

Arrest of the 'Huehuetenango Seven'

Guatemala

September 2013 – present

In 2008, construction began on a new hydroelectric dam on the Q'am B'alam River in Santa Cruz Barillas, Huehuetenango, Guatemala. The river and its three waterfalls are considered sacred by the Q'anjob'al community. A group of EHRD worked to mediate the ensuing conflict between the indigenous community and the corporate backers of the project.

However, in September 2013, one of them, Mynor Manuel López, was taken into custody after unsubstantiated accusations were made against him by employees of the local subsidiary of the energy company, *Ecoener Hidralia Energía*. He remained in detention for almost three years.

Between January and June 2015, fellow human rights defenders Francisco Juan Pedro, Adalberto Villatoro, Arturo Pablo Juan, Domingo Baltazar, Bernardo Ermitaño López and Rigoberto Juárez were also arrested. The accusations levelled against the defenders were seemingly motivated by their participation in various peaceful demonstrations in Santa Cruz Barillas, Huehuetenango. The complaints submitted against the defenders were put forward by employees and public officials of the Justice Administration Centre of Santa Eulalia, the former mayor of Santa Eulalia and workers of the company Hidro Santa Cruz.

The Prosecutor's Office largely based its investigation on a document issued by the company Hidro Santa Cruz, in which it accused the six human rights defenders of forming part of a criminal network in Huehuetenango. The defenders remained in prison during the entire judicial process.

In July 2016, the High Risk Tribunal A in Guatemala City, presided over by Judge Yasmín Barrios, ordered the immediate release of the 'Huehuetenango Seven.' In a unanimous decision the judges absolved Francisco Juan Pedro, Adalberto Villatoro, Arturo Pablo Juan, Domingo Baltazar and Mynor López of all charges. However, in a majority decision, the judges declared Bernardo Ermitaño López guilty of 'obstructing legal action' and Rigoberto Juárez guilty of 'coercion.' Notwithstanding, the judges ordered their release due to time already served. Presiding Judge Yasmín Barrios, publicly stated her disagreement with her fellow judges' decision to uphold the charges against the two defenders, recalling the responsibility of judges to uphold truth and justice, as opposed upholding the interests of private companies or individuals.