

7 October 2021

## **Guatemala: Criminalisation of five defenders of indigenous peoples' rights defenders in Chiquimula**

On 30 September 2021, the Court of First Instance of Chiquimula sentenced five defenders of indigenous peoples' rights, three of them members of the Maya Ch'orti' de Olopa Indigenous Council of the municipality of Olopa, department of Chiquimula. **María Méndez, Bernardino Pérez, Juan Agustín, Santos Gerónimo Ramos Méndez** and **Rosa Margarita Pérez Canán** will remain under house arrest pending investigations by the Public Prosecutor's Office.

María Méndez, Bernardino Pérez and Juan Agustín are defenders of indigenous peoples' rights and members of the Maya Ch'orti' de [Olopa Indigenous Council of the municipality of Olopa](#), department of Chiquimula. The Indigenous Council is an ancestral organisation that defends the land and territory from extractive economic activities, and claims and promotes under its own autonomy the individual and collective rights of the Maya Ch'orti' people. Since 2016, several communities have been peacefully resisting the mining company Cantera Los Manantiales. Santos Gerónimo Ramos Méndez and Rosa Margarita Pérez Canán also work to defend and promote the rights of indigenous people in the department of Chiquimula.

On 30 September 2021, at 10 AM, council members María Méndez, Bernardino Pérez and Juan Agustín, as well as the human rights defenders Santos Gerónimo Ramos Méndez and Rosa Margarita Pérez Canán presented themselves for a summons to testify before the judicial body in the municipal capital of Chiquimula. Upon presenting themselves to the judge, it was later revealed that the human rights defenders were summoned under the false pretence that they needed to testify in a separate case and were informed of an arrest warrant issued against them by a judge of First Criminal Instance in the department of Chiquimula. The human rights defenders were then arrested by the authorities but were not immediately informed of the reasons for their arrest.

Due to her arrest, woman human rights defender Rosa Margarita Pérez Canán was separated from her daughters, who she is still breastfeeding. The children were then taken unaccompanied to the municipality of Olopa by members of the National Civil Police (PNC). At 7 PM, the first hearing was held, during which the five human rights defenders were ordered to be released under house arrest and the Public Prosecutor's Office was granted permission to carry out a three-month investigation.

According to the Maya Ch'orti' Indigenous Council of Olopa, the complaint accusing the human rights defenders of illegal detentions was allegedly filed by the owners of the land where the mining company Cantera Los Manantiales is located. The complaint is believed to be in retaliation to a complaint filed by the Indigenous Council on 1 July 2021, in which they denounced acts of violence by land owners and against human rights defenders who were peacefully resisting the mining projects in the area. The complaint was sent by the Indigenous Council to the PNC and the Human Rights Ombudsman's Office. The complaints of the Indigenous Council have not been addressed to date.

Front Line Defenders is concerned that the arrest and complaint against the five human rights defenders appears to be directly linked to their work in defense of human rights, in particular their defense of the land and territory linked to their peaceful struggle against the Los Manantiales quarry. Front Line Defenders expresses concern at the use of unfounded accusations against human rights defenders, which has become an effective strategy to intimidate those working for and on behalf of human rights in Guatemala.

**Front Line Defenders urges the Guatemalan authorities to:**

1. Cease the investigation against human rights defenders María Méndez, Bernardino Pérez, Juan Agustín, Santos Gerónimo Ramos Méndez and Rosa Margarita Pérez Canán and allow their immediate and unconditional release from house arrest, as it is motivated solely by their legitimate and peaceful work in defence of human rights;
2. Take all necessary measures to guarantee the physical and psychological integrity and security of María Méndez, Bernardino Pérez, Juan Agustín, Santos Gerónimo Ramos Méndez and Rosa Margarita Pérez Canán while under house arrest, as well as their families in constant consultation with them;
3. Fully attend to and follow up on the complaints lodged by the indigenous authorities of the Maya Ch'orti' Indigenous Council of Olopa;
4. Guarantee that all human rights defenders in Guatemala are able to carry out their legitimate human rights activities without fear of reprisals and free from all restrictions any restriction.

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