

118TH CONGRESS  
2D SESSION

# H. RES. 1186

Recognizing the indispensable role of the Indigenous people of Guatemala in ensuring a democratic transition following the 2023 general election in the face of judicial corruption, political exclusion, and historic marginalization, and urging the Government of Guatemala to follow through on its commitments to represent and equitably serve all Guatemalans.

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 30, 2024

Mrs. RAMIREZ (for herself, Mr. CASAR, Mr. CASTRO of Texas, Ms. NORTON, Ms. TLAIB, Ms. VELÁZQUEZ, Ms. LEE of Pennsylvania, Mr. GARCÍA of Illinois, Ms. SCHAKOWSKY, and Ms. ESCOBAR) submitted the following resolution; which was referred to the Committee on Foreign Affairs

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## RESOLUTION

Recognizing the indispensable role of the Indigenous people of Guatemala in ensuring a democratic transition following the 2023 general election in the face of judicial corruption, political exclusion, and historic marginalization, and urging the Government of Guatemala to follow through on its commitments to represent and equitably serve all Guatemalans.

Whereas Indigenous people in Guatemala comprise nearly 44 percent of the country's population, according to the United Nations Economic Commission for Latin America

and the Caribbean, and encompass 24 ethnic groups, including the Maya, Garifuna, and Xinka peoples;

Whereas, during Guatemala's brutal 36-year civil war, the military dictatorships intentionally targeted the Indigenous population, with Mayans accounting for 83 percent of the approximately 200,000 citizens killed during the war, according to the Commission for Historical Clarification, and stole Indigenous communities' land and resources;

Whereas the Political Constitution of the Republic of Guatemala recognizes the rights of Indigenous peoples and defines Guatemala as a multicultural society, and the Government has recognized Indigenous groups' rights in the Peace Agreements that ended the civil war and ratified international agreements on the rights of Indigenous peoples;

Whereas, despite these formal recognitions, a history of intentional underinvestment, systemic discrimination, and exclusion has led to stark social, health, educational, economic, and political disparities between Indigenous and non-Indigenous Guatemalans, with inequities even worse for Indigenous women;

Whereas large inequities continue to exist between Indigenous and non-Indigenous Guatemalans, including the Guatemalan Government investing 0.4 USD per day in each Indigenous person compared to 0.9 USD per day in each non-Indigenous person, poverty affecting 75 percent of Indigenous people compared to 36 percent of non-Indigenous people, chronic malnutrition affecting 58 percent of Indigenous people compared to 38 percent of non-Indigenous people, and Indigenous people comprising less than 15 percent of high-ranking political office positions, ac-

ording to the International Work Group for Indigenous Affairs;

Whereas the Guatemalan state is not in compliance with its own international and domestic obligations for receiving “prior, informed consent” of affected populations on matters involving projects and investments in Indigenous territories;

Whereas the ongoing struggle to survive has led many Indigenous people to consider irregular migration as an alternative, resulting in the high percentage of unaccompanied Guatemalan children and migrants in the United States who identify as Indigenous;

Whereas in the face of persistent inequity and mistreatment, Guatemala’s Indigenous communities have shown remarkable resilience, strength, and resolve to create better conditions and a more promising future;

Whereas, despite the Government and private sector’s neglect, underinvestment, and discrimination against Guatemala’s Indigenous peoples and their organizations, Indigenous communities have a long history of advocating for their rights and justice by mobilizing against government corruption and the rollback of human rights, fighting to defend Indigenous lands, resources, and territories at the risk of being arrested for doing so, and lodging complaints about the exclusion of Indigenous people from COVID–19 treatment;

Whereas this powerful legacy of activism was pivotal in defending democracy in Guatemala during the 2023 Presidential elections and transfer of power;

Whereas general elections were held in Guatemala on June 25, 2023, resulting in a runoff election between the two

Presidential candidates receiving the most votes, then-Congressman Bernardo Arévalo of the Movimiento Semilla party (Semilla) and Sandra Torres, a former First Lady representing the Unidad Nacional de la Esperanza Party;

Whereas the runoff election, held on August 20, 2023, resulted in the people of Guatemala electing Arévalo as President with more than 60 percent of the popular vote;

Whereas the election observation teams from the European Union and the Organization of American States, which were present at the invitation of the Government of Guatemala, reported that both rounds of the election were run professionally and efficiently and concluded that there was no basis for claims of fraud;

Whereas Guatemala's Supreme Electoral Tribunal certified that the Presidential elections upheld national, regional, and international standards for a democratic election;

Whereas, immediately following the election of Arévalo on August 20, 2023, Guatemala's Public Ministry, led by Attorney General María Consuelo Porrás Argueta, who is backed by the Constitutional Court and sanctioned by the United States Government for significant corrupt and undemocratic activities in abuse of her powers, initiated a series of efforts to overturn the electoral results and undermine President-elect Arévalo's inauguration;

Whereas the Guatemalan judicial system, particularly under Attorney General Porrás, has engaged in the spurious and widespread prosecution of Indigenous advocates and authorities, such as those fighting against illegal and destructive resource extraction projects on Indigenous

lands, amongst others fighting for reform and human rights;

Whereas Indigenous leaders bravely stood up for their country by issuing legal challenges against the Public Ministry's actions and contributing to marches despite increasingly arbitrary attacks by prosecutors seeking to derail the transition of power;

Whereas these attacks motivated Mayan, Xinka, and Garifuna organizations to spearhead massive nationwide protests beginning in October 2023 that also mobilized Ladino organizations;

Whereas these widespread demonstrations garnered global attention and pressure to adhere to the election results and intensified domestic calls for government reforms;

Whereas Indigenous leaders were committed to sustaining nationwide protests until arbitrary attempts to delegitimize the transition of power were halted;

Whereas following 106 days of protests, President-elect Arévalo was inaugurated as the next President of Guatemala just after midnight on January 15, 2024, after nearly 10 hours of delays by some Members of Guatemala's Congress;

Whereas President Arévalo has committed to upholding Indigenous rights and respecting Indigenous cultures and communities and became the first Guatemalan President to participate in a public Mayan ceremony following his inauguration, and has recognized their leadership in defense of Guatemala's democracy;

Whereas the Arévalo administration has made progress in advancing dialogue with Indigenous authorities, including Mayan Ixil and Achi leaders, to take joint measures to

overcome the legacy of discrimination, marginalization, and violence directed against Indigenous communities; and

Whereas President Arévalo’s cabinet includes only one Mayan woman, Minister of Labor and Social Welfare Miriam Roquel Chávez, and he has promised to appoint more Indigenous leaders to vice ministries and other positions of authority in his administration to better reflect the diversity of the Guatemalan people: Now, therefore, be it

1       *Resolved*, That the House of Representatives—

2               (1) stands with the people of Guatemala in  
3       their fight against corruption and for democratic  
4       governance, justice, and a better future;

5               (2) commends the efforts of Guatemala’s Indig-  
6       enous people to uphold democratic processes and at-  
7       tain equitable outcomes for their communities;

8               (3) underscores the need for the Arévalo admin-  
9       istration and future governments, including the Con-  
10      stitutional Court and Public Prosecutor’s Office, to  
11      protect, represent the will of, and serve the interests  
12      of all Guatemalans; and

13              (4) urges the President of the United States,  
14      the Secretary of State, and the Administrator of the  
15      United States Agency for International Development  
16      to—

17                      (A) encourage the Guatemalan Govern-  
18      ment to meet its commitments to be more

1 transparent, accountable, and responsive to the  
2 Guatemalan people, including to its Indigenous  
3 communities;

4 (B) monitor the actions of private sector  
5 entities in Guatemala that have had deep ties to  
6 corruption, violence, and organized crime;

7 (C) support the Guatemalan Government's  
8 efforts to build a more secure, democratic, and  
9 prosperous country and to expand opportunities  
10 for all Guatemalans to live safe, fulfilled lives;

11 (D) increase engagement with and support  
12 for communities in Guatemala on the front  
13 lines of defending human rights and democracy  
14 for all to ensure their voices and recommenda-  
15 tions steer and inform any United States deci-  
16 sion or action related to Guatemala; and

17 (E) use the vote and voice of the United  
18 States Government in multilateral institutions  
19 to which the United States is a party and that  
20 operate in Guatemala to comply with the rights  
21 of affected populations to "prior, informed con-  
22 sent" for all lending operations, and all Guate-  
23 malan laws by ensuring within their operations  
24 the protection of the rights of Indigenous peo-  
25 ple, rights that are reflected in Guatemala's Po-

- 1            litical Constitution and international human
- 2            rights treaties.

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