

## **General context in which Festivales Solidarios carries out its action.**

Since 2012, when General Otto Pérez Molina took office, the extractive and dispossession agenda took root in Guatemala. On October 4, 2012 the government committed the first massacre in peacetime known as "The Alaska Massacre"<sup>1</sup> as a watershed in the recent history of the country, changed the course of indigenous organization in Totonicapán, broke social fabric in the place, and is the beginning of Solidarity Festivals.<sup>2</sup>

In recent years, since the peaceful demonstrations of 2015 (at which time Otto Pérez Molina was accused of being the leader of a criminal structure that embezzled the country), democratic institutions in Guatemala have suffered a rapid deterioration, as well as an increase in the persecution of human rights defenders, criminalization, harassment, defamation, slander and libel, political imprisonment and assassinations have been the way of operating of the so-called "corrupt pact" formed by the oligarchic elites, businessmen and political class (meaning officials of the three branches of government) executive, legislative and judicial, forming this pact as the political arm of the oligarchy and the narco-state that has co-opted the three state powers, up to the local powers, i.e. municipalities and local governments.

Part of this deterioration also has to do with the arrival to the presidency of Mr. Jimmy Morales<sup>3</sup> in 2016, representative of the most reactionary wing of the Guatemalan army (from the political party Frente de Convergencia Nacional FCN-Nación) who, taking advantage of the anti-corruption discourse, came to power with the slogan "neither corrupt nor thief". But it turned out to be the opposite, by strengthening the army and its repressive structures and took the luxury of dismantling the International Commission against Corruption in Guatemala-CICIG. This commission put the country's political and economic elites in check at times, which led the Morales government to expel Commissioner Iván Velásquez and subsequently the systematic dismantling of the CICIG<sup>4</sup> and the fight against impunity and corruption, a fight that emerged after the Peace Accords in Guatemala, signed 25 years ago.

The fight against corruption and impunity has become a spearhead in the defense of human rights in Guatemala, walking side by side with the struggles that the native peoples have sustained for more than 500 years in their territories, resisting the colony, liberal reforms, civil war and then the entry with all its devastating force of neo-liberalism in the region.

In the face of this, the elites, drug trafficking, the most conservative fundamentalist religious and military sectors have perfected their levels of impunity and have led Guatemala and the citizens in general to a state of totalitarianism, repression against indigenous peoples, journalists, human

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<sup>1</sup> Plaza pública: <https://www.plazapublica.com.gt/content/toto-41012-primera-masacre-del-ejercito-tras-la-firma-de-la-paz>

<sup>2</sup> 7 años Festivales Solidarios (7 years of Festivales Solidarios): <https://panal.gt/festivalessolidarios/>

<sup>3</sup> El legado antidemocrático de Jimmy Morales en Guatemala (The anti-democratic legacy of Jimmy Morales in Guatemala): [https://elpais.com/internacional/2020/01/03/america/1578083108\\_369564.html](https://elpais.com/internacional/2020/01/03/america/1578083108_369564.html)

<sup>4</sup> Testimoniales: Lucía Ixchú - Activista de Derechos Humanos (Testimonials: Lucia Ixchiu - Human Rights Activist) - YouTube <https://m.youtube.com/watch?v=6ayRAzdbXFc>

rights defenders, activists and activists to take precautions and protect themselves from the onslaught of the conservative and reactionary, fundamentalist and military right wing, which has total control of the three branches of government, in collusion with the three branches of government, activists and militants to take precautions and protect themselves from the onslaught of the conservative and reactionary, fundamentalist and military right wing that has total control of the 3 branches of government, in collusion with national and foreign businessmen, neo-Pentecostal churches and drug traffickers who attack with total impunity and without being prosecuted by the justice system that responds to the status quo in the country.

The last days of the current situation, aggressions and criminalization against members of Festivales Solidarios

As a result of the work carried out by the collective Festivales Solidarios and Mujeres en Movimienta and the Federación Guatemalteca de Escuelas Radiofónicas and student organizations, a process of criminalization and aggressions for defending the right to freedom of expression and freedom of demonstration in the context of the pandemic and the increase of corruption in Guatemala has been experienced for approximately 6 months.

With the arrival of the government of Alejandro Giammattei in January 2020, the situation of human rights defense is seriously affected and with it increased the vulnerability in which human rights defenders exercise their defense action, this has increased the criminalization against defenders, aggressions and violence are on the rise, violence is manifested from virtual environment, surveillance, siege to physical violence, including death threats, murders and criminal complaints filed in various prosecutors' offices.

In the specific case of Festivales Solidarios they have registered incidents of aggression, violence, paramilitary retentions, hate campaigns on social networks and physical aggressions since 2014 to date.

Aggressions against the members of this collective have increased, ranging from the analysis in timeline began with aggressions, hate campaigns<sup>5</sup>, defamation, physical violence and even death threats, attempts on life, as what happened last September 22, 2020<sup>6</sup> where a violent aggression was experienced, which left serious injuries<sup>7</sup> to several of the members for documenting and denouncing the illegal logging in the community forest of Alto de Totonicapán<sup>8</sup>. For this event, a

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<sup>5</sup> <https://frenteporlaverdad.cs.gt/2019/08/23/ixchiu-historia-de-privilegio/>

<sup>6</sup> Taladores ilegales de árbol agreden a 3 mujeres y un hombre (Illegal loggers attack 3 women and a man): <https://lahora.gt/taladores-ilegales-de-arbol-agreden-a-3-mujeres-y-un-hombre/>

<sup>7</sup> Agresión a periodistas y artistas Andrea, Lucía y Gabriela Ixchú y Carlos Cano ayer en Totonicapán (Aggression against journalists and artists Andrea, Lucía and Gabriela Ixchú and Carlos Cano yesterday in Totonicapán): <https://rudagt.org/agresion-a-periodistas-y-artistas-andrea-lucia-y-gabriela-ixchiu-y-carlos-cano-ayer-en-totonicapan/>

<sup>8</sup> Profunda indignación internacional ante la violenta agresión a líderes y comunicadoras indígenas en Totonicapán, Guatemala (Deep international outrage at violent attack on indigenous leaders and

complaint was filed, there are people identified and detained with an open judicial process, from where it has been identified the existence of a network of loggers who have organized to deplete the communal forest and protected area<sup>9</sup>, which allows this organization prior to a situational analysis, to be at high risk for the work of defending human rights they do, since the aggressions have been increasing from mild to high risk and in danger of their own lives.

The work of communicating from below and as indigenous women and mestizo population has not been easy, since it is done from self-management but it is assumed, as subjects with their own voice and with the clarity and commitment of service to the struggles to seek the dignity of the people and the great excluded majorities in Guatemala.

Concrete facts of the current criminalization case they are living:

In November 2020<sup>10</sup> in Guatemala City and other cities of the country, the population was self-convoked through social networks, collectives, social organizations, alternative media, organized and unorganized people to participate to peaceful demonstrations to demonstrate citizen discontent to the bad decisions taken by the Congress of the Republic<sup>11</sup> ; the central point of the demonstrations was the approval of the general budget of income and expenditure of the State, which was approved from the night of Tuesday, November 17 to the early morning of the 18th.

This situation led to a series of demonstrations that were organized since November 17 to express their disapproval of the anomalous actions that were taking place, including the secrecy with which the budget report prepared by the Finance and Currency Commission was kept, which was presented that same day to the plenary of the Congress and its approval began that same night. On November 19, repressive actions were taken against those who protested, and thus, demonstrations were added between November 21 and December 5 of the same year. It is public knowledge the disproportionate use of force that was implemented by the Guatemalan authorities against the population that demonstrated peacefully, in the three demonstrations there was siege, surveillance, persecution against the young population that demonstrated where 2 young people were seriously injured up to the loss of eyes by tear gas shots at point blank range.

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communicators in Totonicapán, Guatemala). <https://clacpi.org/2020/09/23/profunda-indignacion-internacional-ante-la-violenta-agresion-a-lideres-y-comunicadoras-indigenas-en-totonicapan-guatemala/>

<sup>9</sup> Golpes y amenazas de muerte a periodistas por taladores ilegales en el Alto Totonicapán | Artículo 19 (Beatings and death threats to journalists by illegal loggers in Alto Totonicapán | Article 19 ) <https://articulo19.org/golpes-y-amenazas-de-muerte-a-periodistas-por-taladores-ilegales-en-el-alto-totonicapan/>

<sup>10</sup> Decenas de detenidos, heridos y quema del Congreso: el caos toma Guatemala Dozens detained, injured and Congress burned: chaos takes over Guatemala) <https://www.lainformacion.com/mundo/decenas-detenido-heridos-quema-congreso-caos-toma-guatemala/2821627/>

<sup>11</sup> Manifestantes queman el Congreso de Guatemala en una protesta contra la corrupción que exige la renuncia del Presidente | Internacional (Demonstrators burn Guatemala's Congress in an anti-corruption protest demanding the resignation of the President | International) <https://www.elmundo.es/internacional/2020/11/21/5fb98674fdddff46428b4676.html>

These demonstrations have targeted the activist and defender Lucía Ixchú<sup>12</sup>, which has brought an increase in siege and harassment since November 21, 2020.

At this juncture, members of Festivales Solidarios again begin to live a situation of siege, persecution and criminalization for their participation in public demonstrations, at this time is a situation of vulnerability, with limitations on the exercise of rights derived from the attacks they have experienced, these attacks have been mainly by social networks, but also by unidentified persons. It is known through open media that the Public Ministry created a "super special prosecutor" to investigate what happened in the demonstrations carried out, it is conducting an investigation coordinated with the Ministry of Interior, the process is in reserve and there are adhesive plaintiffs such as the Municipality of Guatemala, Transurbano company and the business chambers (represented in the Coordinating Committee of Agricultural, Commercial, Industrial and Financial Associations - CACIF) who have stated that people should be prosecuted for the demonstrations of November 21 and 28, in addition to the requirements made by deputies of the Congress of the Republic, congressmen and women who are part of the corrupt pact.

All of the above shows that the entire surveillance and panopticon apparatus of the Guatemalan State is at the service of the dictatorship of the corrupt and spares no resources to monitor, persecute, criminalize, imprison, disappear and assassinate political enemies of the status quo.

During the last weeks in Guatemala the increase of criminalization and siege against human rights defenders and journalists has increased and the advance of the dictatorship goes with all the force it has, predicting a "vendetta" of the corrupt pact against the citizenship that has manifested itself during the last years, arrests, persecutions, threats, exile, violence and political imprisonment are the norm and the daily routine during the last days in the country. One of these cases of criminalization is the illegal<sup>13</sup> and arbitrary detention of Juan Francisco Solórzano Foppa, who was the Super Intendant of Tax Administration and who in 2015 put in check several high-level businessmen and the highest figures of the government of Otto Pérez Molina, including himself, who are precisely in prison for cases of tax fraud to the country and that forced the elite of the Patriot Party to resign from the presidency of the country.

It is important to mention that there are several organizations and collectives of the civil society that are being persecuted in different contexts in different parts of the country at the moment, which evidences the lack and weak democracy that Guatemala lives in one of its worst crises of political violence after the war and genocide with serious setbacks very similar to the years of the military dictatorships. Guatemala is one of the worst countries in the world to be a human rights

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<sup>12</sup> Guatemala: un Congreso en llamas. ¿Cómo se llegó a esto y adónde llevará? (Guatemala: a Congress in flames, how did it come to this and where will it lead?): <https://youtu.be/SCfHDwEtHGo>

<sup>13</sup> <https://elperiodico.com.gt/nacionales/2021/05/19/capturan-a-exjefe-de-la-sat-1-1/>

defender<sup>14</sup> and the state has been working on a hate speech campaign to encourage violence against those who defend rights. <sup>15</sup>

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<sup>14</sup> Guatemala en la lista de asesinatos de defensores de derechos humanos en América Latina (Guatemala on the list of murders of human rights defenders in Latin America):

<https://www.prensacomunitaria.org/2021/04/guatemala-en-la-lista-de-asesinatos-de-defensores-de-derechos-humanos-en-america-latina/>

<sup>15</sup> El país en donde decir "Derechos Humanos" es detonar un discurso de odio - Nómada, Guatemala (The country where to say "Human Rights" is to detonate a hate speech - Nómada, Guatemala).

<https://nomada.gt/identidades/de-donde-venimos/el-pais-en-donde-decir-derechos-humanos-es-detonar-un-discurso-de-odio/>