



# Economic and Social Council

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## Commission for Social Development

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### Follow-up to the World Summit for Social Development and the twenty-fourth special session of the General Assembly:

**Priority Theme:** Inclusive and resilient recovery from COVID-19 for sustainable livelihoods, well-being, and dignity for all: eradicating poverty and hunger in all its forms and dimensions to achieve the 2030 Agenda.

### Statement submitted by Franciscans International, a non-governmental organization in consultative status with the Economic and Social Council\*

The Secretary-General has received the following statement, which is being circulated in accordance with paragraphs 36 and 37 of Economic and Social Council resolution 1996/31.

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\* The present statement is issued without formal editing.

## Statement

Franciscans International welcomes the opportunity to contribute to the 60th Session of the Commission for Social Development, with the priority theme “Inclusive and Resilient Recovery from COVID-19 for Sustainable Livelihoods, Well-being and Dignity for all: eradicating poverty and hunger in all its forms and dimensions to achieve the 2030 Agenda.”

In April 2020, UN High Commissioner for Human Rights, Michelle Bachelet, warned that the pandemic exposed “the damaging impact of inequalities” and that the poor would be impacted disproportionately. Indeed, our partners have continued to underscore how communities, including indigenous and rural populations amongst others, that were already marginalized faced even greater hardships as a result of the pandemic. While this submission focuses on Guatemala, the same circumstances are present in many other contexts globally. The information presented is based on contributions by: Colectivo de Organizaciones Mayas de Guatemala (Komon Mayab’), Red Nacional para la Defensa de la Soberanía Alimentaria en Guatemala (RED SAG), and Comité de Desarrollo Campesino (CODECA).

Indigenous peoples in Guatemala have historically been excluded from the policies of the State. This is coupled with discrimination, racism, and the criminalization and persecution of human rights and environmental defenders. The situation has intensified and worsened during the pandemic.

Curfews and confinement not only limited movement, but also prohibited assemblies and protests. When communities did try to come together, they were violently repressed. In addition, attacks against human rights defenders dramatically increased in the first 6-months of 2020. Most recently, in October 2021, violence and repression against the Q’eqchi community in El Estor, Izabal by the National Civil Police (PNC) and the Army also evidenced the disproportionate use of force against peaceful resistance and protests.

Government regulations affected the mobility of indigenous and peasant agricultural production at the national level. During confinement, food and service companies were authorized to travel throughout the national territory. However, indigenous people and peasants could not transfer their products to the markets because they had to respect the curfew. The communities resorted to growing self-sustaining corn, beans, chili and

other items. In towns and communities, women and children are the ones who produce food for self-consumption and to feed local communities. However, they did not receive any type of state support to transport their products since the pandemic restrictions caused a lack of public transport service and the closure of markets. Consequently, most women had to carry their produce, in addition to caring for their children, to reach the few nearest open markets in order to try to sell or buy. This severely impacted their right to adequate food.

Other businesses, such as extractive industries and agro-industries, were also exempted from curfews and other emergency measures and continued to operate during the pandemic. As noted in the Virtual Expert Group Meeting which took place in July-August 2021, for the 60<sup>th</sup> session, this divergence in treatment and measures – which we have seen across States - has inevitably led informal workers, self-employed, and family farmers, amongst others, being the hardest hit, as more are not covered by social protection systems.

Conditions for securing livelihoods, social services, security and sanitation for indigenous and rural communities were not improved by the government during the pandemic. In addition to the general and multiple health challenges in times of such a pandemic, access to health care particularly for indigenous peoples deteriorated further as a result of movement restrictions and limitations on public transport services. In that regard, there are no disaggregated records that provide clear information on people infected or killed by COVID-19 from individuals belonging to the Maya, Xinka, Garifuna or Mestizo peoples. In the absence of health services, indigenous peoples have faced the pandemic with only their ancestral knowledge and the use of medicinal plants.

So far in its recovery, the Guatemalan government has not strengthened initiatives towards indigenous communities, such as those related to food sovereignty that supports the agency of communities and environmental sustainability. Instead, the government favors a policy of ‘food security’ which impedes the ability of peoples to decide on their food, and has also threatened biodiversity and native seeds through the introduction of transgenics. Likewise, several civil society organizations and indigenous peoples have worked on proposals for economic recovery, such as proposed legislation for the economic development of indigenous women in rural areas and for school feeding. However, none have moved forward; other initiatives that favor agro-industries continue to advance, and in many cases do so without consulting indigenous peoples. These latter cases are in violation of Guatemala’s obligations under international law, and in particular the ILO’s Indigenous and Tribal Peoples Convention (No. 169). Indeed, some

partners have highlighted that decision-making processes clearly favor large businesses, to the detriment of small economic and social actors in indigenous communities and noted the presence of a “business-state alliance.” For instance, the government is currently regulating the right to water through the creation of the Vice-Ministry of Water and attempting to legalize the monopolization, dispossession and diversion of rivers by private companies, and the proliferation of industrial wells. This is contrary to the 2019 decision of the Constitutional Court exhorting Congress to regulate the right to water "in accordance with the social interest", considering the unique understanding of indigenous peoples and international human rights standards.

Because the impacts of the pandemic on indigenous and rural populations have been so severe, and magnified systemic issues of discrimination, recovery efforts should have a primary focus on these and other groups often targeted by or left outside government systems, and more generally be guided by State obligations under international human rights law. For example, while we have observed great reluctance by States to express support for preserving and strengthening public services like health care, such measures should be at the heart of recovery policies. States should ensure that public health and health-care facilities are available, accessible, acceptable, and be of appropriate and good quality. These elements must take into account the specific needs of indigenous and rural communities, amongst others.

Similarly, for recovery to lead to a truly sustainable development, States must also center their policies on the realities we face as a result of climate change, and closely linked to this, support for a clean, healthy and sustainable environment. As noted, Guatemala allowed for extractive industries to continue unabated during the pandemic. Other States not only implemented similar policies, but also weakened environmental protections during the pandemic. Any “inclusive and resilient” recovery cannot be based on the prioritization of private corporate interests, especially in sectors that pose clear risks for the environment.

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