

## [Guatemala | ISHR endorses amicus curiae in case against Guatemalan human rights defender, Bernardo Caal](#)

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**Bernardo Caal, an indigenous human rights defender, has been sentenced to seven years and four months in prison for leading a peaceful opposition to construction on the Cahabón River.**



ISHR recently endorsed an [amicus curiae](#) produced by human rights defenders in Guatemala to be submitted at the upcoming appeal in the case of Bernardo Caal. Caal is a member of the Mayan Q'eqchi community and an indigenous human rights defender in Guatemala. Caal was one of the leaders of a peaceful opposition against the construction of two hydroelectric projects that endangered the Cahabón River, which is sacred to the Mayan Q'eqchi.

The peaceful opposition denounced irregularities in the project, including the lack of prior and informed consultation with indigenous peoples who inhabit the area. In retaliation, Caal was first subjected to smear campaigns and stigmatization in the press, television, through flyers, and on social media. In 2015, there was a criminal investigation accusing Caal of leading a group of approximately 100 people to attack and rob workers of the construction company. In November 2018, Caal was sentenced to seven years and four months in prison, despite what [Amnesty International](#) describes as a complete lack of evidence to support the accusations against him.

Partners in Guatemala submitted an [amicus curiae](#) to Guatemala's Supreme Court of Justice to be considered in Caal's appeal, which took place on June 21. The court's decision is expected to be released within two weeks. The amicus, which ISHR endorsed, calls out irregularities in the criminal proceedings against Caal, including the violation of his right to effective judicial investigation and due diligence, disregard of the presumption of innocence, failure to begin the trial within a reasonable time, and violation of the principle of equality and non-discrimination.

Human rights defenders face severe persecution by the Guatemalan State. This is especially true for indigenous defenders. ISHR expresses support for Bernardo Caal and for all other land and territory defenders facing persecution in Guatemala.

*Photo: flickr/A Small Waterfall and the Cahabon River*