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Guatemala: International organizations demand due process guarantees at key hearing for Jose Rubén Zamora's release

19 international civil society organisations demand due process at the review of journalist Jose Rubén Zamora's detention due on Friday 18 October 2024. A Guatemala City court will consider the request for revision of pre-trial detention order issued against journalist Zamora. He has been unjustly imprisoned since 29 July 2022. We, the undersigned organisations, express our deep concern regarding the violations of his human rights and the new threats to judicial independence.

Since being appointed to preside over the hearing on Friday the 18, the substitute judge has faced stigmatisation on social media and a criminal complaint, intended to exert undue pressure. This kind of intimidation is not an isolated incident. It is part of a broader, deeply troubling trend of criminalisation targeting those implicated in politically motivated prosecutions. This tactic is frequently deployed against human rights defenders, journalists, judicial officers and others. They, like Jose Rubén Zamora, have courageously taken a stand in the fight against impunity and corruption.

At least 10 lawyers who have taken up Zamora's defence have been forced to abandon the case due to external pressures. Some have even faced unjust criminal proceedings leading to their imprisonment, as reprisal for their efforts on behalf of the journalist. These alarming incidents, combined with a series of irregularities, unjustified delays, and the absence of credible evidence, have severely tainted the criminal proceedings against Zamora and violated his rights to a defense, to the presumption of innocence and to a fair and impartial trial.

Jose Rubén Zamora has been unjustly deprived of his liberty for over 800 days in the Mariscal Zavala prison in Guatemala City. International experts have raised alarming concerns that the conditions of Zamora's imprisonment could constitute torture, and cruel and inhumane treatment. Such conditions are a grave violation of human dignity and justice. The UN Working Group on Arbitrary Detention has classified his prolonged detention as arbitrary and has unequivocally called for his immediate release. The criminal prosecution against Jose Ruben also violates freedom of expression and seeks to silence critical voices in the country.

Jose Rubén Zamora is currently facing two separate criminal proceedings, both resulting in pre-trial detention orders. His path to freedom is blocked unless both courts handling these cases concurrently decide to replace his pre-trial detention with house arrest.

In August 2024, the court overseeing the alleged money laundering offence case ruled to modify Jose Rubén Zamora's pre-trial detention order. However, a second pre-trial detention order remains in force in a separate case, and on 18 October, another court will examine this order. This is the only legal rationale currently keeping the journalist behind bars.

We, the undersigned organisations, call for this pivotal hearing to be conducted with full guarantees of independence and impartiality, ensuring strict compliance with the fundamental requirements of due process.

Signing organisations

Amnesty International

ARTICLE 19 México y Centroamérica

Be Just

CIVICUS

Centre for Justice and International Law (CEJIL)

Committee to Protect Journalists (CPJ)

Due Process of Law Foundation (DPLF)

Freedom House

Free Press Unlimited

Fundamedios

Guatemala Human Rights Commission/USA (GHRC)

Impunity Watch

Latin America Working Group (LAWG)

Lawyers without Borders Canada

Plataforma Internacional contra la Impunidad

Protection International Mesoamérica

Reporters Without Borders (RSF)

Robert F. Kennedy Human Rights

Washington Office on Latin America (WOLA)