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GUATEMALA LAWYER & HUMAN RIGHTS DEFENDER JAILED

On August 28, 2023, Guatemalan lawyer and human rights defender, Claudia González Orellana was arrested at her home after a judge issued a questionable arrest warrant against her.

Claudia is a former CICIG official – a UN anti-corruption mechanism that operated in Guatemala until 2019 – and whose former officials have faced widespread persecution. Claudia is also the legal representative for various former anti-corruption lawyers who have faced criminalization in retaliation for their work.

Claudia's arrest represents a clear attempt to silence her, and all those fighting for justice and human rights in Guatemala.

Amnesty International calls on Guatemala's Public Prosecutor's Office to immediately and impartially review the charges against Claudia and guarantee her human rights at all stages of this process.

Write to the Public Prosecutor urging him to:

- Conduct an immediate review of the existing charges against Ms. Claudia González with a view to dismissing any unfounded proceedings and guaranteeing her rights under national and international law.

Write to:

Noé Nehemías Rivera Vásquez
Fiscalía de Asuntos Internos
Ministerio Público de Guatemala
15 avenida 15-16 zona 1, Barrio Gerona
Ciudad de Guatemala
Guatemala
01001
Email: nrivera@mp.gob.gt
Salutation: Dear Mr. Noé Nehemías Rivera Vásquez,

And copy:

Her Excellency Guisela Atalida GODINEZ SAZO
Ambassador
Embassy of the Republic of Guatemala
130 Albert Street, Suite 1010
Ottawa, ON K1P 5G4
Tel: (613) 233-7188 Fax: (613) 233-0135
Email: embassy1@embaguante-canada.com

ADDITIONAL INFORMATION

Claudia González Orellana, 55, is a former official of CICIG – the UN Commission against Corruption and Impunity in Guatemala - which operated in the country until 2019. In 2019, the government refused to renew the mandate of this institution. Since then, its former officials – including those working for FECCI (the Special Prosecutor’s Office against Corruption and Impunity, which collaborated closely with CICIG) – have faced severe persecution and criminalization in retaliation for their work. During its operations, CICIG’s work uncovered numerous corruption scandals and high-profile cases of human rights violations and crimes under international law were prosecuted.

In addition to being a former CICIG official, Claudia is also the legal representative for several former CICIG and FECCI officials facing unfair criminal charges in retaliation for their work. She represents, among others, former FECCI official Virginia Laparra, currently serving jail time for filing a complaint against a judge in the course of her duties; and Juan Francisco Sandoval, former FECCI chief, currently in exile from Guatemala. In May 2023, Claudia received the Lawyers for Lawyers Award, which rewards legal professionals who face high risks because of their work.

The criminal process against Claudia represents a clear attempt to punish her both for her work at CICIG and her attempt to seek justice for those being unfairly criminalized in her profession. In addition, it leaves those she is representing, such as Virginia Laparra and Juan Francisco Sandoval, unprotected in the legal processes against them, and sends an intimidating message to all those speaking out in favor of justice and human rights in Guatemala.

From 2019 to date, more than 50 human rights defenders, prosecutors, ex CICIG workers, judges and journalists have been forced to flee the country due to unfounded criminal proceedings initiated by the country’s Public Prosecutor’s Office against them; and the absolute lack of impartiality and guarantees of their rights that exist in Guatemala at present. Claudia’s detention takes place in this context. International human rights experts have repeatedly expressed concern regarding criminalization of those involved in the fight against corruption and impunity in Guatemala.

Prior to her arrest, Claudia repeatedly went to the prosecutor’s office to request information about possible proceedings against her, however she was denied this information. On 28th August 2023, agents from the Public Prosecutor’s Office executed several search warrants against former CICIG and FECCI workers, including at Claudia’s home. She was subsequently taken into custody. The arrest was authorized on charges of “abuse of authority”, despite Claudia never having held a public position in Guatemala’s government. The charges therefore raise serious questions regarding the impartiality and motivation of the case against her. The day she was arrested, the judge initially refused to hold a hearing. When the hearing finally did take place, the prosecutor’s office didn’t present itself and Claudia was therefore not properly informed of the charges against her, in violation of her rights. Despite this, Claudia was sent to pre-trial detention until her next hearing and is reportedly being held in solitary confinement. The next hearing is scheduled for September 6, 2023, despite the requirement under Guatemalan law that it take place within 24 hours of her detention.

Recent cases documented by Amnesty International demonstrate that the Guatemalan authorities do not guarantee the right to a fair trial and other human rights of people facing unfounded criminal proceedings.

Amnesty International calls on Guatemalan officials to immediately and impartially review the charges against Claudia González and to ensure respect for her human rights.