

PRESS RELEASE

Guatemala: The Congress must refrain from passing the “Amnesty Law” today

The Hague, 13 March 2019 – Impunity Watch is deeply concerned about the possible passage of a proposed amendment to the National Reconciliation Law (or “Amnesty Law”) in the Congress of Guatemala today. Impunity Watch urges the international community to take a firm stance in the defence of the rule-of-law and human rights in Guatemala, and to publicly urge the legislature to refrain from approving these amendments.

“Granting amnesty to perpetrators convicted of serious human rights violations committed during the internal armed conflict in Guatemala would seriously affect victims’ right to justice, truth, reparation and guarantees of non-recurrence,” said Impunity Watch Executive Director Marlies Stappers. “Passing this law weakens the justice system and could trigger a serious human rights crisis,” she added.

Last week, reforms to the “Amnesty Law” passed the second debate in the Guatemalan Congress. The bill is scheduled for a vote today, following a third and final debate. If approved, it would be another step closer to granting broad amnesty to perpetrators of serious human rights violations and would free, within 24 hours, those convicted of committing crimes against humanity and war crimes during Guatemala’s 36-year internal armed conflict. The law also prohibits future prosecution and mandates legal sanctions against any judge or prison official who refuses to implement the law.

The situation is particularly alarming amidst the rising tensions ahead of the 2019 electoral campaigns. Setting free individuals convicted of serious human rights violations committed during the internal armed conflict could lead to reprisals and attacks against victims, judges, prosecutors, lawyers, plaintiffs, witnesses, experts and others involved in human rights trials, putting their own safety and that of their families at risk.

Stappers warned that impunity in relation to such violations can contribute to the repetition of violations and the creation of vicious cycles of violence. “Guatemala was a pioneer in showing the world that justice can prevail by putting on trial its former head of state on charges of genocide,” Stappers said. “What message are we sending to the world now? Are we telling the victims that their suffering went in vain? Are we telling them that that impunity won over justice and these atrocities can recur?”

Impunity Watch calls on the Guatemalan authorities to ensure the security of victims, witnesses, experts, and human rights organisations who would all be at high risk if the law is approved, including affected indigenous peoples in particular. The government must ensure the security of lawyers and state prosecutors who have investigated, prosecuted and sanctioned atrocity crimes.

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For more information, please contact:

In The Hague: Manal Sarrouf, Impunity Watch, manal.sarrouf@impunitywatch.org; +31 6 22 36 71 99