

International lawyers call on the Guatemalan state to respect the democratic will of the Guatemalan people and tackle systematic violations of Indigenous rights

- Democratically-elected incoming President Arévalo urged to prioritise measures that guarantee respect for Indigenous peoples' rights.
- Fact-finding report calls for structural reform to overcome systematic dispossession and violence continuing since the internal conflict.
- The report documents land appropriation, criminalisation, violence, and evictions, constituting severe human rights violations.
- It highlights the private sector's significant role, and the need for supply chain due diligence to ensure that extractive, energy and agribusiness companies do not profit from human rights violations.
- Says that violations of Indigenous peoples' collective rights to communal ownership of ancestral lands are widespread.
- Lawyers join international community in denouncing state authorities' attempts to undermine the results of recent democratic elections.

London, 19 October 2023

A new report by a high-level fact-finding mission of international human rights lawyers has called on the Guatemalan state to stand up to vested interests and tackle the systematic failures fueling violence against Indigenous peoples.

They used an event in London to call on the incumbent Government and judiciary to respect the democratic will of the Guatemalan people and ensure a peaceful transfer of power to the President Elect Arévalo.

[“We are not trespassers: this is our land” - Agrarian conflict and Indigenous peoples' rights in Alta Verapaz](#) calls on both Guatemala and the international community to prioritise Indigenous rights to ancestral land, and to work to end the criminalisation and evictions characterising the country's agrarian conflict.

The lawyers travelled to Alta Verapaz in Guatemala in March 2023 to meet Indigenous communities, civil society organisations, government, diplomats, law enforcement representatives, and the private sector, to understand the structural causes of rural violence.

“The situation facing Indigenous communities in Guatemala is unacceptable”, said Camila Zapata Besso, a UK human rights expert. “They face structural racism, violence and violations of communal territorial rights, exacerbated by a lack of access to justice. The election results reveal a democratic will for

systemic change. An effective response, including the regularisation of Indigenous land tenure, and restorative land justice, is of the utmost urgency.”

The lawyers observed widespread criminalisation arising from complaints from private landowners against communities. They expressed concern at the lack of legal certainty regarding how Indigenous people can defend their territorial rights and defend them within a fragmented system of land ownership.

Their report also calls on the international community and multinational entities operating in or linked to Guatemala to respect Indigenous rights, advocating for strong supply-chain laws to prevent companies profiting from human rights abuses abroad.

Daniel Cerqueira, a Brazilian expert on human rights, said *“The international community and businesses with investment in Guatemala must respect rights despite weaknesses in the domestic legal framework, and should speak out about the criminalisation of Indigenous communities defending their right to live on their ancestral land”*.

“The new Government must holistically review Guatemala’s laws and practices to ensure they safeguard the rights of Indigenous peoples and preserve their territories, cultural identity and traditional knowledge”, said Silvana Baldovino, a Peruvian expert in Indigenous rights.

The following delegation members are available for interview:

- Ben Cooper KC, Barrister and King’s Counsel, Doughty Street Chambers (UK)
- Camila Zapata Besso, Barrister, Doughty Street Chambers (UK and Colombia)
- Daniel Cerqueira, Program Director at the Due Process of Law Foundation (USA and Brazil)
- Haydee Dijkstal, Barrister, 33 Bedford Row Chambers (Netherlands & USA); executive member of Bar Human Rights Committee of England & Wales
- Margherita Cornaglia, Barrister, Doughty Street Chambers (UK and Italy)
- Stephen Cragg KC, Barrister and King’s Counsel, Doughty Street Chambers (UK); Chair of the Bar Human Rights Committee of England and Wales

Guatemalan Indigenous leaders are available to interview upon request.

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