

OVERVIEW

Official register of survivors of conflict-related sexual violence: none.

Official number of survivors of conflict-related sexual violence: there is no official disaggregated data covering the entire period of the conflict. However, the Historical Clarification Commission (CEH) documented at least 1,465 cases of rape ([CEH 1999](#), para. 2388).

Estimated number of survivors of conflict-related sexual violence: no data available.

Domestic legal framework for administrative reparations: from 2003 until 2023, there was a National Reparation Programme (*Programa Nacional de Resarcimiento* or PNR), which theoretically included victims of conflict-related sexual violence. The PNR has since ended its mandate and there is currently no administrative reparation programme. The government is developing a National Plan for the Dignification and Reparation of Victims of the Internal Armed Conflict.

Mechanism to implement administrative reparations framework: during the PNR's existence, there was an institutional framework in charge of its implementation, which included the Secretariat for Peace (SEPAZ) and the Presidential Commission for the Coordination of the Executive Policy on Human Rights (COPREDEH). Since 2022, this framework has been gradually dismantled. Currently, the Presidential Commission for Peace and Human Rights (COPADEH) oversees human rights and reparation issues.

Domestic avenues for reparations through courts: yes, including national courts and the Inter-American Court of Human Rights. Reparations have been granted to victims of conflict-related sexual violence, although implementation remains a challenge. The State needs to establish a mechanism and an institution responsible for their monitoring and implementation.

Approximate number of survivors having received any formal administrative reparations for conflict-related sexual violence: no disaggregated information by type of violation is available for reparations provided through the PNR.

Survivor perception regarding the state of implementation of reparations: survivors express a high degree of dissatisfaction with the reparations provided under the PNR, as they lacked a gender or cultural approach and were limited to financial compensation. They also express frustration with the implementation of judicial reparation measures, with the Sepur Zarco case being emblematic of these shortcomings.

Ongoing conflict-related sexual violence: although Guatemala is not currently experiencing armed conflict, violence persists following the Peace Accords, deepening social breakdown and perpetuating repressive tactics. The development and establishment of extractive projects have become a new hotspot of conflict, characterised by forced evictions, sexual violence and assassinations of community leaders, such as the case of [Lote 8](#). As in the armed conflict, heteronormative and religious norms continue to fuel stigma and violence against the LGBTQIA+ community.

NATURE AND SCOPE OF CONFLICT-RELATED SEXUAL VIOLENCE

Since the start of the conflict in 1960, sexual violence was systematically used as a weapon of war to demonstrate power, as a symbol of victory over opponents, as a tool of exploitation, or as a reward or compensation to soldiers for their participation in the war (REMHI 1998, pp. 212-215). The systematic and widespread nature of sexual violence, which was part of war strategies and military operating schemes, has been proven.

Although conflict-related sexual violence in Guatemala has been used in both urban and rural areas, truth reports and various investigations reveal distinct characteristics and motives. In urban areas, repression was targeted, marked by forced disappearances and illegal detention. Sexual violence took place in military and police headquarters and in clandestine prisons, often against social and student leaders. Sexual violence was also perpetuated during raids of the homes of people accused of being insurgents. In rural areas, sexual violence was exercised as a direct, widespread and indiscriminate attack against the Mayan population. The scenarios were varied, in the communities themselves during or after the massacres, in the military detachments or even in survivors' homes, when the military came looking for their husbands and, when they did not find them, they were raped as a punishment.

The victims were predominantly indigenous women and, although less documented, children and men were also targeted. The LGBTQIA+ community also suffered systematic violence from armed groups and state forces, as shown by research conducted by the National Police Historical Archive. However, religious influence and heteronormative norms perpetuated a stigma that resulted in the invisibility, clandestinity, and lack of documentation of the sexual violence suffered by the community.

FACTS AND FIGURES

The CEH documented at least 1,465 cases of rape during the years of greatest political repression, from 1979 to 1994 (CEH 1999, para. 2388). According to the CEH, of the total number of women who were raped during the conflict, 88.7% were of Mayan origin, 10.3% were Ladina, and 1% identified themselves as belonging to other groups (CEH 1999, para. 2469).

The CEH recorded cases of sexual violence in 16 of the 22 departments into which the country is divided. The most affected departments were Quiché, with 55%;

Huehuetenango, with 25%; Alta Verapaz, with 7%; and Chimaltenango and Baja Verapaz, both with 3% (CEH 1999, para. 2392).

According to CEH data, the perpetrators of sexual violence were members of the army, responsible for 89% of the total registered rapes; members of the Civil Self-Defence Patrols (*Patrullas de Autodefensa Civil* or PAC), 15.5%; military commissioners, 11.9%; and other security forces, 5.7% (CEH 1999, para. 2393). It is important to note that the sum of the percentages exceeds 100%, since sexual violence was sometimes committed by mixed groups comprising the army, PAC and military commissioners.

Regarding the ages of the victims of rape identified by the CEH, 62% were adult women (between 18 and 60 years old); 35% were girls (between 0 and 17 years old); and 3% were elderly women (CEH 1999, para. 2391). The CEH identified that, of the sexual abuse of girls, 8% were committed against girls between 0 months and 5 years old; 22% between 6 and 12 years old; and 70% between 13 and 17 years old (CEH 1999 para. 2508).

The literature on sexual violence against the LGBTQIA+ community during the conflict in Guatemala is virtually non-existent. Neither of the two truth reports investigated this violence, nor is there quantitative data on its impact.

HARM CAUSED TO SURVIVORS, FAMILIES AND COMMUNITIES

Conflict-related sexual violence in Guatemala had a profound impact on victims, their families and communities.

At the individual level, women have suffered psychological and psychosocial effects including sadness, fear ("susto"), post-traumatic stress disorder or shame; as well as chronic gynaecological diseases, diabetes, rheumatism, body aches, swelling in the legs, and impairment of their reproductive capacity and miscarriages. The violence has also resulted in material losses, such as the destruction and theft of their property, including homes, land, crops and animals, and the stripping of their traditional dress and clothing.

At the family level, survivor's children, including those born of rape, have also been impacted by the intergenerational transmission of trauma. Testimonies describe it as "suckling the sadness". Additionally, the disappearance of family members and the murder of loved ones have pushed women into household leadership roles, reinforcing cycles of poverty and accelerating the breakdown of family structures. This has also led to family separations due to processes of exile.

The impact on the community has also been significant. Sexual violence has weakened the social fabric and support networks, adding to the stigmatisation and social exclusion of survivors. Discrimination and accusations of complicity with one side of the conflict have created internal divisions, hindering reconciliation. Material dispossession has also had a cultural impact on the community, undermining identity and traditional livelihoods, and leaving a legacy of loss that continues to shape the present and future of indigenous peoples.

Systematic violence against the LGBTQIA+ community in Guatemala has had deep psychological and social repercussions. Interviewed individuals shared that among the consequences suffered were high levels of stress, anxiety and fear of persecution, as well as post-traumatic stress disorder. The need to hide their identity led to emotional isolation, often resulting in distant and dysfunctional relationships. Restrictions on socialising spaces limited the creation of supportive communities, exacerbating feelings of vulnerability. The scars of this violence persist, affecting the community's political and social participation, and even leading some to consider suicide or seek asylum abroad in search of safety.

SURVIVORS' PERSPECTIVES

Despite survivors' varied experiences, there is a general consensus of dissatisfaction with the effectiveness of the reparations they have had access to so far: judicial reparations suffer from lack of implementation, and administrative reparations have been ineffective.

The survivors interviewed as part of this study continue to seek holistic reparations that address their diverse needs, among which they prioritise:

- Land restitution, housing and land for cultivation;
- Economic and material support for the development of productive projects;
- Adequate and culturally relevant health services;
- Community-based psychosocial support;
- Education and access to training programmes, both for survivors and their children, grandchildren and great-grandchildren;
- Recovery of traditional costumes and clothing;
- Recognition and dignification of their work as midwives or healers;
- Family reunification;
- Justice and judicial recognition;
- Memory, dignification and commemoration measures, such as the construction of memorials, community radios or houses of memory;
- Spiritual ceremonies and healing processes;
- Search for missing persons and exhumations.

While survivors prefer to address these demands collectively, they also emphasised the importance of individual measures, especially with regards to health. These demands reflect a desire for solutions that not only alleviate the pain from the past, but also promote a future of autonomy and cultural recognition.

LGBTQIA+ survivors expressed that reparation should go beyond financial compensation, focusing on the need for individual and collective healing, validation of their experiences and acknowledgement of the silence they have endured. They asserted that solutions must be transformative, promoting cultural and legal changes that respect sexual and gender diversity. In addition, they indicated the need to strengthen movements, foster support networks and empower the community politically. They also advocated for access to adequate health services, awareness-raising campaigns, inclusive legislation and a justice system that respects and protects their rights.

REPARATION: EXISTING AVENUES AND IMPLEMENTATION

IN THEORY	IN PRACTICE
Administrative reparation The PNR was originally established for a ten year period, and subsequently extended for ten years in 2013 (Governmental Agreement 539-2013). However, the programme has now been discontinued, as it was not renewed at the end of its mandate. The reparation measures covered by the PNR included cultural reparation, psychosocial reparation and rehabilitation, the dignification of victims (including acts of forgiveness, symbolic measures and acknowledgements of responsibility), material restitution, and economic reparation. Among the victims of the programme were victims of conflict-related sexual violence.	Administrative reparation Although the PNR officially included survivors of conflict-related sexual violence, there is no available disaggregated data on the programme. The degree of dissatisfaction expressed by survivors is clear. While some have received financial compensation, they feel that the amounts are inadequate and that the programme has failed to provide initiatives focused on dignity or remembrance. This has been compounded by funding and institutional challenges faced by the PNR, as well as the lack of legal mechanisms that would guarantee its stability. As a result, the programme was discontinued, leaving an unresolved debt to the victims.
Judicial reparation Survivors have also accessed reparations through courts, using the national justice system. As of December 2023, convictions have been obtained in 22 cases brought before national courts, and more than 75 individuals have been convicted of serious crimes committed during the internal armed conflict (Impunity Watch 2021, p. 6). Some of the cases are particularly significant in relation to sexual violence, such as the Sepur Zarco case, the Ixil case, and the case of Mujeres Achí. Due to the slowness and negligence of the Guatemalan justice system, survivors have also turned to the Inter-American Court of Human Rights (IACHR) in search of justice. Several cases heard by the Court are key in relation to reparations for conflict-related sexual violence, such as the Plan de Sánchez Massacre case, the Molina Theissen case, the Dos Erres Massacre case, the Río Negro Massacres case and the Aldea Chichupac case, all of which included orders for reparation measures.	Judicial reparation The jurisprudential advances in the Inter-American system stand in stark contrast to the lack of implementation by the Guatemalan State. In none of the cases related to the armed conflict have reparation orders been fully complied with. Although certain measures have been implemented, those related to the investigation, identification, trial and punishment of those responsible, guarantees of non-repetition or measures of a structural nature are generally not complied with. A clear example is the case of Sepur Zarco, where women feel, despite achieving a significant legal victory, that implementation has been insufficient. Although community programmes such as scholarships, schools and mobile clinics have been established, the women experience frustration due to the lack of access and resources as well as the absence of direct benefits for themselves. One woman expressed the pain of feeling that their hard-fought struggle has been ignored, despite their important contribution to the wellbeing of the community. So far, for the LGBTQIA+ community, there has been neither social, public nor political recognition of the violence they experienced during the armed conflict, and reparations for the harm they suffered have not been established.

OPPORTUNITIES

Although the political climate has traditionally been hostile to reparations for victims of sexual violence, the current situation offers a new opportunity: COPADEH is leading the process of designing a National Plan for Dignity and Reparation. The new administration of Bernardo Arévalo has shown a willingness to address issues of social justice, suggesting possible progress in terms of reparation.

However, the absence of a legal framework to ensure the continuity of policies for reparations and transitional justice, the lack of resources, the weakening of peace institutions, political resistance and denialist discourses, and the co-optation of the justice system continue to challenge reparations efforts. To transform these threats into opportunities, it is essential to strengthen partnerships between civil society and international cooperation, promote inclusive dialogues that include the voices of victims and survivors, and establish monitoring mechanisms to ensure the implementation of reparations.

KEY CHALLENGES

- **Denialist politics and anti-human rights groups:** there are sectors of government and political actors who oppose to the implementation of reparations for victims of conflict-related sexual violence.
- **Insufficient budget allocation:** there are gaps in how the congress allocates funds for mandated reparations, which affects their practical implementation.
- **Lack of a strong institutional and legal frameworks:** the absence of a robust legal and institutional framework makes it difficult for reparations programmes to continue through successive changes of government.
- **Lack of implementation of court rulings:** although the Inter-American Court has ordered reparations, the State complies only partially and with delays.
- **Lack of judicial knowledge about reparations:** justice officials do not adequately understand the right to reparation, which generates lack of unified standards in its implementation.
- **Procedural delays:** legal remedies cause delays in the enforcement of judgments, impeding effective redress and implementation of judgments.
- **Lack of oversight in the implementation of reparations:** there is no specific mechanism to monitor and ensure compliance with ordered reparations.
- **Risks for judges and lawyers:** justice officials face threats and persecution due to pressure from anti-human rights groups and accusations of overreach.
- **Social stigma:** heightened rejection and discrimination against survivors of sexual violence, and more particularly LGBTQIA+ individuals, when sharing their experiences in accessing justice.
- **Insecurity and potential violence:** risk of experiencing violence within the territories, communities or from family members of survivors of conflict-related sexual violence.
- **Economic exploitation:** risk of relatives or community members financially benefiting from reparations provided to victims.
- **Difficulty in documenting and compiling testimonies of sexual violence suffered by LGBTQIA+ people:** challenges in breaking existing silences and documenting the sexual violence experienced by LGBTQIA+ individuals during the conflict.
- **Lack of protection protocols:** absence of adequate security measures in reparation and justice-seeking processes, and, in particular, specialised and adapted protocols for LGBTQIA+ individuals.

RECOMMENDATIONS

The main **recommendations addressed to the Guatemalan State** focus on reparation, justice for victims, and the dignification and strengthening of victims' organisations.

- **Establish a state policy** that provides a robust legal and institutional framework, thereby guaranteeing the continuity of transitional justice initiatives and efforts. This includes, among other actions, the implementation of a national administrative reparations programme or policy, that ensures these measures endure beyond changes in administration and are consolidated as sustainable efforts over time. Such a policy should be designed with the ongoing participation of survivors and civil-society organisations, and should take into account the demands of survivors of sexual violence, which include financial compensation, education and training, physical and emotional health measures, measures to facilitate family reunification, measures to rescue cultural elements such as traditional costumes, houses of memory and monuments to honour the victims, among others.

- **Regarding justice**, the State must ensure compliance with court-ordered reparations, including the construction of health centres and land restitution, to alleviate the ongoing suffering of victims and increase their confidence in the justice system.
- The State of Guatemala should **create and implement specific protection protocols** for LGBTQIA+ individuals seeking justice and reparation, ensuring adequate training for police and judicial officials on their needs and rights.

The **recommendations addressed to international cooperation** focus on:

- Strengthening local capacities and support networks.
- Supporting the documentation and dissemination of cases of conflict-related sexual violence.
- Raising awareness and conducting educational campaigns on sexual and gender diversity.
- Supporting the development of interim reparative measures projects and programmes in which survivors play a central role.



This country report is an excerpt from the Guatemala Study on the situation and opportunities for reparation for survivors of conflict-related sexual violence. To read the full report, scan this QR code.

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