

URGENT ACTION

LAWYER OF XINCA PEOPLE STILL UNDER THREAT

Lawyer Quelvin Jimenez reported that on 23 June a group of people, carrying small arms and machetes, disrupted a meeting of the Xinca Indigenous People authorities in Jumaytepeque, Santa Rosa (Southwest Guatemala). They verbally threatened and beat some of the participants. Quelvin escaped but was stopped by a vehicle where three people got out accusing him of attacking them. Police took them all to a municipal police station in Barberena. Hours later, he was released free of charges. We call on the Attorney's office to investigate these attacks and guarantee Quelvin's protection.

TAKE ACTION: WRITE AN APPEAL IN YOUR OWN WORDS OR USE THIS MODEL LETTER

Mrs. Consuelo Porras
Guatemala's General Attorney
Email: carrecis@mp.gob.gt
Twitter: @MPguatemala

Dear General Attorney,

I am writing to express my concern about attacks against Quelvin Jimenez and the Xinca People. On 23 June, a group of armed people disrupted a meeting of Xinca authorities in Jumaytepeque, Santa Rosa, threatening and beating some participants. Quelvin reported threats against him and gunshots. He escaped, but a vehicle stopped him. Three people got out accusing Quelvin of attacking them. Police took them to a police station in Barberena, and later released Quelvin without charges.

On 24 June, neighbours warned Quelvin of a vehicle circling his house. He called the police requesting protection but was told they did not have patrols available.

I call you to conduct a prompt, independent, and impartial investigation into the attacks against Quelvin Jimenez and Xinca People, and to bring those responsible to justice. We also ask you to guarantee his protection according to his wishes and needs.

Yours sincerely,

ADDITIONAL INFORMATION

Quelvin Jimenez is an indigenous lawyer from Santa Rosa, southwest Guatemala, who defends the rights of the Xinca indigenous people. He has faced smear and stigmatization campaigns on social media and judicial harassment. Quelvin Jimenez has also received death threats and other forms of intimidation due to his work. In late April 2019, he learned about a plan to kill him and that his house was under surveillance. On 6 May, an armed man previously seen near Quelvin's house chased him on a motorcycle. Investigations into previous attacks remain pending. The Guatemalan police must also enforce the security measures ordered by the Guatemalan public prosecutor's office to protect his life and integrity.

On 2 May 2013, the government of Guatemala declared a state of emergency in and around San Rafael Las Flores, a town some 90 kilometres from the capital, following a series of violent incidents around the mining operation of Minera San Rafael, a subsidiary of the Canada and US-based Tahoe Resources Inc. Previously, in January 2013, unknown armed men attacked the mine site resulting in the deaths of two security guards and another person, presumed to be part of the group attacking the site. For more information, see: *Mining in Guatemala: Rights at risk* (AMR 34/002/2014).

Members of the Centre for Environmental, Social and Legal Action (CALAS) who have previously defended the rights of communities affected by the San Rafael mining company have also reported reiterated acts of intimidation and harassment against them. For more information see Urgent Action: *Smear Campaign against Human rights defenders* (AMR 34/6680/2017).

According to our research, human rights defenders in Guatemala carry out their activities in an extremely hostile environment, particularly those working on rights related to land, territory and the environment. Amnesty International has documented continuous threats, intimidation and attacks against them. The Unit for the Protection of Human Rights Defenders in Guatemala (UDEFEQUA) reported 26 human rights defenders killed in 2018.

Defenders are also regularly targeted with smear campaigns aimed at stigmatizing and discrediting them by private actors and the Guatemalan authorities. The criminal justice system is regularly misused, defenders are falsely accused and prosecuted trying to keep them silent and break up movements and organizations. For more information, see the Amnesty International report *"We are defending the land with our blood": Defenders of the land, territory and environment in Honduras and Guatemala* (AMR 01/4562/2016).

PREFERRED LANGUAGE TO ADDRESS TARGET: Spanish

You can also write in your own language.

PLEASE TAKE ACTION AS SOON AS POSSIBLE UNTIL: 28 August 2019

Please check with the Amnesty office in your country if you wish to send appeals after the deadline.

NAME AND PREFERRED PRONOUN: Quelvin Jiménez (he/him/his); Xinca indigenous people (they/theirs/them).

LINK TO PREVIOUS UA: <https://www.amnesty.org/en/documents/amr34/0336/2019/en/>