

**[STATEMENT]**  
**No to the restriction of the right to protest in Guatemala**  
**October 24<sup>th</sup>, 2023**

On 11 October, the Constitutional Court approved a resolution responding to an enforcement request filed by the Ministry of the Interior. Counter to the international community's analysis highlighting the peacefulness of the protests, the decision, known as case 1322-2023, states, "...not all demonstrations that have taken place have complied with the provisions of article 33 of the Constitution and international standards." It describes the mass protests taking place around the country as an "abuse of the rights of assembly and demonstration" and it authorizes the use of force in situations that affect supposedly protected goods, such as movement.

We are alarmed that this resolution openly aims to demobilize people who are peacefully protesting the Interior Ministry's unlawful acts, with the possible launching of investigations against persons who "abuse the right to demonstrate" and the use of security forces "when it is not peaceful or there are clear indications of an imminent threat of serious violence."

This decision comes on the 11th day of the Indefinite National Strike initiated, among other reasons, to safeguard the people's will overwhelmingly expressed in the elections held on 20 August. In particular, after the Interior Ministry carried out a fifth raid of the Supreme Electoral Tribunal, during which more than 125,000 documents containing original records were removed.

On 18 October, the Constitutional Court published a new resolution in the above-mentioned case file, ordering the Interior Minister and the Director of the National Civil Police to "restore public order and enable full access to the Interior Ministry's offices." Even more concerning, the National Defense Ministry is urged to cooperate with the enforcement of the resolution. This decision comes after the General Prosecutor called for the dismissal of the Interior Minister, who resigned on 16 October.

We remind the Guatemalan authorities that the Inter-American Commission on Human Rights (IACHR) establishes that in the face of a possible clash between rights during mobilizations, including roadblocks, "it should be borne in mind that the right to freedom of expression is not just another right, but one of the primary and most important foundations of any democratic structure." The IACHR indicates that States must also take positive measures to guarantee the enjoyment of this right to vulnerable groups such as Indigenous Peoples, children and adolescents and women – who make up a majority of those currently demonstrating.

The Indefinite National Strike has been a show of indigenous, community and popular strength and resistance throughout the country in rejection of the Interior Ministry's

arbitrary actions. We are moved and inspired by the diverse expressions that the peaceful mobilization has taken.

In view of the above, we hold the State of Guatemala, instrumentalized by the Judicial Branch, responsible for any act that hinders the legitimate right to peaceful protest.

We call on regional and international human rights mechanisms, diplomatic corps and international solidarity to monitor the violence that may be triggered by this resolution and to make a strong statement, as well as to activate any tools they may have based on their mandates.

We also express our solidarity and support for the demonstrators, especially indigenous women defenders; ancestral authorities; grassroots and neighborhood leaders; young people; women feminist activists, journalists and other human rights defenders, who are on the front line defending democracy. We are with you!

We call on organizations in other countries to speak out about the situation in Guatemala and to express their solidarity and keep a watchful eye on what is happening in the country.

## **Signatories**

### International and regional organisations

- Amnesty International
- Article 19- Mexico and Central America Office
- Articulación Feminista Marcosur
- CEJIL - Centre for Justice and International Law
- DAWN
- Entrepueblos
- FIDH - International Federation for Human Rights
- DPLF – Due Process of Law Foundation
- Global Witness
- IM-Defensoras – Mesoamerican Initiative of Women Human Rights Defenders
- ISHR - International Service for Human Rights
- Latinas en Poder
- Mujeres Tejiendo Red
- Nobel Women's Initiative
- OMCT – World Organisation Against Torture
- Pax Christi
- RSMLAC - Red de Salud de las Mujeres Latinoamericanas y del Caribe
- Robert F. Kennedy Human Rights
- Synergía, iniciativas para los derechos humanos
- Vecinas Feministas por la Justicia Sexual y Reproductiva en América Latina
- Women's Link Worldwide

## Local and national organisations

- ACAT – Spain, Cataluña
- *Asociación La Cuerda* - Guatemala
- Católicas por el Derecho a Decidir (CDD) - México
- Centro Flora Tristán - Perú
- Colectiva Feminista para el Desarrollo Local (CFDL) – El Salvador
- Coletivo Feminista de Auto cuidado e Cuidado coletivo entre Defensoras de Direitos Humanos – Brazil, Río de Janeiro
- Consorcio para el Diálogo Parlamentario y la Equidad Oaxaca AC – México, Oaxaca
- Cotidiano Mujer - Uruguay
- Equidad de Género, Ciudadanía, Trabajo y Familia, A.C. - México
- Formación y Capacitación (Foca) – México, Chiapas
- Las Reinas Chulas Cabaret y Derechos Humanos, A.C. - México
- Lumaltik Herriak – Basque Country
- Movimiento de Mujeres de Santo Tomás (MOMUJEST) – El Salvador
- Mugarik Gabe - Euskadi
- Perifèries del Món – Valencian Community
- Radio Fréquences Latines Toulouse France - France
- Red Salvadoreña de Defensoras de DDHH – El Salvador
- Rede de Desenvolvimento Humano (REDEH) – Brazil
- Territorios de Cultura para la Equidad, A.C. – México
- Zehar-Errefuxiatuekin – Euskal Herria