

A hard, normal day in Guatemala, under boot of the Pacto de Corruptos

By Grahame Russell, May 9, 2023

<https://mailchi.mp/rightsaction/a-hard-normal-day-in-guatemala>

As anti-migrant violence continues to explode on both sides of U.S.-Mexico border, I am in Guatemala to coordinate a two-week fact-finding delegation to learn more about the root causes of forced migrancy and refugee flight.

Recommended: May 8 Democracy Now interview with Jennifer Harbury, human rights lawyer and activist with the 'Angry Tias and Abuelas', who talks of hate-based violence against forced migrants, and history of U.S. interventions in Central America: https://www.democracynow.org/2023/5/8/brownsville_shelter

In the North American media, we learn of some of the issues plaguing forced migrants and refugees fleeing across Mexico to the U.S.

We learn next to nothing about how U.S. and Canadian government policies and our companies, banks and investors contribute directly to why tens or hundreds of thousands of people are forced to flee Guatemala every year, let alone millions fleeing other U.S. and Canadian-backed, repressive and exploitative countries in Latin America.

The fact finding delegation I am accompanying is a group of 11 Canadian students enrolled in Professor Catherine Nolin's course "Geographies of Culture, Rights & Power: The Global Order, Injustice and Resistance in Guatemala" (<https://www.unbc.ca/sites/default/files/sections/geography/field-schools/2016guateinfosheet-preliminary.pdf>). Since 2004, I have worked with Catherine who offers this course every two years at the University of Northern British Columbia (UNBC).

From May 9-23, we will travel to mainly indigenous-led community defense struggles in different regions of the country, suffering and resisting the violent, harmful and corrupt operations of global mining companies, the food-for-export industry and hydro-electric dams. We will meet with victims of the U.S.-backed genocides and atrocities committed by Guatemalan military regimes in the 1970s and 80s, and with victims groups, NGOs and lawyers seeking a tiny bit of justice in the (corrupted) Guatemalan courts, 40 years later, for the crimes committed.

In each of these sectors of the global economy, people are being forcibly evicted from their lands, suffering human rights violations and repression (including killings, maimings, rapes), suffering arbitrary criminalizations and jailings, etc.

Snap-shot of corrupted Guatemalan legal and electoral systems

Below, I summarize a few articles published May 3 and 4 in the Prensa Comunitaria (<https://www.prensacomunitaria.org/>), the most balanced source of daily news about what is going on in the country.

Reading through these summaries, or delving into each article, one gets a better idea of how the Guatemalan military and economic and political elites control and operate the institutions of the government and State.

Root causes of forced migrancy

It is the majority of the population (over 17 million, mainly indigenous people), who suffer the consequences year in, decade out, of the systemic repression and corruption, systemic exploitation and less-than-subsistence salaries that result in the forced migrancy of tens, if not hundreds of thousands of Guatemalans every year.

Not a crisis

Yet Guatemala is not in some sort of crisis period of exploitation and repression, corruption and impunity. This is how the government and state intentionally operate, in direct partnership with the U.S., Canada, the E.U. and “international community” who all consider Guatemala a “democratic allie”.

Pacto de Corruptos

The Guatemalan government and state are controlled by the Pacto de Corruptos - a 'covenant of the corrupt' economic elites (represented by CACIF, the Coordinating Committee of Agricultural, Commercial, Industrial and Financial Associations), traditional political elites, military and police.

The Pacto de Corruptos exercises almost complete control over the Presidency and executive branch, Congress and legislative branch, Judiciary and administration of justice, military and police.

Not a “Guatemalan” issue

Ultimately, the staying power and impunity of the Pacto de Corruptos – dating back at least to 1954 - resides in, and comes from their long-time political, economic and military relations with the U.S., Canada and “international community” (including the World Bank, IMF and countless global companies and banks).

Here are translated sections of a few Prensa Comunitaria articles, addressing issues and human rights cases Rights Action has previously reported on. Rights Action directly funds some of the courageous NGOs, activists and lawyers involved in these dignified, dangerous struggles.

Persecution against reporters and independent media outlets

Journalists in Guatemala face repressive State

By Simón Antonio Ramón, May 4, 2023

<https://prensacomunitaria.org/2023/05/periodistas-en-guatemala-se-enfrentan-a-un-estado-represivo/>

Journalism in Guatemala faces an increasingly violent context every day, in different ways. Since 2021, Prensa Comunitaria has been monitoring aggressions and attacks on the work of journalists nationwide. So far, 376 aggressions against journalists have been recorded, including intimidation, judicial harassment and restrictions to sources of information. From May 1, 2022 to April 30, 2023, 185 aggressions against journalists were registered, 35 cases more than the previous

period (May 2021 to May 2022), according to the report of Prensa Comunitaria "El Estado de Guatemala, cómplice y garante de la censura" (The State of Guatemala: accomplice and guarantor of censorship).

The monitoring highlights that 23 percent of the cases include the prosecution of journalists [on trumped up charges], some of them put in jail, such as journalists José Rubén Zamora, Robinson Ortega and Carlos Choc,

Another of the cases that has emerged since 2022 to date is the forced exile of journalists and temporary displacements both nationally and internationally due to threats and intimidations received by journalists. [...]

Guatemala among most countries in the world in terms of violence against the independent press, rated Reporters Without Borders (RSF)

By Simón Antonio Ramón, 4 May, 2023

<https://prensacomunitaria.org/2023/05/guatemala-entre-los-paises-mas-violentos-del-mundo-contra-la-prensa-independiente/>

Violence, harassment and criminal prosecution against the independent press and freedom of expression [in Guatemala] are on the rise, according to RSF's 2023 World Press Freedom Index.

The collective "No Nos Callarán" denounced that twenty-two journalists have gone into exile, half of the departures occurred during the month of March 2023.

RSF considers that Guatemala has been going through a socio-political crisis for five years, "which causes any journalist critical of the state authorities to be the victim of reprisals, causing a serious problem of silencing the press".

The RSF report point out that, "journalistic investigations into acts of corruption, human rights violations or illicit actions by private companies causes the journalists and media responsible to targeted by smear campaigns on social networks, then on to state surveillance, police harassment and criminalization, with the consent of the Public Prosecutor's Office and the Supreme Court of Justice." [...]

Government does not respond to IACHR request to visit journalist Zamora

By Isela Espinoza, May 3, 2023

<https://prensacomunitaria.org/2023/05/gobierno-no-responde-a-solicitud-de-la-cidh-para-visitara-al-periodista-zamora/>

The Office of the Special Rapporteur for Freedom of Expression (RELE) - of the Inter-American Commission on Human Rights (IACHR) - stated on Wednesday that it is concerned with the trial against the founder of elPeriódico, Jose Rubén Zamora, who, on the second day of trial, is defending himself against [criminal charges] filed by the Public Prosecutor's Office (MP).

In addition, the Rapporteur regretted that her request to the State to visit Zamora remains unanswered. "In democratic states every person in his situation should be able to be visited," she wrote. [...]

Journalist Zamora Defends Himself Against Charges

By Regina Perez, May 3, 2023

<https://prensacomunitaria.org/2023/05/periodista-zamora-se-defiende-de-cargos-de-lavado-de-dinero/>

In an extensive statement, journalist Jose Rubén Zamora, founder of elPeriódico, defended himself against the accusation of money laundering and other charges by the Public Prosecutor's Office (MP). On the second day of the trial against the founder of elPeriódico, Jose Rubén Zamora, and former auxiliary prosecutor Samari Gómez, the journalist testified regarding the Public Prosecutor's Office (MP) accusation against him for blackmail, influence peddling and money laundering. [...]

Persecution against judges, prosecutors, lawyers

Arrest orders for judge Erika Aifán and two former prosecutors of the Public Prosecutor's Office

By Prensa Comunitaria, May 3, 2023

<https://prensacomunitaria.org/2023/05/ordenan-la-detencion-de-la-exjueza-erika-aifan-y-dos-exfiscal-del-mp/>

The Public Prosecutor's Office (MP) confirmed arrest warrants have been issued against the ex-judge of greater risk "D", Erika Aifán, against the ex-prosecutor general Thelma Aldana, and against the ex-prosecutor of the Special Prosecutor's Office Against Impunity (FECI) Juan Francisco Sandoval.

[Rights Action: All three of these members of the judicial branch are amongst at least 30 judges, prosecutors and lawyers who have fled into exile in the past 3 years.]

The warrants were authorized by the Seventh Criminal Court, the same court that recently ordered the arrest of Juan Francisco Solórzano Foppa and Justino Brito, defense lawyers for José Rubén Zamora. [...]

CC magistrates benefit judge linked to corruption acts

By Alexander Valdez, May 3, 2023

<https://prensacomunitaria.org/2023/05/magistrados-de-la-cc-beneficia-a-juez-vinculado-en-actos-de-corrupcion/>

A judge in the department of Zacapa will not be investigated by the MP. In 2021, the FECI linked him to a criminal organization involved in illegal issuance of passports. Magistrates of the Constitutional Court (CC) ruled against reactivating the pre-trial investigation against a judge in the Criminal Sentencing Court of Zacapa, Edgar Aroldo Hichos Flores, whom the Special Prosecutor's Office against Impunity (FECI) - when it was directed by Juan Francisco Sandoval – implicated in the case called Migración-Chiquimula. [...]

War crimes trial continue for massacre committed by U.S.-backed military in 1982

Las Dos Erres case trial: methods to identify victims presented

By Alexander Valdez, May 3, 2023

<https://prensacomunitaria.org/2023/05/juicio-por-caso-dos-erres-presentan-metodos-para-identificar-a-las-victimas/>

Judges of the High Risk Court "E" continue developing the case against soldiers José Mardoqueo Ortiz Morales, Gilberto Jordán and Alfonzo Bulux Vicente, accused for their participation in the Massacre in Las Dos Erres, in December

1982. In the indictment of the Human Rights Prosecutor's Office, they are accused of having been part of the military squadron of 55 soldiers that massacred 201 people in the village of Las Dos Erres, located in Las Cruces, Petén. The indictment states that on December 7, 1982, the military tortured the campesinos of Las Dos Erres, raped the women, and finally executed the victims. The bodies of the inhabitants of Las Dos Erres community were found piled up in a well, where, according to witnesses, the victims had been dumped by the Army. [...]

Persecution against opposition parties, in lead up to June 2023 presidential elections

Blocking of opposition parties and candidates: Seeds of electoral fraud in Guatemala

By Paolina Albani, May 4, 2023

<https://prensacomunitaria.org/2023/05/bloqueo-politico-a-opositores-la-semilla-de-un-fraude-electoral-atipico-en-guatemala/>

The presidential / vice-presidential candidacy of Thelma Cabrera and Jordán Rodas, of the MLP (Movement for the Liberation of the Peoples party); Roberto Arzú, of the Podemos party; Aldo Dávila, candidate for the Vos party; and Juan Francisco Solórzano Foppa, of the coalition of leftist parties Semilla/URNG/Winaq, have all been excluded by the Supreme Electoral Tribunal (TSE) or the Comptroller General of Accounts (CGC), from participating in the general elections of June 25. Former Chancellor, Edgar Gutiérrez, has predicted that they will be "the most vulnerable and manipulated elections in 40 years". [...]

"Let's fill the Congress and the mayors' offices": MLP answers CC rejection

By Prensa Comunitaria, May 3, 2023

<https://prensacomunitaria.org/2023/05/llenemos-el-congreso-y-las-alcaldias-la-respuesta-del-mlp-ante-rechazo-de-la-cc/>

"Let's fill the Congress and the municipalities", has been the call of Thelma Cabrera, presidential candidate of the Movement for the Liberation of the Peoples (MLP), after learning of the decision of the Constitutional Court (CC) that left out her candidacy out the elections. The decision of the CC, according to Cabrera and her vice-presidential candidate, Jordán Rodas, has confirmed not only the co-optation of the courts, but also the consolidation of the electoral fraud that the

MLP began to denounce since the beginning of this year. "The MLP does not have president/vice-president candidates, now, but it does have mayorships and deputies. There, we will demonstrate our dignity and courage by filling the Congress with MLP deputies. The criminals are afraid of us. They fear the national project we are building that goes against their interests, against their privileges. This is our opportunity to show our dignity. Let's not be accomplices of the corrupt", said Cabrera in a declaration released on social media. [...]

More information – Rights Action archives

- War Crimes Trials & Work to End Corruption and Impunity: <https://rightsaction.org/other-war-crimes-trials-archives>
- Elections and No Democracy in Guatemala: <https://rightsaction.org/election-archives>

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