

GUATEMALA: International organizations express concern over the detention of lawyer Ramón Cadena

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Lawyers for Lawyers, the International Observatory for Lawyers in Danger (OIAD), *Juezas y Jueces para la Democracia*, *Asociación de Abogadas y Abogados*, *Jueces y Fiscales de Derechos Humanos de Latinoamérica y el Caribe*, and the *Asociación Pro Derechos Humanos de España*, which make up the International Mission of Jurists for Guatemala, as well as World Organisation Against Torture (OMCT), Lawyers' Rights Watch Canada, International Commission of Jurists (ICJ) and *Fundación Paz y Solidaridad Euskadi*, express their deep concern over the detention of lawyer Ramón Cadena, which occurred on November 10, 2025.

Ramón Cadena is a prominent Guatemalan lawyer with extensive experience in the defense of human rights and the strengthening of the rule of law. Between April 2022 and June 2023, Mr. Cadena provided pro bono legal advice to the student, faculty, and administrative movement of the *Universidad de San Carlos* (USAC) on matters related to the right to protest and university autonomy. He also assisted in the submission of a request for precautionary measures to the Inter-American Commission on Human Rights (IACHR) on behalf of the student movement and, in June 2023, participated in the public event of peaceful handover of the university's central campus.

On November 16, 2023, agents from the National Civil Police and the Public Prosecutor's Office raided his home and issued an arrest warrant against him, as well as against students and university staff. The criminal charges filed against him are: aggravated usurpation, destruction of cultural property, sedition, and illegal association.

The proceedings against him have been marked by serious violations of due process. Mr. Cadena's initial hearing has been rescheduled repeatedly, in violation of his right to be tried within a reasonable time and to be heard by a competent, independent, and impartial judge. Despite having voluntarily submitted to the process in January 2025, the hearing was successively postponed—first to July, then to October 23, for which the International Mission of Jurists for Guatemala had formally notified the judge of its intention to attend as an impartial observer. Nevertheless, the hearing was again postponed for administrative reasons until January 27, 2026, unjustifiably prolonging legal uncertainty and violating Mr. Cadena's judicial guarantees and right to defense.

Faced with these repeated delays, which prevented him from effectively exercising his right to defense, Mr. Cadena decided to appear personally before the court on November 10. However, he was arrested without the initial hearing being held and without the arrest warrant being lifted, despite his express willingness to submit to the judicial process. He was subsequently transferred to Mariscal Zavala prison, where he remains in an isolated area reported to be unsanitary. The initial hearing has been scheduled for November 14.

The signatory organizations note that the available information suggests this criminal proceeding may constitute a form of persecution related to his work as a human rights defender and the legitimate exercise of the legal profession, particularly due to the legal advice he provided to the university movement. This situation is part of a pattern of criminalization documented by the International Mission of Jurists for Guatemala in its preliminary observations, which includes:

- Initiating proceedings based on generic accusations, frequently resorting to broad criminal provisions and superfluous investigations.
- Violations of procedural guarantees, reflected in excessive delays, repeated suspension of hearings, and restricted access to case files through secrecy orders.
- Abusive and disproportionate use of pretrial detention.
- Assignment of cases with potential repressive purposes to judicial officers whose independence and impartiality are publicly questioned.

These actions contravene Guatemala's international obligations under the International Covenant on Civil and Political Rights (Article 14) and the American Convention on Human Rights (Article 8), which guarantee the right to a fair trial and to be heard by an independent and impartial judge. They also violate the UN Basic Principles on the Role of Lawyers, which establish that lawyers must be able to carry out their functions without intimidation, hindrance, or reprisal arising from their professional duties.

In light of the above, the signatory organizations urge the authorities of the State of Guatemala to:

- Ensure the immediate holding of Mr. Cadena's initial hearing, without further delays or administrative obstacles.
- Ensure adequate hygiene and sanitation conditions for Mr. Cadena during his detention, guaranteeing dignified treatment in accordance with international human rights standards and the United Nations Standard Minimum Rules for the Treatment of Prisoners (Mandela Rules).
- Immediately and lawfully resolve Mr. Cadena's deprivation of liberty, guaranteeing full respect for judicial guarantees and due process, in compliance with the State's international obligations under the ICCPR and the American Convention on Human Rights.
- Adopt measures to guarantee the independence and impartiality of the judicial body handling the case, preventing any undue interference or pressure.



- Review and lift the existing arrest warrant, taking into account the express willingness of the lawyer to submit to the judicial process and the disproportionate nature of his detention.
- Refrain from using the criminal justice system as a means of intimidation or reprisal against legal professionals for the legitimate exercise of their duties.

Comply with the UN Basic Principles on the Role of Lawyers, ensuring that lawyers can carry out their profession without threats, harassment, or undue interference.