GUATEMALA

Mid-Term Report – Review of the implementation of recommendations with respect to the rule of law and the role of lawyers accepted by Guatemala during the UPR in 2023

Lawyers for Lawyers Foundation
Anthony Fokkerweg 61
1059 CP Amsterdam
The Netherlands
T +31 6 4286 7392
E info@lawyersforlawyers.org
W www.lawyersforlawyers.org

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About the organisations

Lawyers for Lawyers (L4L) is an independent, non-political and not-for-profit lawyers' organization established in 1986. Our mission is to promote the independent functioning of lawyers and the legal profession across the world in accordance with internationally recognized norms and standards, including the United Nations Basic Principles on the Role of Lawyers. Our work to support lawyers who are at risk because of discharging their professional duties, seeks to protect them from threats, risks and reprisals, strengthens their international recognition and protection in laws, policies and practices, and empower them to fulfil their role as essential agents of the administration of Justice. Lawyers for Lawyers was granted special consultative status with the UN Economic and Social Council in July 2013.

The **International Observatory of Lawyers at Risk** (OIAD) is an initiative of the Conseil National des Barreaux (France), the Barreau de Paris (France), the Consejo General de la Abogacía Española (Spain), and the Consiglio Nazionale Forense (Italy). This Observatory was created with the aim of coordinating its work with third-party entities, networks, and mechanisms operating in the field of protection of the legal profession in general and human rights lawyers in particular. One of our areas of work is raising awareness of our colleagues' particularly high-risk cases by sending communications to the relevant authorities and international organizations and preparing amicus curiae briefs to support our position in potentially complex processes.

The ***Asociación Pro Derechos Humanos de España*** (APDHE) is a non-profit organization whose mission is the defense and promotion of human rights in all their dimensions and in all contexts. It was the first organization in Spain established for this purpose, founded in 1976.

Executive summary

1. This review focuses on recommendations concerning the status and rights of lawyers in Guatemala. During the 2023 UPR cycle, Guatemala partially accepted eighteen recommendations with respect to the freedom and safety of human rights defenders and justice operators, including lawyers,[1] and one recommendation regarding improvement of the quality of training for judges, lawyers and prosecutors.[2]

2. For the purposes of this report, the signatory organisations concentrate on two relevant areas:

a. recommendations aimed at safeguarding the rights of human rights defenders – including lawyers[3] – by ending harassment and criminalization, and ensuring full respect for due process in all prosecutions, and
b. recommendations relating to the quality of legal education for lawyers.

3. This submission presents the signatory organisations' findings on Guatemala's implementation of these recommendations, drawing on their ongoing work in the country, including a fact-finding mission conducted in October 2025. It concludes that Guatemala has not sufficiently implemented the recommendations concerning the protection of human rights defenders, including lawyers. Legal professionals continue to face criminalisation, intimidation, obstruction, harassment, and other forms of undue interference that hinder their ability to carry out their work. The submission also highlights persistent concerns regarding the quality of legal education for legal professionals, which remains inadequately addressed by the Guatemalan government.

[1] Please be referred to recommendations 90.37, 90.40, 90.48, 90.50, 90.51, 90.59, 90.60, 90.61, 90.62, 90.63, 90.64, 90.65, 90.66, 90.67, 90.73, 90.78, 90.79.

[2] Please be referred to recommendation 90.49.

[3] The Special Rapporteur on the Independence of Judges and Lawyers has stated that: "when acting on behalf of their clients in defending their human rights and fundamental freedoms, lawyers should also be regarded as human rights defenders". See: Report of the Special Rapporteur on the independence of judges and lawyers, 22 August 2016, A/71/348, par. 35.

I. Introduction

4. Lawyers for Lawyers ('L4L'), the International Observatory of Lawyers at Risk ('OIAD') and *Asociación Pro Derechos Humanos de España* ('APDHE') submit this report to address Guatemala's human rights performance with respect to the rule of law and the role of lawyers within the framework of the Universal Periodic Review (the 'UPR'). The Report of the Working Group on the UPR dated 26 April 2023 (the 'UPR Report')[4] contains recommendations with respect to the rights of human rights defenders and lawyers in Guatemala. The addendum to the UPR Report dated 25 April 2023 (the 'Addendum')[5] contains the views on conclusions and/or recommendations, voluntary commitments and replies presented by Guatemala. The Report of the Human Rights Council of its fifty-third session dated 23 September 2024 (the 'HRC Report')[6] specifies that, out of 207 recommendations received, 127 were accepted by Guatemala and 80 were noted.

5. For the purposes of this review, the signatory organisations focus on the recommendations relating to the freedom and safety of human rights defenders and justice operators, including lawyers. During the 2023 UPR cycle, Guatemala partially accepted:

a. 17 recommendations[7] pertaining to safeguarding the rights of human rights defenders and justice operators – including lawyers[8] – ending harassment and criminalization, and ensuring full respect for due process in all prosecutions. Representative recommendations include:

"90.40 Safeguard juridical independence by ensuring that judges are free of any interference or pressure in the exercise of their functions, and guarantee due process for prosecuted justice operators, journalists and human rights defenders, in accordance with international standards." (Norway)

"90.51 Cease reprisals against civil servants and justice officials for defending human rights and fighting corruption, and investigate and prosecute attacks on human rights defenders, labour leaders and the press." (United States of America)

"90.62 Adopt effective measures for the protection of human rights defenders and for the investigation of the abuses committed against them, putting an end to the misuse of the penal, civil and administrative systems as intimidation mechanisms and guaranteeing the right to freedom of expression and of the press." (Spain)

"90.63 Adopt without delay a public policy for the protection of human rights defenders (Czechia); Advance in the implementation of a public policy for the protection of human rights defenders (Uruguay);"

b. One recommendation regarding the strengthening of the legal education:

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4 Report of the Working Group on the Universal Periodic Review: Guatemala, A/HRC/53/9.

5 Report of the Working Group on the Universal Periodic Review: Guatemala Addendum, A/HRC/53/9/Add.1.

6 Report of the Human Rights Council on its fifty-third session dated 23 September 2024, A/HRC/53/2.

7 Please be referred to recommendations 90.37, 90.40, 90.48, 90.50, 90.51, 90.59, 90.60, 90.61, 90.62, 90.63, 90.64, 90.65, 90.66, 90.67, 90.73, 90.78, 90.79.

8 The Special Rapporteur on the Independence of Judges and Lawyers has stated that: "when acting on behalf of their clients in defending their human rights and fundamental freedoms, lawyers should also be regarded as human rights defenders". See: Report of the Special Rapporteur on the independence of judges and lawyers, 22 August 2016, A/71/348, par. 35.

"90.49 Improve the quality of training for judges, lawyers and prosecutors." (Russian Federation)

6. Consistent with these recommendations, this review focuses on two principal areas:

   c. Recommendations aimed at safeguarding the rights of human rights defenders – including lawyers – by ending harassment and criminalization, and ensuring full respect for due process in all prosecutions, and providing protection measures for those at risk;

   d. Recommendations regarding the quality of legal education for lawyers.

7. The signatory organisations welcome the (partial) acceptance of the recommendations listed above. However, they note with concern that the accepted and noted recommendations have not been fully implemented as of the date of this submission.

II. Methodology

8. The longstanding and ongoing monitoring and documentation efforts of the undersigned organisations inform the present report. As part of this work, they coordinated the International Mission of Jurists for Guatemala[9], a fact-finding mission that took place between 20 and 30 October 2025. The main objective of the mission was to observe, document, and impartially assess the current situation of judicial independence and the practice of law in Guatemala. A comprehensive report of the mission's findings will be published in 2026. To obtain an overall understanding of the country's current context, the mission conducted interviews with a wide range of stakeholders, including current and former justice operators, lawyers, persons deprived of liberty, civil society organisations, embassies, academics, and relevant legal and political institutions such as the Constitutional Court, the Bar Association of Guatemala, the Ministry of the Government, and various universities. The Public Prosecutor's Office declined the invitation to participate in these interviews.

III. Assessment of the implementation of the recommendations

a. Recommendations aimed at safeguarding the rights of human rights defenders, including lawyers

i. The independence of the legal profession as a foundation for the rule of law

9. The adequate protection of human rights and fundamental freedoms requires that every citizen has effective access to justice, including legal assistance and representation. Such assistance and representation can only be provided effectively in a judicial system where lawyers, along with judges and prosecutors, are able to carry out their professional activities independently and without external pressures and interference.[10] This principle is enshrined in various international instruments,

[9] Press release: Preliminary findings of the International Mission of Jurists for Guatemala - Lawyers for Lawyers

[10] Report of the Special Rapporteur on the independence of judges and lawyers, Leandro Despouy, submitted in accordance with Human Rights Council resolution 8/6, A/64/181 (28 July 2009) par.12: "*Lawyers are not expected to be impartial in the manner of judges, yet they must be as free as judges from external pressures and interference. This is crucial if litigants are to have trust and confidence in them*".

including the International Covenant on Civil and Political Rights ('ICCPR') and the United Nations Basic Principles on the Role of Lawyers (the 'Basic Principles'.[11]

10. In its task of promoting and ensuring the proper role of lawyers, the government of Guatemala should respect the Basic Principles and take them into account within the framework of its national legislation and practice. Adherence to the Basic Principles is considered a fundamental pre-condition for fulfilling the requirement that all persons have effective access to legal assistance and representation.[12]

11. However, information received from lawyers in Guatemala shows that the accepted and noted recommendations have not yet been implemented. In practice, Guatemala continues to fall short of upholding the safeguards necessary to ensure the proper functioning of the legal system and the independent role of lawyers. Reported cases of intimidation, harassment, prolonged arbitrary detention, and forced exile indicate that lawyers continue to face retaliation for their work, as well as severe restrictions and external pressure in carrying out their professional duties. Since the adoption of the Report of the UN Working Group in 2023, the signatory organisations have received additional information about lawyers who have faced reprisals for their human rights work. The next section describes and illustrates these patterns with specific examples.

ii. Intimidation, harassment and retaliation against lawyers

12. The signatory organisations have identified a systematic pattern of persecution against lawyers in Guatemala. Since the dissolution of the International Commission against Impunity in Guatemala ('CICIG'),[13] established by a 2006 agreement between the United Nations and the Government of Guatemala, this persecution has primarily targeted individuals and groups engaged in anti-corruption efforts. In recent years, the pattern has intensified against lawyers working on transitional justice cases, the defence of land and territory, and the protection of the rights to protest and freedom of expression. The Office of the United Nations High Commissioner for Human Rights ('OHCHR') has received credible reports of reprisals, including online harassment, threats, and unjustified procedural delays, affecting 70 justice officials.[14]

13. Our organisations have documented multiple mechanisms of intimidation, harassment, and retaliation, which frequently culminate in criminalisation processes. These mechanisms include acts of physical intimidation — such as surveillance and monitoring — as well as online harassment, including campaigns of stigmatization, defamation, and coordinated attacks on social media. Lawyers working on human rights cases have reported physical surveillance, being followed by unmarked cars while travelling to judicial proceedings or community representation activities, theft of case-related information stored on computers in offices or vehicles, and the appearance of their names on “blacklists” because of the clients they represent. Some lawyers have also described

[11] The UN Basic Principles on the Role of Lawyers provide a concise description of international norms relating to the key aspects of the right to independent counsel. The Basic Principles were unanimously adopted by the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders in Havana, Cuba on 7 September 1990. Subsequently, the UN General Assembly “welcomed” the Basic Principles in their ‘Human rights in the administration of justice’ resolution, which was adopted without a vote on 18 December 1990 in both the session of the Third Committee and the plenary session of the General Assembly.

[12] Basic Principles, Preambule and paragraph 8 in particular.

[13] IACHR, IACHR Expresses its Concern over Guatemala's Decision to not Renew the Mandate of the International Commission against Impunity in Guatemala (CICIG), Press Release 196/18, 4 September 2018.

[14] Report of the United Nations High Commissioner for Human Rights, UN doc. A/HRC/58/22, 21 January 2025, para. 55.

informal professional barriers, including the effective impossibility of obtaining employment after handling sensitive or politically targeted cases. In many cases, defamation campaigns serve as a prelude to criminal prosecution, with online posts even indicating who will be the next to face charges. Such actions often originate from accounts linked to political actors or from anonymous profiles associated with net centres, creating the perception that certain actors have early access to confidential criminal case information, sometimes before the affected lawyers are formally notified.

14. Within the broader context of harassment against lawyers working on public interest and human rights issues, these attacks frequently exhibit misogynistic and/or racist elements. Indigenous and women lawyers, in particular, face a distinct and aggravated pattern of violence, including the public exposure of their images and personal data, as well as the dissemination of violent, denigrating, or sexualized statements on social media. Additional obstacles include unequal treatment in judicial proceedings, such as restrictions on the right to speak. Women lawyers further report gender-based stigmatization and violent treatment, compounding the risks they face for carrying out their professional duties.

15. The intimidation, harassment and retaliation against lawyers is further illustrated by the cases detailed below.

Centro para la acción legal en Derechos Humanos (CALDH)

The *Centro para la Acción Legal en Derechos Humanos* ('CALDH'), an organisation dedicated to accompanying victims of the internal armed conflict, reported persistent surveillance of its offices, monitoring of staff members' homes, cyberattacks, extortion calls and threats against women lawyers, and recurring attacks on social media.

Universidad de San Carlos (USAC)

Lawyers and notaries associated with the *Universidad de San Carlos* ('USAC') who have represented workers, filed complaints or legal actions against USAC or its affiliates, or provided legal advice and representation in related cases, have reported retaliatory measures. These include placement on informal blacklists resulting in non-renewal of contracts, the termination of professional engagements, or the denial of future employment opportunities.

iii. Judicial harassment and criminal prosecution of lawyers

16. Several human rights mechanisms have documented a growing number of unjustified criminal cases brought against lawyers and other justice officials in Guatemala, often as part of broader patterns of intimidation and harassment targeting those who defend human rights or combat corruption.[15] Justice operators and lawyers continue to face criminal charges in apparent retaliation for carrying out their professional duties. These cases reveal a structural scheme in which criminal law is used as a tool to intimidate, silence, and suppress critical voices. The UN Special Rapporteur on the Independence of Judges and Lawyers ('SRIJL') has summarised these practices as part of a

[15] Comment by UN High Commissioner for Human Rights Volker Türk on continued persecution of justice officials in Guatemala, 5 January 2024. Inter-American Commission of Human Rights, *Preliminary Observations On-site visit to Guatemala*, 15 August 2024, OEA/Ser.L/V/II.doc.124/24.

deliberate strategy to use criminal proceedings to discredit, intimidate, and neutralise justice operators and legal professionals.[16]

17. The manifestations of this criminalisation follow a clear and recurring pattern. In the majority of cases, prosecutors rely on a limited set of vaguely defined criminal offences, including illicit association, abuse of authority, breach of duty by public officials and sedition. More recently, charges such as aggravated usurpation, destruction of cultural property and offences associated with counter-terrorism have also been applied to criminalise forms of peaceful protest. The lack of precise descriptions of the alleged unlawful conduct in these offences leaves broad discretion for judicial interpretation. Investigations conducted by the Public Prosecutor's Office are marked by superficiality, generic and repetitive charges that fail to individualise conduct, and significant deficiencies in judicial oversight. Notably, in numerous case files, the *Fundación Contra el Terrorismo* appears as complainant, reinforcing the perception that these prosecutions are politically motivated.

18. These cases are also characterised by serious violations of due process. Unjustified delays have become widespread: repeated and unexplained suspension of hearings prevents cases from progressing and subjects defendants to prolonged and distressing uncertainty. There is also a documented misuse of judicial secrecy, a measure that should be exceptional but is applied broadly, limiting access of defendants and their lawyers to case files, restricting their right to defence, and undermining transparency. Additional reported practices include private hearings between prosecutors and judges, as well as pressure on defendants to accept charges—conduct that threatens judicial impartiality and the accusatory nature of criminal proceedings, and may indicate collusion between those responsible for prosecution and those responsible for judicial oversight. Violations of the guarantee of the natural judge have also been observed, including manipulation of the random case-assignment system. Taken together, these practices directly undermine the rights to defence and to a fair trial.

19. Consistent with the findings of the UN Working Group on Arbitrary Detention ('WGAD')—which found Guatemala responsible in the cases of Virginia Laparra[17] and José Rubén Zamora[18]—there is evidence of the improper and disproportionate use of pre-trial detention. In numerous cases, preventive detention has been ordered on grounds contrary to Guatemalan and international law. In some instances, the exercise of defence rights—such as filing motions or appeals—has been cited as supposed evidence of justice obstruction. The criteria used to deny substitute measures have also shifted arbitrarily between hearings, without reasonable justification. Another troubling pattern is the issuance of arrest warrants despite defendants' voluntary appearance before authorities and their expressed willingness to submit to the proceedings. The SRIJL similarly found that conditional release pending trial is treated as the exception rather than the rule, with individuals accused of non-violent or minor offences remaining in detention for months or years, despite being eligible for alternative measures.[19]

20. The criminalization of lawyers is demonstrated by the cases of Claudia González Orellana and Ramon Cadena, further set out below.

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[16] Special Rapporteur on the independence of judges and lawyers Visit to Guatemala, 12 to 23 May 2025 - Preliminary observations.

[17] WGAD, Opinion No. 24/2023 concerning Lilian Virginia Laparra Rivas, UN doc. A/HRC/WGAD/2023/24,18 May 2023.

[18] WGAD, Opinion No. 7/2024, concerning José Rubén Zamora Marroquín, A/HRC/WGAD/2024/7, 17 May 2024,

[19] Special Rapporteur on the independence of judges and lawyers Visit to Guatemala, 12 to 23 May 2025 - Preliminary observations.

Claudia González Orellana

Human rights lawyer Claudia González Orellana is a former legal representative of the International Commission against Impunity in Guatemala (CICIG), where she litigated 16 high-impact cases involving organised criminal structures operating within state institutions. After CICIG's closure in 2019, Ms. González represented clients in prominent human rights and anti-corruption cases.[20]

Ms. González was arrested on 28 August 2023 without being informed of the charges against her. Upon being transferred to the courts in Guatemala City, she waited approximately five hours before being notified that she was being charged with "abuse of authority." The charge stemmed from her signature on a request to lift the immunity of a sitting judge during her work with CICIG, despite the fact that abuse of authority is an offence that, under Guatemalan law, can only be committed by a public official, a status Ms. González has never held. After 82 days in detention, Ms. González is currently under house arrest and subject to periodic check-ins and a travel ban.

The proceedings against Ms. González have been marked by serious due process violations, including repeated postponements and lack of transparency. The arraignment hearing, originally scheduled for 6 September 2023, was suspended on three occasions for reasons unrelated to the defence. It was initiated and interrupted multiple times, and ultimately held on 22 September 2023. Her most recent hearing took place on 12 August 2025, after which the next hearing was set for more than a year later, in September 2026, and later rescheduled to May 2026.

Ms. González's right to an adequate defence has also been adversely affected throughout the process. The presiding judge reportedly denied several defence requests to access audio recordings and official reports included in the judicial file—documents considered essential to the preparation of an effective defence. Moreover, following media coverage of the case, the judge requested that the Public Prosecutor's Office submit a report on social media activity and press coverage related to the proceedings. This action raises concerns about potential retaliatory measures against the defence and calls into question the impartiality of the judicial process. In the last hearing, the judge admitted most of the prosecution's evidence while rejecting a substantial portion of the defence's submissions, further undermining the principles of equality of arms and impartial adjudication.

Ramón Cadena Rámila

Ramón Cadena is a Guatemalan human rights lawyer and academic. He was director of the International Commission of Jurists for Central America for more than 14 years. As a result of his work, Cadena has faced persistent threats and judicial harassment. He is a beneficiary of precautionary measures granted by the Inter-American Commission on Human Rights

[20] New York City Bar Association, *The New York City Bar Association Demands an End to the Arbitrary Detention of Prominent Lawyer Claudia Gonzalez by the Guatemalan Government and Advocates for Broader International Protection for the Legal Profession,* 22 November 2023; ***Plaza Pública****. El caso contra Claudia González es «el símbolo de la lucha contra la injusticia del MP»,* 14 September 2023.

('IACHR')[21], reflecting the serious risks to his safety. In recent years, Cadena was compelled to leave Guatemala temporarily due to the imminent threat of arbitrary detention linked to ongoing criminal proceedings against him, proceedings widely viewed as part of a broader pattern of retaliation against human rights defenders.

Between April 2022 and June 2023, Mr. Cadena provided pro bono legal advice to the student, faculty, and administrative movement of the Universidad de San Carlos (USAC) on matters related to the right to protest and university autonomy. He also assisted in the submission of a request for precautionary measures to the IACHR on behalf of the student movement and, in June 2023, participated in the public event of peaceful handover of the university's central campus.

On November 16, 2023, agents from the National Civil Police and the Public Prosecutor's Office raided his home and issued an arrest warrant against him, as well as against students and university staff. The criminal charges filed against him were: aggravated usurpation, destruction of cultural property, sedition, and illegal association.

The proceedings against him have been marked by serious violations of due process. Mr. Cadena's initial hearing has been rescheduled repeatedly, in violation of his right to be tried within a reasonable time and to be heard by a competent, independent, and impartial judge. Despite having voluntarily submitted to the process in January 2025, the hearing was successively postponed—first to July, then to October 23, for which the International Mission of Jurists for Guatemala had formally notified the judge of its intention to attend as an impartial observer. Nevertheless, the hearing was again postponed for administrative reasons until January 27, 2026, unjustifiably prolonging legal uncertainty and violating Mr. Cadena's judicial guarantees and right to defence.

Faced with these repeated delays, which prevented him from effectively exercising his right to defence, Mr. Cadena decided to appear personally before the court on November 10. However, he was arrested without the initial hearing being held and without the arrest warrant being lifted, despite his express willingness to submit to the judicial process. He was subsequently transferred to Mariscal Zavala prison, where he remained in an isolated area reported to be unsanitary. His arraignment hearing, scheduled for November 14 was first rescheduled for the 18th. On that date, despite the prosecutor's request for another postponement, the first statement hearing began, although it did not conclude. Proceedings resumed on 20 November, at which time the judge indicted Mr. Cadena on charges of aggravated usurpation and depredation of cultural property and granted him house arrest , scheduling the next hearing for 26 May 2025.

iv. Climate of fear and forced exile

21. The intimidation, harassment, and criminalization described above have generated a pervasive climate of fear, creating a profound chilling effect on the legal profession—particularly among those defending human rights. Documented consequences include self-censorship, reluctance to assume sensitive cases, and shifts in litigation strategies toward more cautious or defensive approaches.

[21] Inter-American Commission on Human Rights, *Precautionary Measure No. 661-16: "Asunto Ramón Cadena Rámila y familia respecto de Guatemala 20 de octubre de 2016"*, 20 October 2016; https://www.oas.org/es/cidh/decisiones/pdf/2016/MC661-16-ES.pdf

During interviews, lawyers consistently reported feeling powerless: their legal expertise alone is no longer sufficient to secure justice for their clients, as the correct application of the law does not guarantee fair outcomes within a system perceived as co-opted.

22. Forced exile represents the most severe consequence of this environment. The lack of guarantees within the justice system, coupled with patterns of selective persecution, has driven numerous lawyers to leave the country as a means of safeguarding their liberty and personal integrity. According to the OHCHR, at least 63 justice officials have been forced into exile due to persistent harassment and the State's failure to provide adequate protection.[22] Alongside criminalization—where arbitrary prolongation of proceedings subjects individuals to prolonged uncertainty amounting to psychological suffering—forced exile has been described by those affected as a form of "civic death."

23. In addition to the harm caused by displacement itself, exiled justice operators consistently report significant challenges in rebuilding their professional and personal lives abroad. Many face structural barriers to practicing law or having their professional qualifications recognized, which has deeply affected their sense of identity and professional vocation. Administrative and legal obstacles—such as delays in obtaining documentation, residence permits, or recognition of academic credentials—have further hindered their ability to secure stable employment or re-establish their careers. These difficulties are compounded by limited access to housing, essential services, and social support networks in host countries, prolonging the conditions of vulnerability experienced during exile.

24. The following section provides examples of former justice operators and lawyers who remain in exile due to the ongoing risk of criminalization and lack of institutional guarantees for their safe return.

Leily Indira Santizo Rodas

Human rights lawyer Leily Indira Santizo Rodas is a former legal representative and senior official of CICIG, where she served for over a decade. During her tenure, Santizo played a pivotal role in investigating and litigating high-profile cases involving organized crime, corruption, and state capture. After the closure of CICIG in 2019, she continued her legal practice, notably defending former anti-corruption prosecutors and justice operators targeted by politically motivated prosecutions.

In February 2022, Santizo became the subject of a criminal complaint filed by the *Fundación Contra el Terrorismo*, which accused her of obstruction of justice and conspiracy. An arrest warrant was issued four days after a judge admitted a request for joinder of cases filed by Ms. Santizo in the Odebrecht case on behalf of her clients. According to Ms. Santizo, FCT publicly labelled her a "traitor," stated that she should be "banished," and subjected her to threats and persistent harassment. Ms. Santizo was arrested on 10 February 2022 and held in pretrial detention for more than a month before being granted alternative measures to pretrial detention.

On 18 October 2022, a second arrest warrant was issued, again prompted by an FCT complaint alleging that she had colluded with another former CICIG prosecutor to influence a judge's

[22] Report of the United Nations High Commissioner for Human Rights, UN doc. A/HRC/58/22, 21 January 2025, para. 55.

reassignment—a charge of obstruction of justice that remains active. Her residence was raided three times in attempts to detain her. After facing escalating threats and renewed criminal actions, she left Guatemala and has been in exile since 16 February 2023.

International bodies have also raised concerns about the nature of the charges.[23] On 27 February 2023, INTERPOL cancelled the issuance of a Red Notice, determining that the case appeared to constitute politically motivated persecution. This decision enabled the lifting of a related migration alert, which had hindered her ability to obtain permanent residency and a valid passport in her host country.

Flor de Maria Gálvez

Flor de María Gálvez is a Guatemalan human-rights lawyer and former prosecutor with CICIG, where she led high-profile investigations into state corruption and organized crime. Before joining CICIG for eleven years, she worked five years in the judiciary and three in the Public Prosecutor's Office. While running the CICIG office in Quetzaltenango, she filed a disciplinary complaint against Judge Lesther Castellanos, who was sanctioned—an event that triggered a long smear campaign against her and, separately, against prosecutor Virginia Laparra.

When CICIG closed in 2019, Gálvez anticipated reprisals and briefly joined a protection program in Mexico before returning to Guatemala in mid-2020. Back in the country, she struggled to find work due to the stigma attached to former CICIG personnel. After she began representing former CICIG colleagues, including Santizo, Gálvez herself became the target of judicial harassment. As the campaign of threats and criminalization against anti-corruption lawyers intensified and several of her (former) colleagues were jailed, Gálvez fled Guatemala in 2022.[24] She remains in exile, without guarantees of a safe return to Guatemala, given the risk that legal proceedings against her could be reactivated.

v. Protection measures

25. Our organisations have consulted lawyers regarding the existence and effectiveness of protection measures in the face of the patterns of harassment and criminalization described above. They consistently reported the absence of effective and reliable mechanisms to safeguard their security, as well as the State's failure to comply with precautionary measures and recommendations issued by international bodies, including precautionary measures granted by the Inter-American Commission on Human Rights (IACHR) and opinions of the UN Working Group on Arbitrary Detention (WGAD).

26. Guatemala has been repeatedly urged to adopt a comprehensive protection policy for human rights defenders, including in the most recent Universal Periodic Review and through the judgment of the Inter-American Court of Human Rights (IACtHR) in Human Rights Defender et al. v. Guatemala. Our organisations note that, following a lengthy process that began in 2016, the State finally adopted and launched the Public Policy for the Protection of Human Rights Defenders 2025–2035. We

[23] Report of the Human Rights Council on its fifty-first session dated 14 September 2022, A/HRC/51/47, paras. 57 – 60 and Annex I paras. 27 – 30; VOA News, "Guatemala Arrests 2 Anti-Corruption Prosecutors", 16 February 2022, Guatemala Arrests 2 Anti-Corruption Prosecutors.

[24] Amnesty International, "It's hunting season against justice officials in Guatemala", 22 November 2023.

emphasize the urgent need for its effective implementation, including the development of clear institutional protocols, adequate funding, inter-institutional coordination, and accountability mechanisms. The policy must establish concrete guarantees for lawyers and justice operators facing risks, including rapid-response measures, legal and psychosocial support, and protection against the misuse of criminal law.

b. Recommendations relating to the quality of legal education for lawyers

27. The SRIJL has expressed concern about the lack of independence of universities and the proliferation of universities with low academic standards.[25] The information collected during our Mission confirmed that most legal professionals report a significant decline in the quality of initial legal training, attributable to multiple factors.

28. The dominant role of the *Universidad de San Carlos* (USAC) in the Postulation Commissions responsible for selecting members of judicial institutions has led to deep politicization of its governing bodies, negatively affecting both academic quality and internal electoral processes. These processes, frequently marked by political conflicts and divisions, hinder the selection of authorities based on merit and competence, while favoring alignment with powerful political groups. Law programs have not been updated for more than twenty years, and the stagnation in the appointment of full-time professors has exacerbated this delay. Interim professors are often selected through cooptation rather than objective criteria. Additionally, lawyers who defend students or staff sanctioned by the faculty have reportedly been marginalized.

29. The proliferation of private law schools—often referred to as "cardboard universities"—many established for political purposes and without effective quality control, has heightened concerns about the overall standard of legal education. In several cases, these institutions appear to exist primarily to secure representation in the Postulation Commissions rather than to provide high-quality legal education. The Council for Private Higher Education, responsible for authorizing their operation, is perceived as limiting its oversight to formal compliance with procedural requirements, without substantive evaluation of academic quality or institutional practices.

VI. Conclusion and recommendations

30. The above leads us to conclude that Guatemala has not sufficiently implemented the recommendations concerning the protection of lawyers and their legal education.

31. The signatory organisations urge the recommending UN Member States to call upon the Guatemalan authorities to:

i. Respect the right of lawyers to perform their professional functions without intimidation, hindrance, harassment or improper interference, in line with Principle 16(a) and (c) of the United Nations Basic Principles on the Role of Lawyers (the 'Basic Principles').

ii. Implement recommendations 90.37, 90.40, 90.48, 90.50, 90.51, 90.59, 90.60, 90.61, 90.62, 90.63, 90.64, 90.65, 90.66, 90.67, 90.73, 90.78, 90.79 without delay, including measures to end harassment and criminalization of lawyers, ensure full respect for due process, investigate

[25] Special Rapporteur on the independence of judges and lawyers Visit to Guatemala, 12 to 23 May 2025 - Preliminary observations.

abuses against justice operators, and provide effective protection measures, including guarantees for the safe return of those currently in exile.

iii. Ensure that lawyers receive adequate education and professional training, in line with Principle 9 of the Basic Principles.

iv. Implement recommendation 90.49 fully and without any delay.