



## Guatemala: International organizations condemn human rights violations against detained former Indigenous authorities

The undersigned organizations condemn the human rights violations committed in the unfounded criminal proceedings against Luis Pacheco and Héctor Chaclán, former ancestral authorities of the 48 cantons of Totonicapán, who have been charged by the Public Prosecutor's Office with the crimes of terrorism, obstruction of justice and unlawful association. Both leaders have been held in pre-trial detention for more than two months and are facing possible sentences of more than 40 years in prison.

The criminalization of former ancestral authorities as a response to their legitimate exercise of the right to peaceful protest during demonstrations defending the rule of law after the 2023 elections violates the international obligations of the Guatemalan state.

Given this context, we condemn the misuse of the crime of terrorism as a tool to criminalize social protest. Charging this crime together with unlawful association threatens the legitimate exercise of the rights to freedom of association and peaceful assembly, and, moreover, constitutes persecution of Indigenous ancestral institutions. We recall that the UN Human Rights Committee has [established](#) that authorities must refrain from using counter-terrorism laws to criminalize the exercise of these rights.

We are also concerned by the Public Prosecutor's Office's decision to keep the cases under reserve, an abusive practice that goes against established legal norms. The repeated use of the court seal in various cases reveals a pattern that in fact seeks to limit public scrutiny and the right to defence.

A hearing to determine whether the cases will be sent to trial is expected to be held in July. However, it is possible that the hearing will not go forward, as the judges have recused themselves from the case. In May 2025, the UN Special Rapporteur on the independence of judges and lawyers [warned](#) about unjustified delays and the use of sealed proceedings as hallmarks of the erosion of due process in criminalization cases.

We have been sounding the alarm about the misuse of pre-trial detention against Luis Pacheco and Héctor Chaclán since 23 April 2025. According to publicly available information, the detention appears to be in response to the legitimate and peaceful exercise of their human rights. We recall that the UN Working Group on Arbitrary Detention has declared that other individuals deprived of liberty in cases exhibiting the same patterns were arbitrarily detained—for example, former prosecutor Virginia Laparra and journalist José Rubén Zamora. Furthermore, this deprivation of liberty has a unique impact on Indigenous leaders separated from their territories, a violation of ILO Convention 169 on Indigenous and tribal peoples.

In light of the growing number of arbitrary and illegal acts occurring in the criminal prosecution of Luis Pacheco and Héctor Chaclán, the undersigned organizations urge the Guatemalan legal

authorities to allow the accused individuals to defend themselves out of detention, to lift the court seal on their cases, to guarantee public scrutiny and to comply with all due process guarantees, including holding trial in a timely manner. Furthermore, we reiterate Guatemala's international obligation to guarantee, without discrimination, Indigenous people's right to self-determination and to their own forms of organization.

American Jewish World Service

Amnesty International

Center for Justice and International Law (CEJIL)

CIVICUS: World Alliance for Citizen Participation

Due Process of Law Foundation (DPLF)

Guatemala Human Rights Commission/USA (GHRC)

Latin American Working Group (LAWG)

Protection International Mesoamerica

Robert F. Kennedy Human Rights

Washington Office on Latin America (WOLA)