

## [Iduvina Hernandez: Human Rights Defender from Guatemala](#)

07.10.2015



Iduvina Hernandez founded the Association for the Study and Promotion of Security in Democracy (SEDEM), together with US citizen Rachel Garst in 2000. As journalists, Iduvina and Rachel had studied the behaviour of armed forces and intelligence services which were linked to numerous human rights abuses. The organisation initially questioned the meaning of 'oversight' and 'accountability' of security services for the public as Guatemala was having raging debate about security forces and intelligence sources. In order to expand this discussion, the organisation started building citizen networks in the provinces providing them with training so as to enable them to conduct independent oversight of State security forces actions in their region.

Guatemala public security is handled by the military and dominated by a national security doctrine. Extra-judicial killings and enforced disappearances have been documented in a country still haunted by genocide. Civil society organisations have suggested that the militarisation of public security makes human rights abuses more probable, a fact that Iduvina's organisation aims to change.

*'In a true democracy the military has nothing to do with citizen security.'*

Iduvina believes human rights work is in her DNA since she grew up in a family where solidarity was a critical value. She remembers seeing people hidden in her home when she was a child, her father explaining that these people's lives were in danger. At that point, Iduvina already felt like part of the framework working to protect them.

*'We can always do something for anyone, in any place, in any way.'*

From an early age Iduvina was part of the student movement, working for student rights and then became a student leader for the University Students Association from 1976 to 1981. She lost many friends along the way due to disappearances or killings. She was even forced into exile but returned to the country as soon as she got the opportunity.

## Challenges and threats to human rights defenders

One of Iduvina's major challenges is linked to personal issues. As director of her own organisation she works on a volunteer basis and is therefore forced to have several jobs in order to sustain herself.

As for security conditions in Guatemala they expose human rights defenders to serious risks throughout their work. This usually includes being targeted by various Government actors and former members of the military often linked to the Government.

Iduvina highlights that though the social movement recently overthrew the former president, disappointingly there has not been any significant change in the political sphere.

*'The new person in charge is a fascist and very old. His policies, as well as his security policies, will be the same. We are afraid because we have a Government that does not respect human rights and certainly does not defend human rights.'*

Iduvina states that the dangers that human rights defenders face in Guatemala stem from: Government action; Government policies; Government tolerance towards perpetrators; perpetrators' actions; corruption; the composition of the judicial sector; and impunity.

## The legislative framework for NGOs and human rights defenders

A restrictive law against NGOs was introduced in 2003 which imposed new conditions and limitations on NGOs - especially those working for the promotion of human rights. While registering a NGO used to be a simple process (only requiring registration at the city hall office) the 2004 amendment to the Constitution now requires NGOs to register at the Minister of Interior. This has become a real obstacle for human rights defence as NGOs now need approval to work legally and even to change their board membership. This particularly targets NGOs working for the promotion of human rights. Iduvina's organisation once had to wait 6 months to be registered, whilst another organisation not involved with human rights was registered in 10 days.

*'An organisation working against genocide was required to maintain the same board and president as they were not granted approval to change the legal representation. If you are not registered you cannot deal with the banks, you cannot receive donations, you are on standby.'*

No specific law in Guatemala protects the work of human rights defender though there are [a number of institutions](#) tasked with their protection. Iduvina believes that oversight over the process of registering NGOs must be removed and thinks it necessary to have a law to protect the work of human rights defenders. Yet she believes it would be easier and more achievable to introduce a chapter on human rights defenders into the Special Ombudsman Law. With the composition of the current political system - dominated by right-wing ideas - this is still something she knows will be difficult to strive for. Attempting to implement such changes now would likely restrict human rights defenders further.

## National and International Advocacy Goals

At the national level Iduvina is currently working on a draft national policy for the protection of human rights defenders. This includes the creation of focus groups and the use of workshops and interviews to identify the real needs of grassroots defenders.

At the international level, Iduvina says it is essential that the international community bears in mind that Guatemala is not a consolidated democracy and that human rights defenders continue to be at high risk.

*'It is more important today than it has ever been. The movement to overthrow the Government suggested that things were going to change in Guatemala. We need to make clear to the international community that although the demonstrations were a huge success, the root problems have not changed, not yet. We still need the international community's eye on the country, especially as the new President is in many ways worse than the last - coming from the armed forces and involved in the genocide. He is an enemy of democracy.'*

Iduvina would like the Special Rapporteurs on the situation on human rights defenders and on the promotion of truth, justice, reparation and guarantees of non-recurrence, to visit Guatemala. She would also welcome visits from other special procedures and treaty bodies, in particular those working to protect the rights to freedom of assembly and freedom of opinion and expression

### **The Future for Human Rights Defenders in Guatemala**

The future for human rights defenders in Guatemala is two sided, says Iduvina. On one hand the social movement has helped to extend their work and in some spaces of society they will now achieve more respect and understanding for their work. On the other hand if the political system does not change, human rights defenders will be confronted with new threats and new levels of risks.

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