

For Immediate Release: August 18, 2009

Crackdown on Free Expression in Guatemala threatens Publisher of Books on Genocide and Human Rights

Human rights advocates and writers throughout the Americas, including the Writers in Prison Committee of International PEN, are condemning the conviction by a Guatemalan court of independent publisher Raúl Figueroa Sarti. Figueroa Sarti is currently under house arrest after being sentenced on August 6th to a year in prison and a heavy fine on trumped up copyright-violation charges. Expressing fear that the loss of his publishing house will “gravely impact” Central American literature, social science, and political commentary, PEN Canada joins advocates and writers in urging the Guatemalan attorney general to reverse the attempt to silence a powerful voice of dissent and ensure the physical safety of Mr. Figueroa.

Figueroa’s press, F & G Editores, is the leading publisher of books that spark political and social debate in Central America. These include the 12-volume report of the Commission for Historical Clarification (CEH), the Guatemalan truth commission established by the Oslo Accords, as well as a number of other books detailing human rights abuses during the civil war, and in the present day. These include works by the Myrna Mack Foundation, the Human Rights Office of the Archbishop of Guatemala, the National Union of Guatemalan Women, and the Association for the Study and Promotion of Security in Democracy (SEDEM).

Now Figueroa and F & G Editores are paying the price of bravery: a politically-motivated prosecution on charges of copyright violation. The charges were brought by government employee and sometime-author and photographer Mardo Arturo Escobar, who accused Figueroa of publishing his photograph as cover art on a 2006 novel without permission. Escobar initially claimed to have learned of the photograph’s use when he saw the book in a shop window, but recanted his charges when faced with evidence that he had initiated the image’s publication. Eventually, he admitted on the record that no crime had taken place, and stipulated for the court that he had given F & G Editores permission to use the image.

The prosecution was undeterred and pressed on with the case. Figueroa was convicted on August 6th, and sentenced to one year in prison and a fine of 50,000 quetzales. (Approximately \$6,000 U.S. dollars). Though authorities suspended his prison sentence in exchange for an additional fine of 25 quetzals per day, they have placed him under house arrest.

Sixty-five Central American writers have issued a letter of support, condemning the prosecution as “an attack on F & G Editores” that “would gravely impact the development of Central American presses and, as a result, the creation of literary texts.” A petition circulated by Human Rights First of Washington and New York has been signed by more than 1,500 advocates, scholars, and writers since August 11.

“We are deeply disturbed by this attempt to jail one of Guatemala’s most courageous publishers on spurious copyright infringement charges,” said Larry Siems, Director of Freedom to Write and International Programs at PEN American Center. “We are shocked by the court’s refusal to examine the full record and recognize exonerating evidence, and fear the proceedings provided a pretext for silencing both Raúl Figueroa Sarti and F & G Editores. We stand with Mr. Figueroa, and call on Guatemalan authorities to move quickly to reverse this terribly flawed conviction.”

A Press Conference will be held in Guatemala City on Wednesday, August 19, 2009 at 10:00AM at the office of: SEDEM – Asociación para el Estudio y Promoción de la Seguridad en Democracia (Association for the Study and Promotion of Security in Democracy): 6ª. avenida 1-73 zona 1, Guatemala City Tels. 2220-4998, 2232-2807

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