



Guatemala, 27th of October, 2017

Dear Nobel Laureates and Accompanying Delegation;

We celebrate your presence in our country and value your commitment and effort to support the struggle of the women of Guatemala.

Via this medium we present to you our collective analysis, which demonstrates that in the Guatemalan context, women continue to face and resist the continuum of violence that is sustained and reproduced by the State that can be described as patriarchal, colonial, capitalist, racist and which continues to be based on a class system, in which violence against women is used as one of the State's most lethal weapons.

A multifaceted analysis that explores the various forms and multiple spaces where women encounter violence, allows us to conclude that the acts of violence against women are not isolated and disconnected instances, but rather manifestations of the systematic violence that women face throughout their lives and this violence is aggravated by the class position that they hold, their age and ethnicity, and their place of residence or if they have disabilities.

Between January 2009 and April 2017, the Public Ministry registered 415,514 criminal cases of violence against women and out of these cases 1,628 were crimes of sexual violence. The data is alarming, especially when considering that in the past seven years there has been a constant increase of legal complaints of violence against women; in 2016, 67, 073

complaints were registered, which represents an increase of 236 % when compared with the 28, 406 complaints registered in 2009. Moreover, between April 2014 and April 2017, the Public Ministry registered 897 cases of femicide¹.

The symbolic violence that is expressed through the contempt towards femininity and towards women in general, also holds racist dimensions. Furthermore, the structural violence excludes and places women in an inferior position, which violates their rights to life, security, education, health, and their rights to participate in the society.

These conditions and situations are even more severe in the cases of indigenous women, particularly in the rural areas. The exclusion and the violation of the rights of these women are frequently linked to territorial defense, lack of access to justice mechanisms, and exclusion from decision making.

Moreover, the invisibilization and the denial of the rights of women living with disabilities is a part of the continuum of violence and it is expressed in all domains including in the family, in the work environment, as well as in the public, economic, cultural and political domain.

Despite the normative and institutional efforts and victories, one of the most severely limited rights continues to be the access to justice mechanisms; the process of filing a legal complaint and other judicial proceedings tend to be lengthy, burdensome, and fraught with vices and malicious measures.

¹ Other figures on violence provided by the National Survey (Encuesta Nacional de Salud Materno Infantil ENSMI), demonstrate that in Guatemala 20.8% of women between 15 and 19 years of age who have once been married or united, have suffered physical, sexual or emotional violence, committed by their husband or partner. The data further demonstrates that 17.1% of these women had experienced emotional violence, 11.3% physical violence, and 3.3% had suffered sexual violence, 2.5 % physical and sexual violence, and 1.7% physical, sexual and emotional violence. 8.2 % had experienced physical or sexual violence at the hands of their husband or partner in the past 12 months. 10.1 % of women between the ages of 15 and 19 years of age had experienced physical violence in some point of their lives. 5.1% had experienced physical violence during a pregnancy and 3,6% had experienced sexual violence.

When finally a just sentence is achieved, the State delays the repair measures, as was illustrated by the case of The Grandmothers of Sepur Zarco (Abuelas de Sepur Zarco), who are poor, rural, Maya Q'eqchi' women who were victims of sexual violence, and sexual and domestic slavery during the Armed Conflict. Today, a year and eight months following the judgement, the dignified and transformative reparation measures, ordered by the Court, are still pending.

The violent deaths of 41 girls and adolescent women and the injuries that 15 more suffered in the state led children's home, Virgen de la Asunción (Hogar Virgen de la Asunción²) is another case that illustrates the aforementioned continuum of violence and these events brought to light the brutal conditions that prevail in the institutions that should protect the Guatemalan youth and children. The chain of events that led to the death of the girls and adolescents demonstrates the manifestations of sexual violence and torture, as well as the presence of adoption and human trafficking networks and other institutions linked with organized crime that continue to operate with impunity. The circumstances surrounding this case make evident that the response of the State continues to be a militarized one. These practises stem from the internal armed conflict that the country lived through, which was one of the most violent of its kind in the region.

Other worrying violent acts are related to the academic environment, especially in the public university where legal complaints regarding attempts of abduction, sexual aggressions and sexist practises have been presented frequently. However these cases have gone unpunished. Furthermore, every year the sexual harassment, throughout the academic cycle, has increased.

In the labor and economic rights framework, the situation of workers is marked by exploitation, in the cities as well as in rural areas. The participation rate in the economically

² A children's home administered by the Social Welfare Secretariat of the Executive Branch (La Secretaría de Bienestar Social del Ejecutivo) which signifies that the children were under the protection of the State, which did not fulfill its responsibilities to provide shelter, care, protection and the guarantee of the rights of the children and adolescents.

active population, according to the National Survey on Employment and Income in 2016 (Encuesta Nacional de Empleo e Ingresos del año 2016) indicates that 41,4% of women above the age of 15 participate in the labor market. This signifies that they are employed or are actively looking for work. On the contrary, the participation rate in men is 83,6%. This demonstrates that the established gender patterns and roles in the Guatemalan society continue to hinder women's access to remunerated work. A further relevant aspect is that the salary of women represents a lower percentage than that of men: on average the wage of women is 82,7% of that of men and the average of the wages of indigenous women is 54,4% of the wages earned by men.

Moreover, paid domestic work in Guatemala continues to be a form of slavery, exploitation and labour trafficking and many of the workers are dehumanized. Domestic work is regulated by the Labor Code, decree 330, reformed by the Agreement 1441, which means that it has had a legal framework for 73 years. However, despite the constant efforts to dignify the work and to guarantee labor rights, the approval of convention 189, which seeks to improve the labor conditions of domestic workers, has not been achieved. According to the National Institute of Statistics (Instituto Nacional de Estadística INE), in 2016 at the national level, there were 246,579 women working as domestic employees, yet, they lack a complete legal framework that would protect them, unlike other workers. Therefore, it is necessary to reform the Labor Code, which continues to contain norms that openly violate the rights of these workers.

An axis that transcends this context is the criminalization, stigmatization and judicialization of the struggle of the defenders of human rights and this year the attacks against defenders have intensified. This year, UDEFEGUA has registered 49 assassinations and 6 attempts at assassination, compared with the 14 assassinations and 7 attempts the previous year. Out of the 49 assassinations, the group of girls killed in the children's home, Virgen de la Asunción (Hogar Virgen de la Asunción) make up 41, since they had previously denounced acts of human trafficking, cruel, inhumane and degrading treatment, as well as sexual, physical and psychological violence.

In addition, there has been the exacerbation of religious fundamentalism and conservatism, which continue to impose themselves on our bodies, our autonomy and our freedoms. Legislative initiatives, such as the 52-72 and 52-05, underpin these fundamentalisms and demonstrate a deep reversal in sexual and reproductive rights and the right to Comprehensive Sexuality Education for the youth. Moreover, these initiatives seek to deny the LGBTI community their basic human rights and contain homophobia and the penalization of abortion and understands the institution of the family to only exist in one single model, moreover the initiative 52-72 contributes to the stigmatization and criminalization of defenders of human rights, in particular the defenders of sexual and reproductive rights.

Forced pregnancies and motherhoods continue to violently vulnerate the rights of girls and adolescent women. According to the information from the National Registry of People (Registro Nacional de las Personas) and the monitoring realized by the Observatory of Sexual and Reproductive Health, OSAR (Observatorio en Salud Sexual y Reproductiva), between January and July 2017, 35,823 births given by children and adolescent mothers (between 10 and 19 years) were registered and 1,138 of these births were given by girls between the ages of 10 and 14 years.

Moreover, a high number of abortions continue to be performed in unsafe conditions, which places the lives of the mothers in danger, especially in the case of women with limited economic resources. Deaths that result from complications related to unsafe abortions is the fourth most common cause of maternal death in our country and therefore demonstrates the prevailing social inequality.

In the Millennium Development Goals (MDG) Compliance Report (2015), Guatemala reported that the maternal mortality ratio in the indigenous populations was 163.2, while within non-indigenous women the ratio was 68.4.

Another aspect that should be highlighted is the situation of the migration policies, particularly since the Trump administration in the United States. These policies have increased racism, inequality and other forms of violence against migrant women, youth and girls. A survey realized by OIM on migration and remittances in 2016, reports that 1, 860,287 Guatemalans reside outside of the country and that 13,5 % of them migrate before they turn 18. The most salient motifs for migrating for those participating in the survey were: searching for employment (31,0%), economic motifs (24,2%) and reuniting with their families (18,6%). According to the same source, 6,212,099 of the population have family residing abroad and they receive remittances, 34,1% of them are children and adolescents between 0 and 17 years of age and 24,8% (526,049) of them are indigenous, this figure increases in the rural areas where 30,3% (333,783) are indigenous.

Furthermore, it is important to emphasize that the peace that was made possible by the signing of the peace accords in 1996, has been severely threatened by the regression of the guarantees of basic rights and by the progress of repressive measures, limitations to the exercise of citizenship, and the lack of credibility of institutions designed to strengthen democracy. The institutional deterioration can be observed in political terms, in the lack of guarantee to justice and in deepening of the inequalities, as a result of the corruption that has co-opted the State.

This is an opportunity to reaffirm our commitment to continue the struggle to generate important changes that enhance the respect and guarantee of the rights of women to live free of violence and to give priority to issues related to the prevention, eradication and punishment of all types of violence against women.

Thus, it is in this context of a continuum of violence against women, that we, various women's organizations and feminist organizations that fight for human rights, ask for your support as Women Nobel Laureates and to:

- Constitute yourselves as companions in the process to achieve prompt and complete justice, in which the State assumes its full responsibility, particularly in the case of the girls and adolescents of the state led children's home, Virgen de la Asunción, as well as in the observance of the process of implementing dignified and transformative reparation measures in the Sepur Zarco case.
- Speak up against the legacy of the School of the Americas, whose established practises and strategies continue to impact the current militarized responses of the State, as can be observed in the case of Sepur Zarco and in the case of the girls and adolescents in the children's home, Virgen de la Asunción.
- Call for the approval of the initiative of the Law 35-90 on enforced disappearances.
- Demand the Congress of the Republic for the prompt ratification of the initiative 4981 that proposes the approval of the convention 189 of the ILO on decent work for domestic workers.
- Demand that the State complies with the established normative national and international legal framework that has been ratified by Guatemala in order to guarantee the sexual and reproductive rights of women, especially the rights young and adolescent women as well as the rights of girls, particularly through ensuring the access to Comprehensive Sexuality Education (CSE) and to sexual and reproductive health services that provide specific attention to the needs of adolescents.
- Express your support for the Member of Congress, Sandra Morán, who continues to face threats, stigma and remarks for her sexual orientation and to demand that the Congress respects the human rights of the LGBTI population in an unconditioned manner.
- Demand that the only public university in Guatemala, The University of San Carlos of Guatemala, play a more active and central role in the cases of violence against women.

We appreciate your willingness to continue to support our cause through giving follow-up on the implementation of the aforementioned points, as you have done in the past. We are aware that your support is fundamental for the struggle of the women of Guatemala, who not only resist but also join forces in the struggle and continue to contribute to the recovery of the historical memory, in order to guarantee that the violence does not repeat itself and in order to build a country that provides dignified living conditions for all of its members.

Sincerely,

Asociación de Mujeres para Estudios Feministas AMEF

Asociación de Trabajadoras del Hogar del Hogar, a Domicilio y de Maquila ATRAHDOM

Colectivo Ocho Tijax

Instituto Universitario de la Mujer de la Universidad de San Carlos de Guatemala - IUMUSAC

Mujeres Transformando el Mundo MTM

Programa de Estudios de Género y Feminismos de FLACSO-Guatemala

Red de Jóvenes para la Incidencia Política -INCIDEJOVEN

Unión Nacional de Mujeres Guatemaltecas UNAMG

Unidad de Protección a Defensoras y Defensores de Derechos Humanos UDEFEGUA

Voces de Mujeres



