

GUATEMALA

**SUBMISSION FROM THE INTER-AMERICAN COMMISSION ON HUMAN RIGHTS TO
THE UNITED NATIONS UNIVERSAL PERIODIC REVIEW**



**14th SESSION OF THE WORKING GROUP ON THE UPR
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I. TABLE OF RATIFICATION OF INTER-AMERICAN TREATIES BY GUATEMALA

	Signature	Ratification/Accession	Deposit
American Convention on Human Rights ¹	11/22/69	04/27/78	05/25/78 RA
Inter-American Convention to Prevent and Punish Torture	10/27/86	12/10/86	01/29/87 RA
Additional Protocol to the American Convention on Human Rights in the Area of Economic, Social and Cultural Rights, "Protocol of San Salvador"	11/17/88	05/30/00	10/05/00 RA
Protocol to the American Convention on Human Rights to Abolish the Death Penalty	--	--	--
Inter-American Convention on the Prevention, Punishment and Eradication of Violence Against Women, "Convention of Belém do Pará"	06/24/94	01/04/95	04/04/95 RA
Inter-American Convention on Forced Disappearance of Persons	06/24/94	07/27/99	02/25/00 RA
Inter-American Convention on the Elimination of All Forms of Discrimination Against Persons with Disabilities	06/08/99	08/08/02	01/28/03 RA

II. COUNTRY REPORTS

In 2003 the IACHR published the special country report "Justice and Social Inclusion: The Challenges of Democracy in Guatemala". Available at:
<http://www.cidh.org/countryrep/Guatemala2003eng/TOC.htm>

III. THEMATIC REPORTS (Since 2008)

- IACHR Second Report *on the Situation of Human Rights Defenders in the Americas*. OEA/Ser.L/V/II. Doc. 66, 31 December 2011, paragraphs 3, 30, 34, 38, 50, 94, 140, 204, 218, 245, 248, 263, 265, 266, 268, 278, 291, 294, 295, 316, 317, 341, 343, 393, 397, 398, 435, 451, 452, 453, 454, 476.e and 483 (Available at: <http://www.oas.org/en/iachr/defenders/docs/pdf/defenders2011.pdf>)
- IACHR Report *Situation of African Descent in the Americas*. OEA/Ser.L/V/II. Doc. 62 5 December 2011, paragraph 43. (Available at: http://www.oas.org/en/iachr/afro-descendants/docs/pdf/AFROS_2011_ENG.pdf)
- IACHR Report *Legal Standards related to gender equality and women's rights in the Inter American Human Rights System: Development and Application*. OEA/Ser.L/V/II. 143 Doc. 60 3 November 2011, paragraphs 44, 45, 131, 156, 159, 189 and 190. (Available at: <http://www.oas.org/en/iachr/women/docs/pdf/REGIONALst.pdf>).
- IACHR Report *Citizen Security and Human Rights*. OEA/Ser.L/V/II. Doc. 57 31 December 2009, paragraphs 14. (Available at: <http://www.oas.org/en/iachr/docs/pdf/CitizenSec.pdf>)

¹ Recognition of the jurisdiction of the Court on 07/24/84 and recognition of the competence of the Commission - art. 45 on 03/09/87.

- IACHR Report *The Inter American legal framework regarding the right to access information*. OEA/Ser.L/V/II OEA/Ser.L/V/II December 30, 2009, paragraph 50. (Available at: <http://www.oas.org/en/iachr/expression/docs/publications/ACCESS%20TO%20INFORMATIO%20FINAL%20CON%20PORTADA.pdf>)
- IACHR Report *Freedom of Expression standards for free and inclusive broadcasting*. OEA/Ser.L/V/II CIDH/RELE/INF. 3/09 30 December 2009, paragraphs 33, 100, 111. (Available at: <http://www.oas.org/en/iachr/expression/docs/publications/Broadcasting%20and%20freedom%20of%20expresion%20FINAL%20PORTADA.pdf>)
- IACHR *The Rights of the Child in the Inter American Human Rights System*. OEA/Ser.L/V/II.133 Doc. 34 29 October 2008, paragraphs 33, 56, 124-126 to 133, 141 to 144 (Available at: <http://www.cidh.org/countryrep/Infancia2eng/Infancia2Toc.eng.htm>)
- IACHR Report *Juvenile Justice and Human Rights in the Americas*. OEA/Ser.L/V/II. OEA/Ser.L/V/II. 13 July 2011, paragraphs 4, 48, 79, 119, 124, 134, 243, 287, 294, 327, 348, 379, 465, 485, 527, 528 and 540 (Available at: <http://www.oas.org/en/iachr/children/docs/pdf/JuvenileJustice.pdf>)
- IACHR Report *The Work, Education and resources of women: the road to equality in guaranteeing economic, social and cultural rights*. OEA/Ser.L/V/II.143 Doc. 59 3 November 2011, paragraphs 117, 120, 199, 200, 201, 202, 209, 216, 236, 240, 263 and 314 (Available at: <http://www.oas.org/en/iachr/women/docs/pdf/WomenDESC2011.pdf>)
- IACHR Report *Access to maternal health services from a human rights perspective*. OEA/Ser.L/V/II. Doc. 69 7 June 2010, paragraph 14. (Available at: <http://www.oas.org/en/iachr/women/docs/pdf/MaternalHealth2010.pdf>)
- IACHR Report *Access to Justice for Women Victims of Sexual Violence in Mesoamerica*. OEA/Ser.L/V/II. Doc. 63 9 December 2011, paragraphs 1, 8, 12, 15, 16, 48, 73, 75, 78, 91, 125, 136, 138, 141, 154, 159, 177, 182, 183, 187, 198, 202, 207, 214, 227, 245, 265, 272, 291, 293, 319, 322, 330, 335 and 346. (Available at: <http://www.oas.org/en/iachr/women/docs/pdf/WOMEN%20MESOAMERICA%20eng.pdf>)

IV. ADMISSIBILITY REPORTS (Since 2008)

- IACHR, Report No. 14/08, Admissibility, Petition 652-04, Hugo Ruiz Fuentes, Guatemala, March 5, 2008. (Available at: <http://cidh.org/annualrep/2008eng/Guatemala652.04eng.htm>)
- IACHR Report No. 13/08, Admissibility, Petition 844-05, Río Negro Massacre, Guatemala, March 5, 2008. (Available at: <http://cidh.org/annualrep/2008eng/Guatemala844.05eng.htm>)
- IACHR Report No. 12/08, Admissibility, Petition 175-00, Edgar Raúl Rivas Rodríguez and family, Guatemala, March 5, 2008. (Available at: <http://cidh.org/annualrep/2008eng/Guatemala175.00eng.htm>)

- IACHR Report No. 136/09, Admissibility, Petition 321-05, María Inés Chinchilla, Guatemala, November 13, 2009. (Available at: <http://www.cidh.oas.org/annualrep/2009eng/Guatemala321-05eng.htm>)
- IACHR [Report No. 120/09](#), Admissibility, Petition 270-01, Carlos Raúl Morales Catalán, *et al.*, Guatemala, November 12, 2009 (Available at: <http://www.cidh.oas.org/annualrep/2009eng/Guatemala270.01eng.htm>)
- IACHR [Report No. 103/09](#), Admissibility, Petition 581-03, Richard Conrad Solórzano Contreras, Guatemala, October 29, 2009 (Available at: <http://www.cidh.oas.org/annualrep/2009eng/Guatemala581.03eng.htm>)
- IACHR [Report No. 102/09](#), Petition 1380-06, Admissibility Pensioners of the National Agricultural Development Bank (BANDESA), Guatemala, October 29, 2009 (Available at: <http://www.cidh.oas.org/annualrep/2009eng/Guatemala1380.06eng.htm>)
- IACHR [Report No. 101/09](#), Admissibility, Petition 1184-04, Steven Edward Hendrix, Guatemala, October 29, 2009 (Available at: <http://www.cidh.oas.org/annualrep/2009eng/Guatemala1184-04eng.htm>)
- IACHR [Report No. 110/10](#), Admissibility, Petition 1560-07, Claudina Isabel Velásquez Paiz, *et al.*, Guatemala, October 4, 2010 (Available only in Spanish <http://www.oas.org/es/cidh/decisiones/admisibilidades.asp#inicio>)
- IACHR [Report No. 109/10](#), Admissibility, Petition 1420-05, Florentin Gudiel Ramos, Makrina Gudiel Alvarez, *et al.*, Guatemala, September 8, 2010. (Available only in Spanish: <http://www.oas.org/es/cidh/decisiones/admisibilidades.asp#inicio>)
- IACHR Report 144/10, Admissibility, 1579-07, Vecinos de la Aldea de Chichupac y caserío Zeabaj del municipio de Rabinal, November 01, 2010 (Available only in Spanish <http://www.oas.org/es/cidh/decisiones/admisibilidades.asp#inicio>)

V. REPORT ON THE MERITS

Since 2007 there has not been a merits report. IACHR Report 80/07 Merits, Case 11.658, Martin Pelicó Coxic *et al.*, Guatemala, October 15, 2007. (Available at: <http://www.cidh.oas.org/annualrep/2007eng/Guatemala11658eng.htm>)

VI. CASES SUBMITTED TO THE INTER-AMERICAN COURT (Since 2008)

- The *Las Dos Erres* Massacre, Case 11.681 against the Republic of Guatemala. July 30, 2008. (Available at: <http://www.cidh.oas.org/demandas/11.681%20Masacre%20de%20las%20Dos%20Erres%20Guatemala%2030%20julio%202008%20ENG.pdf>)
- Florencio Chitay Nech *et al.*, Case 12.599 against the Republic of Guatemala. April 17, 2009. (Available at: <http://www.cidh.oas.org/demandas/12.599%20florencio%20Chitay%20Nech%20y%20otros%20Guatemala%20abril09%20ENG.pdf>)
- Río Negro Massacre, Case 12.649 against the Republic of Guatemala. November 30, 2010. (Available at: <http://www.cidh.oas.org/demandas/12.649Eng.pdf>)

- José Miguel Gudiel Álvarez and others (“Diario Militar”), Case 12.590 against the Republic of Guatemala, October 22, 2010. (Available at: <http://www.oas.org/en/iachr/decisions/court/12.590Eng.pdf>)

VII. JUDGMENTS OF THE INTER-AMERICAN COURT OF HUMAN RIGHTS

- I/A Court H.R., Case of Tiu-Tojín v. Guatemala. Merits, Reparations and Costs. Judgment of November 26, 2008. Series C No. 190. (Available at: http://www.corteidh.or.cr/docs/casos/articulos/seriec_190_ing1.pdf)
- I/A Court H.R., Case of the “Las Dos Erres” Massacre v. Guatemala. Preliminary Objection, Merits, Reparations and Costs. Judgment of November 24, 2009. Series C No. 211 (Available at: http://www.corteidh.or.cr/docs/casos/articulos/seriec_211_ing.pdf)
- I/A Court H.R., Case of Chitay Nech et al. v. Guatemala. Preliminary Objections, Merits, Reparations, and Costs. Judgment of May 25, 2010. Series C No. 212 (Available at: http://www.corteidh.or.cr/docs/casos/articulos/seriec_212_ing.pdf)

VIII. PRECAUTIONARY MEASURES (Granted since 2008)

- PC 61/08 Alberto López Pérez, Víctor Manuel Gómez Mendoza and their families. (Available at: <http://www.cidh.org/medidas/2008.eng.htm>)
PM 148/08 JRP and family. (Available at: <http://www.cidh.org/medidas/2008.eng.htm>)
- PM 295/08 José Pelicó Pérez and his family. (Available at: <http://www.cidh.org/medidas/2008.eng.htm>)
- PM 290/09 – Jesús Tecú Osorio and his family, Guatemala (Available at: <http://www.cidh.org/medidas/2009.eng.htm>)
- PM 262/09 - Félix Waldemar Maaz Bol. (Available at: <http://www.cidh.org/medidas/2009.eng.htm>)
- PM 136/09 – Iduvina Hernández and 12 members of the SEDEM. (Available at <http://www.cidh.org/medidas/2009.eng.htm>)
- PM 150/09 – Mario David García and his family. (Available at: <http://www.cidh.org/medidas/2009.eng.htm>)
- PM 255/08 -19 Surviving Members of the Community of El Jute (Available at: <http://www.cidh.org/medidas/2009.eng.htm>)
- PM 63/09 – Raúl Santiago Monzón Fuentes, Gladys Monterroso Velásquez de Morales et al. (Available at: <http://www.cidh.org/medidas/2009.eng.htm>)
- PM 185-07 – Norma Cruz Córdova and Alan Maldonado Ordóñez (Available at: <http://www.oas.org/en/iachr/decisions/precautionary.asp>)
- PM 259-10 – Marco Vinicio Hernández González et al (Available at: <http://www.oas.org/en/iachr/decisions/precautionary.asp>)
- PM 410/10 – Héctor Francisco Lucas Méndez. (Available at: <http://www.oas.org/en/iachr/decisions/precautionary.asp>)

- PM 260-07 – Communities of the Maya People (Sipakepense and Mam) of the Sipacapa and San Miguel Ixtahuacán Municipalities in the Department of San Marcos (Available at: <http://www.oas.org/en/iachr/decisions/precautionary.asp>)
- PM 71-10 Claudia Samayoa, Erenia Vanegas, and Members of UDEFEGUA (<http://www.oas.org/en/iachr/decisions/precautionary.asp>)
- PM 79-10 - Nineth Montenegro and Family (Available at: <http://www.oas.org/en/iachr/decisions/precautionary.asp>)
- PM-364/09 Carlos Amilcar Orellana Donis. (Available at: <http://www.oas.org/en/iachr/decisions/precautionary.asp>)
- PM 422/11 – Lucía Carolina Escobar Mejía, Cledy Lorena Caal Cumes, and Gustavo Girón (Available at: <http://www.oas.org/en/iachr/decisions/precautionary.asp>)
- PM 121-11 – 14 Q'echi Indigenous Communities of the Municipality of Panzós (Available at: <http://www.oas.org/en/iachr/decisions/precautionary.asp>)
- PM 87/11 – Blanca Estela Puac Menchú and Family (Available at: <http://www.oas.org/en/iachr/decisions/precautionary.asp>)

IX. PRESS RELEASES

- **53-08** - IACHR Laments Violent Deaths in Guatemalan Prison. Washington, D.C., November 25, 2008 (Available at: <http://www.cidh.org/Comunicados/English/2008/53.08eng.htm>)
- **31/08** - IACHR Takes Cases to the Inter-American Court of Human Rights. Washington, D.C., July 31, 2008. (Available at: <http://www.cidh.org/Comunicados/English/2008/31.08eng.htm>)
- **R 191/08** - Office of the Special Rapporteur for Freedom of Expression deplores murder of journalist in Guatemala. Washington, D.C., May 16, 2008. (Available at: <http://www.cidh.org/relatoria/showarticle.asp?artID=730&IID=1>)
- **73/09** - IACHR Urges Transparent, Inclusive Process in Appointment of Judges in Guatemala. Washington, D.C., October 6, 2009. (Available at: <http://www.cidh.org/Comunicados/English/2009/73-09eng.htm>)
- **20/09** - IACHR takes Case against Guatemala to the Inter-American Court. Washington, D.C., April 22, 2009. (Available at: <http://www.cidh.org/Comunicados/English/2009/20-09eng.htm>)
- **14/09** - IACHR requests information from Guatemala. Washington, D.C., March 27, 2009. (Available at: <http://www.cidh.org/Comunicados/English/2009/14-09eng.htm>)
- **121/1** - IACHR Takes Cases Involving Argentina, Guatemala, and Venezuela to the Inter-American Court of Human Rights, Washington, D.C., December 10, 2010. (Available at: <http://www.cidh.org/Comunicados/English/2010/121-10eng.htm>)
- **21/10** - IACHR Deplores Murders of Human Rights Defenders in Guatemala.

Washington, D.C., February 25, 2010. (Available at:
<http://www.cidh.org/Comunicados/English/2010/21-10eng.htm>)

- **15/10** - IACHR Welcomes Decision of Guatemala's Supreme Court of Justice. Washington, D.C., February 3, 2010. (Available at:
<http://www.cidh.org/Comunicados/English/2010/15-10eng.htm>)
- **37/09** - IACHR Concludes Visit to Guatemala. Washington, D.C., June 12, 2009. (Available at:
<http://www.cidh.org/Comunicados/English/2009/37-09eng.htm>)