCHR observed a pattern of direct attacks against Indigenous leaders, authorities and their forms of organization, creating new risks to the exercise of their rights and deepening distrust among Indigenous Peoples toward State authorities.

### A. Right to promote and protect human rights

52. OHCHR recorded an increase in attacks against individuals and organizations defending human rights. In 2025, in addition to the attacks referred to above (see para. 43), 90 attacks by State and non-State actors were documented, involving 109 victims. Although the Government has maintained a favourable discourse towards human rights defenders, there remains a significant disconnect between this discourse and the concrete actions of State institutions, which continue to have limited human, technical and financial resources to prevent such attacks and respond effectively to them, leaving those who promote and defend human rights in a situation of heightened vulnerability.

53. In 2025, OHCHR documented the criminalization of various former Indigenous leaders who had participated in the 2023 national strike, in the exercise of their right to

peaceful assembly: Luis Pacheco and Héctor Chaclán,<sup>26</sup> who have been deprived of their liberty since 23 April 2025, and Esteban Toc Tzay,<sup>27</sup> who has been subject to alternative measures since 6 September 2025. These criminal proceedings reflect the criminalization of Indigenous Peoples' forms of organization through the use of charges such as unlawful association and terrorism. OHCHR also documented the criminalization of Leocadio Juracán, national leader of the Campesino Development Committee, including the circumstances of his arrest, during which officers of the National Police allegedly presented him with a handwritten document that had not been signed by the competent authority.

54. In 2025, OHCHR continued to receive reports of incidents undermining university autonomy arising from actions taken by the High Council of the University of San Carlos of Guatemala, including the expulsion of 10 students. These events form part of a pattern of attacks and reprisals against students, teachers, workers and human rights defenders who have reported irregularities in the process of electing the rector of the University. These irregularities, documented since 2022,<sup>28</sup> relate to the exercise of the rights to freedom of expression, association and peaceful assembly.

55. The Public Prosecution Service continued criminal proceedings against Edmar Arriola, Pedro Ros and Cristopher Morales, students at the University of San Carlos, for alleged acts committed during peaceful demonstrations opposing the election of the rector, and against lawyer Ramón Cadena, who publicly opposed the election and provided legal advice to students. All are facing criminal charges of aggravated unlawful occupation and damage to cultural property. In October, Astrid Lemus, a professor who filed constitutional actions against the High Council and provided legal assistance to students and professors facing criminal proceedings, publicly reported being subjected to intimidation, including through administrative measures.

56. OHCHR welcomes the adoption and launch, in November, of the Public Policy for the Protection of Human Rights Defenders, a commitment arising from a 2014 ruling of the Inter-American Court of Human Rights that the State had yet to fulfil.<sup>29</sup> For this initiative to be effectively implemented, it must be adequately resourced and involve civil society.

57. The Ministry of the Interior took steps to publicize the 1543 telephone hotline, which was set up to receive complaints and strengthen the institutional response to threats and attacks against human rights defenders in the course of their work. Although no specific prevention and protection measures have been established, the Mechanism for the Analysis of Attacks against the Right of Indigenous Peoples, Organizations, Communities and Authorities to Defend Human Rights provides a multisectoral space for dialogue. However, OHCHR has observed limited representative and diverse participation by civil society in the various thematic working groups, owing, among other factors, to persistent challenges in the methodology to be implemented.

58. OHCHR remains concerned about the Public Prosecution Service's failure to implement General Instruction No. 5-2018 on the effective investigation of crimes against human rights defenders.

## B. Freedom of expression

59. In 2025, OHCHR documented 40 attacks on freedom of expression and access to information targeting journalists, media outlets and community communicators. Between January and 15 December 2025, the Rompe el Miedo Network documented 71 attacks. In addition, there remained a high level of distrust of the justice system, which discourages the filing of complaints due to the lack of adequate investigations.

60. OHCHR has continued to document the criminal proceedings against José Rubén Zamora, a journalist and former president of the now-defunct media outlet *El Periódico*. It is concerned about the judicial decision of 10 March ordering his return to pretrial detention

<sup>26</sup> Prosecuted on charges of terrorism and obstruction of criminal proceedings.

<sup>27</sup> Prosecuted on charges of terrorism, obstruction of criminal proceedings, unlawful association, sedition and obstruction of justice.

<sup>28</sup> [A/HRC/52/23](#), para. 92; [A/HRC/55/21](#), para. 84; and [A/HRC/58/22](#), para. 68.

<sup>29</sup> *Human rights defender et al. v. Guatemala*, judgment of 28 August 2014 (preliminary objections, merits, reparations and costs), Series C, No. 283.

and considers that this measure does not comply with international standards on due process guarantees and the right to personal liberty. OHCHR also noted with concern that the judge of the Second Criminal Court of First Instance in charge of the proceedings in that case reported that he and his court staff had been subjected to threats and intimidation by unknown individuals.

61. In August, the Constitutional Court ruled on an appeal filed by the Office of the Special Prosecutor against Impunity, upholding the decision of the judge of the Fifth Criminal Court of First Instance regarding the Office's attempt to bring criminal charges against six journalists and two columnists for articles critical of it. The Court emphasized that, in any event, the matter should be resolved before a press tribunal and not through criminal proceedings. This ruling sets an important precedent for the protection of freedom of expression and journalism in Guatemala, in line with international human rights norms and standards, which affirm that criticism of public officials and institutions is part of democratic debate and should not be criminalized.

62. At the working group led by the Presidential Commission on Peace and Human Rights to follow up on the judgment of the Inter-American Court of Human Rights in the case of *Maya Kaqchikel Indigenous Peoples of Sumpango et al. v. Guatemala*, the victims in the case indicated their refusal of the State's proposal to temporarily assign FM frequencies from the national radio station TGW to the four community radio stations involved in the case, citing a lack of legal security for the stations and the absence of a technical study confirming the availability of sufficient radio frequency spectrum bandwidth to meet the judgment's requirements. With the support of an international expert, OHCHR facilitated an academic forum for community radio stations on the functioning of the Inter-American system's mechanisms for monitoring compliance with judgments and continued to provide technical assistance to the network of Indigenous women communicators and community radio stations, strengthening strategic alliances with Indigenous and Afrodescendent authorities and leaders.

### C. Security and use of force

63. As part of its monitoring of the conduct and practices of the National Civil Police, OHCHR organized, in coordination with the authorities, 11 training sessions for more than 360 members of the Special Forces Division on the use of force during demonstrations and evictions, the role of journalists and the prevention of arbitrary detention and extrajudicial executions. OHCHR also provided technical assistance to the Ministry of the Interior and the police on international human rights standards in the context of the review and updating of operational protocols, including the eviction protocol.

64. With regard to the new National Civil Police Act (Decree No. 35-2024), OHCHR welcomes the Constitutional Court's decision to provisionally suspend certain provisions found to be incompatible with international norms and standards on the rights to life, personal integrity and access to justice.

65. OHCHR will continue to monitor the judicial proceedings relating to the alleged extrajudicial killing of two persons at the police substation in San Andrés Iztapa.<sup>30</sup> One of the two firefighters involved has pleaded guilty to the charges against him, while the police officers involved in the case have been committed to stand trial.

## VII. Conclusions and recommendations

**66. Despite the Government's efforts to protect human rights defenders, institutionalize dialogue with Indigenous Peoples and promote disability and youth agendas, significant challenges related to inequality, marginalization and access to justice persist in Guatemala.**

<sup>30</sup> [A/HRC/58/22](#), para. 79.

67. After 20 years in Guatemala, OHCHR reaffirms its commitment to continue supporting the State and civil society and to providing technical assistance to ensure the protection of human rights for all. It reaffirms its previous recommendations<sup>31</sup> and further recommends that the State:

(a) Continue to prioritize the institutionalization of high-level dialogue between the President and Indigenous authorities, including the work agenda with the Garifuna people (see para. 17), and expedite free, prior and informed consultation processes on ongoing issues;

(b) Establish an agricultural institutional framework that integrates rural development and sector dynamics, in accordance with the agricultural agreement signed by the President at the beginning of his term and the international human rights obligations of Guatemala;

(c) Uphold victims' rights to justice through independent, impartial, prompt and thorough investigations and judicial proceedings;

(d) Expedite efforts to strengthen the regulatory, institutional and public policy framework to uphold the rights of young people, persons with disabilities and LGBTQI+ persons;

(e) Continue efforts to uphold the rights to truth and memory, including through access to and the protection of historical archives and sites of memory, as well as comprehensive reparation and guarantees of non-repetition, in accordance with a culturally appropriate and gender-sensitive approach, prioritizing the adoption and implementation of the National Plan for Dignity and Reparations;

(f) Strengthen the methodology used by the Mechanism for the Analysis of Attacks against the Right of Indigenous Peoples, Organizations, Communities and Authorities to Defend Human Rights and develop a long-term work plan, with the aim of moving towards the adoption of more robust and sustainable prevention and protection measures for human rights defenders;

(g) Redouble efforts to eradicate violence against women and girls and take urgent measures to address the structural gaps affecting Indigenous Peoples and persons of African descent, including through the implementation of recommendations of United Nations human rights mechanisms, such as those contained in the concluding observations on the tenth periodic report of Guatemala to the Committee on the Elimination of Discrimination against Women (2023)<sup>32</sup> and on its combined eighteenth to twentieth periodic reports to the Committee on the Elimination of Racial Discrimination (2025).<sup>33</sup>

68. OHCHR also calls on the international community to maintain its support for human rights organizations in Guatemala and its political and financial support for OHCHR so that it can continue to carry out its essential monitoring and technical assistance role with adequate financial resources.

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<sup>31</sup> Ibid.

<sup>32</sup> See [CEDAW/C/GTM/CO/10](#).

<sup>33</sup> See [CERD/C/GTM/CO/18-20](#).