

Lic. María Consuelo Porras Argueta

Attorney General of Guatemala

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June 25, 2020

Dear Attorney General:

We are outraged at the beating and arrest of journalist **Francisco Chox** in the municipality of Santa Catarina Ixtahuacan, in Sololá department.

On June 11 Francisco Chox was covering a demonstration over a territorial dispute as a freelance reporter for *Nim TV*. Protesters beat him, resulting in broken ribs and bruises on his face, legs, and arms. They then put ammunition into his bag and presented him to police, who proceeded to arrest him for unlawfully possessing ammunition. He is being held in pre-trial detention in the neighboring department of Chimaltenango. If charged and convicted, he could face up to three years in prison and a fine of up to 50,000 quetzales (US\$6,500).

Guatemalan law states that an initial hearing must take place within 24 hours after an individual is arrested. This did not happen. After arresting him, authorities in Sololá initially transferred Francisco Chox to a jail in Chimaltenango, which was contrary to a national ban on inter-departmental travel enacted in March amid the COVID-19 pandemic. According to Ruth del Valle, a representative from the Human Rights Ombudsman's Office, he was transferred to Chimaltenango because the local jails were full. Ruth del Valle said that the case was first being handled in the jurisdiction of Sololá but was transferred on June 15 to a judge in Chimaltenango, who scheduled the first hearing for June 18. She also stated that, "We are concerned that this could take more than a week. We have other cases of people who have been in jail for three weeks without a first hearing because prisons said that they are not transferring inmates to court."

Francisco Chox might be in personal dangers at the prison. Some inmates at the prison have contacted his family, requesting money to "protect" him while behind bars, which he described as blackmail.

Francisco Chox, who occasionally freelances for *Nim TV* about local news issues and also serves as a volunteer firefighter, lives in the municipality of Nahualá, which has had a long-standing land dispute with the neighboring municipality of Santa Catarina Ixtahuacan. Chox's lawyer believes he was beaten and detained because he is a Nahualá resident. Chox showed his press credentials to the police, but the officers still arrested him.

We **strongly urge** that you

- immediately release journalist Francisco Chox and open a thorough, transparent investigation into the circumstances of his arrest
- ensure that reporters can work freely, without harassment from either police or protesters.

Sincerely,



Brian J. Stefan Szittai
Co-coordinators



Christine Stonebraker Martínez

copies: Dora Ruth del Valle Cobar, Defensoría de la Personas Defensores de Derechos Humanos y Periodistas ~ via email
Manuel Alfredo Espina Pinto, Ambassador of Guatemala to the US ~ via email, US mail
Luis E. Arreaga Rodas, US Ambassador to Guatemala, in care of human rights officer Rain Bian ~ via email
Steven Kenoyer, Guatemala Desk, US State Department ~ via email
Esmeralda Arosemena de Troitiño, Rapporteur for Guatemala, Inter-American Commission on Human Rights ~ via email
Edison Lanza, Special Rapporteur for Freedom of Expression, Inter-American Commission on Human Rights ~ via email
NISGUA ~ via email
Guatemala Human Rights Commission USA ~ via email
US Senators Brown & Portman and US Representatives Beatty, Fudge, Gibbs, Gonzalez, Johnson, Jordan, Joyce, Kaptur, Latta, Ryan ~ via email

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The following people hereby urge you to take action on this matter as indicated in this letter: