

23 October 2020

Guatemala: Multiple irregularities in the trial of indigenous woman human rights defender Anastasía Mejía

On 28 October the second hearing in the trial of woman human rights defender Anastasía Mejía Tiriqiz will take place. A judge at the Santa Cruz del Quiché Court of First Instance previously postponed the hearing on 8 October 2020 despite the fact that the defender had already presented herself for the virtual hearing. She has not been permitted to give a defence statement since her arrest on 22 September 2020 and remains in Quetzaltenango detention centre.

Anastasia Mejía Tiriqiz, is a K'iche' Mayan indigenous woman human rights defender, journalist and director at the Xol Abaj Radio and TV station. She raises public awareness on cases of corruption and documents social mobilisations in relation to indigenous issues within the municipality of Joyabaj, department of Quiché.

On 8 October 2020, a judge at the Santa Cruz del Quiché Court of First Instance postponed Anastasia Mejía's hearing. The judge argued that the video-conference room at the Cantel prison, where the defender had been transferred for the hearing, was busy and refused to wait until it was available. The defence attorney requested Anastasia could be granted bail, however the judge rejected the petition and rescheduled the hearing for 28 October 2020. Guatemalan law establishes that bail is only inhibited at risk of absconding.

On 22 September 2020, the National Civil Police (PNC) arrested Anastasia Mejía Tiriqiz, on the premises of the Xol Abaj radio station in the municipality of Joyabaj, Quiché, on the charges of sedition, aggravated assault, aggravated arson and aggravated robbery. Prior to her arrest, the defender did not receive notification of the alleged charges against her, however the Santa Cruz del Quiché Court issued an arrest warrant days before the arrest.

The charges against the defender relate to her participation and [coverage](#) of a peaceful protest that took place on 24 August 2020 in Joyabaj expressing dissatisfaction with Mayor Francisco Carrascosa. The protesters denounced irregularities in the mayor's management of resources intended to address the COVID-19 pandemic.

After her arbitrary detention, a hearing was set for 8 October, despite the fact that [Guatemalan law](#) in its article 9 of the constitution, establishes that an initial hearing must be held less than 24 hours after the arrest. To date, Anastasia Mejía has served 31 days in preventive detention in the department of Quetzaltenango, without being granted permission to present a defence statement, as required by law.

The judicial harassment of Anastasia Mejía is not an isolated case in Guatemala. Front Line defenders has drawn attention to the restrictions on freedom of expression in the country since 2017 and the notable increase in human rights [violations against journalists in 2020](#), including digital attacks, judicial harassment and criminalisation of their work.

Front Line Defenders is deeply concerned for the safety and integrity of Anastasia Mejía. Furthermore, Front Line Defenders expresses concern for the hostile environment for all human rights defenders

exercising their legitimate right to freedom of opinion and expression. It is particularly concerned by the violation of due process during and after the arrest of Anastasia Mejía, denying the woman defender from her right to adequately defend herself against the charges she faces. Front Line Defenders believes that in addition to the restriction on freedom of expression, rural and indigenous journalists have been notably subjected to discrimination, persecution and criminalisation for expressing their cultural or indigenous identity.

Front Line Defenders urges the authorities in Guatemala to :

1. Immediately release and drop all charges against Anastasia Mejía as Front Line Defenders believes that it is solely motivated by her legitimate and peaceful work in defence of human rights;
2. Guarantee due process in the legal proceedings carried out against the defender and that her treatment in detention adheres to the conditions established in the 'Set of principles for the protection of all persons under any form of detention or prison' adopted by resolution 43/173 of the UN General Assembly of December 9, 1988;
3. Guarantee in all circumstances that all human rights defenders in Guatemala are able to carry out their legitimate human rights activities without fear of reprisals and free of all restrictions judicial harassment.

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