



PRESS RELEASE – FOR IMMEDIATE RELEASE – WEDNESDAY 28TH AUGUST 2024

**JOSÉ RUBÉN ZAMORA V. GUATEMALA:
SIX UNITED NATIONS EXPERTS RAISE GRAVE CONCERNS ABOUT
INHUMANE DETENTION CONDITIONS WHICH MAY AMOUNT TO TORTURE**

Six United Nations experts have raised the alarm about the conditions in which award-winning Guatemalan journalist is being held, warning that Guatemala may be subjecting him to torture and that his life may be at risk.

José Rubén Zamora is a 67-year-old Guatemalan citizen, award-winning journalist and founder of the newspaper *elPeriódico*. Mr Zamora made his and his newspaper's name by exposing corruption amongst Guatemala's ruling classes. He has faced prosecutorial and judicial harassment as a result, for many decades, and he has been imprisoned continuously for over two years, since 29th July 2022.

The UN Experts' Statement

Six UN independent experts have now issued an [urgent statement](#), calling on the authorities in Guatemala to address urgently allegations of inhumane conditions of detention of Mr Zamora. They said:

“Mr. Zamora has reportedly been subjected to nearly twenty months of solitary confinement in almost constant darkness. Such treatment would amount to torture.

It is further alleged that he has endured different forms of inhuman or degrading treatment, including being deprived of sleep, forced nudity, arbitrary cell searches and a failure to respond to a mite infestation in his cell. These bleak prison conditions have reportedly caused a serious deterioration in his physical and mental health, rapid weight loss and declining eyesight. An underlying neurological disorder of polyneuropathy he suffers from has also reportedly been aggravated.

We are seriously concerned that Mr. Zamora, who is 67 years of age, has not received appropriate medical treatment for his physical and mental conditions, putting his life at risk. Like all persons deprived of liberty, he is entitled to be treated with dignity and humanity. The reported conditions Mr. Zamora has experienced would violate the absolute prohibition of torture and/or other cruel, inhuman or degrading treatment or punishment.”

The experts further expressed their concern about alleged violations of his rights of due process and reported irregularities in court proceedings, stating:

“We are equally concerned that the charges against him are connected to his work as an investigative and anti-corruption journalist and that such tactics create a chilling effect on other journalists in the country, preventing them from exercising their right to report freely and without fear of reprisals.”

The statement was signed by the UN Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, Alice Jill Edwards; the UN Special Rapporteur on the right to freedom of opinion and expression, Irene Khan; the UN Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, Tlaleng Mofokeng; the UN Special Rapporteur on extrajudicial, summary or arbitrary executions, Morris Tidball-Binz; the UN Special Rapporteur on the enjoyment of all human rights by older persons, Claudia Mahler; and the UN Special Rapporteur on the independence of judges and lawyers, Margaret Satterthwaite.

Today’s UN statement was issued following the filing of an [Urgent Appeal](#) by international counsel Caoilfhionn Gallagher KC and Tatyana Eatwell in July 2024. The Urgent Appeal documented multiple ways in which Mr Zamora has been subjected to torture or other inhuman or degrading treatment whilst imprisoned at Mariscal Zavala military barracks on the edge of Guatemala City. The Appeal stated that, *“Mr Zamora has been detained in unsanitary conditions that pose a danger to his physical health and well-being”* and:

“Mr Zamora, who suffers from pre-existing health conditions including lumbar spine injuries, has suffered severe psychological and physical harm resulting from his detention in unsanitary conditions, including by the deliberate infestation of his cell with mites, direct threats, sleep deprivation, and other humiliating and degrading treatment. He has been assessed as suffering significant psychological consequences consistent with torture and ill treatment, that include “a profound sense of psychological and practical helplessness”, insomnia, night terrors, traumatic memories and other psychological conditions, resulting from deliberate degradation of him, attacks on his dignity, threats, isolation, and attempts to break his resistance and destroy his career.”

The Urgent Appeal was accompanied by an expert report recently prepared by independent expert Dr Carlos Martín Beristain, applying the Istanbul Protocol. Dr Beristain concluded that Mr Zamora was tortured and recommended that Mr Zamora be released from the prison environment that, compounded by his age, *“perpetuates the harm caused by his ill-treatment and aggravates his existing health conditions”*.

Six specific aspects of Mr Zamora’s prison conditions were highlighted in the Urgent Appeal as a clear violation of international legal standards, namely:

- (i) Solitary confinement and deprivation of light and water: the Appeal details how Mr Zamora was detained in solitary confinement and in almost constant darkness for 19 months, 23 hours a day. This has resulted in psychological harm and distress, and also in deterioration of his eyesight. He was detained for 15 days without water, and subjected to several three-day water cut outs, usually occurring in the run up to court hearings.

- (ii) Constant surveillance: Mr Zamora has been under constant surveillance of video cameras, with five positioned in the small yard outside of his cell and one facing his cell door, creating an environment of absolute control over him.
- (iii) Aggressive and humiliating treatment: the Appeal documents how, for the first 17 months of his imprisonment, until October 2023, Mr Zamora endured harsh, aggressive and humiliating treatment, including sleep deprivation, causing him to fear for his safety, and he was subjected to sadistic humiliation ceremonies by a warden who was particularly hostile towards him.
- (iv) Unnecessary use of restraints when transferred to and from court hearings: the Appeal documents unnecessary and humiliating use of handcuffs, restraining Mr Zamora's hands behind his back, for periods of between eight and eleven hours at a time.
- (v) Deliberate infestation of his cell: for at least six months, Mr Zamora's cell was infested with mites and not fumigated, resulting in him suffering from multiple lesions as a result of mite bites. With reliance on Dr Beristain's expert report, the Appeal explains that there are reasonable grounds to believe that the infestation was deliberate.
- (vi) Exacerbation of underlying health conditions due to prolonged exposure to unsanitary conditions: the Appeal also explains how the combination of the unsanitary conditions in which Mr Zamora is detained, and his limited access to medical care, have exacerbated underlying health problems which he suffers, resulting in serious and significant decline in his health and well-being.

Speaking today, Mr Zamora's son, **Mr José Carlos Zamora**, welcomed the UN experts' statement. He commented:

"We are deeply grateful to the United Nations for acknowledging the grave injustice my father, journalist Jose Rubén Zamora, has endured during his 761 days of arbitrary detention by Guatemalan authorities. This recognition fuels our hope that the long-overdue hearings, maliciously delayed, will finally be scheduled, bringing an end to the inhumane conditions in which he is held and securing his immediate and just release.

We also extend our profound gratitude to our international legal team, whose relentless efforts ensure that the world remains vigilant in witnessing the atrocities of political persecution in Guatemala and that justice will ultimately prevail."

Ms Caoilfhionn Gallagher KC, international counsel for Mr Zamora and his son, added:

"José Rubén Zamora has spent two years in prison as retaliation for his groundbreaking and fearless journalism. And for two years he has endured horrific, inhumane treatment in prison, including prolonged solitary confinement, sleep deprivation, and sadistic humiliation rituals. We welcome the urgent intervention by six UN experts, making clear to Guatemala that Mr Zamora's treatment may amount to torture and endanger his life.

There must be no further delays. Guatemala is in clear violation of its obligations under international law. The Guatemalan authorities must free Mr Zamora forthwith, and drop the spurious charges against him.”

Additional Background

Mr Zamora has been imprisoned since his arrest in July 2022. He has been targeted with multiple spurious criminal charges, resulting in three separate criminal proceedings. On 14th June 2023 he was convicted and sentenced to six years’ imprisonment for money laundering; and he was acquitted of the blackmail and influence peddling charges. His conviction followed a trial which was plagued with irregularities and violations of Mr Zamora’s right to due process and a fair trial, including by the rejection by the judge of the admission of exculpatory witness evidence crucial to the defence.

In October 2023, the Appeals Court annulled both his conviction (for money laundering) and his acquittals (for blackmail and influence peddling). The case was sent back to the High Court for trial, to begin after the evidentiary stage in proceedings. This means that original orders regarding the admission of evidence, excluding exculpatory evidence, will remain in place. Although scheduled for retrial in February 2024, the case has been plagued by delays.

Mr Zamora’s release on conditional bail was ordered by Guatemala’s Ninth Criminal Court on 15th May 2024, but that decision was subsequently overturned. Earlier this week, on Monday 26th August 2024, the Ninth Sentencing Court reinstated the decision, finding that Mr Zamora’s “*pretrial detention is not reasonably necessary.*” However Mr Zamora continues to await a decision to determine his application for bail in two other sets of proceedings. No hearing dates have yet been listed to decide these bail applications.

In July 2024 an opinion of the United Nations Working Group on Arbitrary Detention was [published](#), which held that Mr Zamora’s ongoing detention is arbitrary and violates international law, and that he should be released immediately. The Working Group found that Mr Zamora’s detention constitutes a violation of international law for discrimination based on his political position, as a reporter investigating corruption. This opinion followed a complaint filed with the Working Group by the Vance Center for International Justice, which has been working on the case alongside lawyers from King & Spalding and the Chilean law firm, Ciro Colombara.

*** ENDS ***

Notes to Editors:

1. The UN experts’ statement is available here, in [English](#) and [Spanish](#).
2. Further information about the campaign to free José Rubén Zamora can be found on social media using the hashtags #ZamoraLibre, #FreeZamora and #FreeJRZ; or by following his son at @jczamora (on X and Instagram).
3. Any press queries for international counsel in this matter should be directed to c.gallagher@doughtystreet.co.uk and t.eatwell@doughtystreet.co.uk.