

via email: hpineda@mp.gob.gt Licda. Hilda Pineda Prosecutor of the Human Rights Section of the Public Ministry	via email: fiscalgeneralmp@gmail.com carrecis@mp.gob.gt Lica. María Consuelo Porras Argueta Attorney General of Guatemala
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November 1, 2020

Dear Prosecutor Pineda and Attorney General Porras:

We are astounded and outraged that on October 28 the judge of the Criminal Court of First Instance of Santa Cruz del Quiché linked **Anastasia Mejía Tiriquiz**, an indigenous Maya K'ich'e journalist and director of the local radio station Xol Abaj Radio, to a criminal proceeding for the crimes of "sedition" and "attack with specific aggravations."

Anastasia Mejía Tiriquiz had been in arbitrary detention for 36 days at the Quetzaltenango Preventive Center for Women since she was charged, without a preventive detention order, on September 22 (cf our letter of Sept. 26). At that time a hearing was set for October 8 despite the fact that the Guatemalan constitution establishes that an initial hearing must be held less than 24 hours following arrest. She was not permitted to present a defense statement, as required by law. At the indictment hearing at the Cantel prison on October 8, the judge rescheduled the hearing for October 28 because the video-conference room was busy and refused to wait until it was available. The defense attorney requested that Anastasia be granted bail. The judge rejected the bail petition even though Guatemalan law requires bail only when there is a risk of absconding.

At the hearing on October 28, the judge granted Anastasia Mejía Tiriquiz alternative measures consisting of house arrest, a requirement to appear at the Joyabaj Justice of the Peace every 15 days, and a prohibition of communication with her accusers. She was also charged a bail of 20,000 quetzales (approximately 2,200 euros). The next hearing is scheduled for February 11, 2021.


After the hearing, Anastasia Mejía Tiriquiz was forced to spend the night at the Preventive Center for Men in Santa Cruz del Quiché due to a lack of coordination between the Court and the Penitentiary System (which should have arranged for her transfer to the Preventive Center for Women in Quetzaltenango).

The Office of the Special Rapporteur for Freedom of Expression of the Inter-American Commission on Human Rights (IACHR) has expressed grave concern that the charges against Anastasia Mejía Tiriquiz put her at risk as an independent journalist who has the right to freely report on the work of public officials.

We strongly urge that you

- drop all criminal charges against Anastasia Mejía Tiriquiz
- guarantee due process in any legal proceedings carried out against her.

Sincerely,


 Brian J. Stefan Szittai
 Co-coordinators


 Christine Stonebraker Martinez

copies: Sr. Guillermo Castillo Reyes, Vice President of the Republic of Guatemala ~ via email
 Lic. Augusto Jordán Rodas Andrade, Procurador de los Derechos Humanos de Guatemala ~ via email
 Alfonso José Quiñónez Lemus, Ambassador of Guatemala to the US ~ via email, US mail
 OAS: Ambassador Luis Raúl Estevez, Permanent Mission of Guatemala to the Organization of American States in WDC ~ via email
 IAHCR: Esmeralda Arosemena de Troitiño, Rapporteur for Guatemala, Inter-American Commission on Human Rights ~ via email
 IAHCR: Antonia Urrejola Noguera, Rapporteur on the Rights of Indigenous Peoples, Inter-American Commission on Human Rights ~ via email
 IAHCR: Edison Lanza, Special Rapporteur for Freedom of Expression, Inter-American Commission on Human Rights ~ via email
 OACNUDH: Oficina del Alto Comisionado de las Naciones Unidas para los Derechos Humanos en Guatemala ~ via email
 US State Department: Bryan Koontz, Guatemala Desk ~ via email
 FIDH: International Federation of Human Rights ~ via email
 OMCT: World Organization Against Torture ~ via email
 Natalie Southwick, CPJ Central and South America Program Coordinator ~ 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

30 OCT 2020_OMCT_Guatemala

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