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GUATEMALA: No Fear, No gag: Call for an end to the criminalization of human rights defenders and journalists in guatemala

Amnesty International is deeply concerned about the improper use of criminal law for the widespread persecution and harassment of dissident voices in the country.

In May 2024, the organization analysed the pattern of criminalization in its report *The Entire System Against Us*, highlighting the prominent role of the Public Prosecutor's Office and the Judiciary in this politically motivated persecution and associated human rights violations.

This pattern is replicated not only in the trials of journalist Jose Rubén Zamora, lawyer and former representative of the International Commission Against Impunity in Guatemala (CICIG) Claudia González, and Maya Q'anjob'al indigenous leader Rigoberto Juárez, but also in the cases of hundreds of journalists, communicators, human rights defenders, Indigenous authorities, judges, prosecutors and former CICIG workers throughout the country who have reported facing baseless criminal trials simply for exercising their human rights.

Criminalization is often accompanied by arbitrary detention or exile, given the impossibility of relying on due process, as well as campaigns of stigmatization, defamation and insults in the media and on social media, self-censorship and intimidation and threats against those criminalized, their families, their lawyers and the judges hearing their cases. And amid this scenario of repeated injustice, some people suffer additional attacks. For example, women or Indigenous people who suffer criminalization and harassment may also be subject to racist or misogynist abuse.

The Guatemalan people deserve an independent and impartial justice system that is capable of ending arbitrary decisions and abuse. But this will not be possible while institutions such as the Public Prosecutor's Office and the Judiciary continue to make improper use of criminal law to harass those who dare to speak out for human rights.

Amnesty International therefore calls on the Public Prosecutor's Office to bring an immediate end to the politically motivated criminalization of those fighting impunity and corruption. This appeal has been echoed by international experts from the UN and the Inter-American Commission on Human Rights.

“No fear, no gag” (“*Sin miedo, ni mordaza*”) is a campaign that aims to recognize the tireless work of all the people in Guatemala who are facing retaliation simply for exercising their human rights and defending justice and freedom of expression, and who have shown exemplary dignity and bravery. Among them:

- **Jose Rubén Zamora** has spent more than 800 days in unfair detention for his journalistic work on corruption in the previous government. He is currently in prison for defending freedom of expression in Guatemala. *Every day, dozens of journalists and communicators like him face attacks, criminalization and self-censorship simply for doing their jobs.*
- **Claudia González** is being persecuted as a former employee of the International Commission Against Impunity (CICIG) for investigating cases of corruption in the justice system. She is now facing unfounded criminal proceedings and is at risk of returning to prison for her fight for justice in Guatemala. *Dozens of judges, prosecutors, lawyers and former CICIG employees like her are facing spurious criminal trials.*
- **Rigoberto Juárez**, a Maya Q'anjob'al indigenous leader, spent several months in prison between 2015 and 2016 together with other land and environmental defenders in northern Huehuetenango, until a judge recognized that he was being improperly criminalized and ordered his release. An appeals court overturned that decision and added further offences to the charges against him, for which he could return to prison. *Hundreds of people like him who defend land, environmental and human rights of Indigenous peoples are facing criminalization and harassment simply for exercising their human rights.*

