

URGENT ACTION

BILL COULD GRANT AMNESTY FOR GRAVE CRIMES

Guatemala's Congress could imminently pass a law that would grant an amnesty to those suspected or found guilty of crimes such as genocide, torture, and enforced disappearances during the internal armed conflict (1960-1996). The bill could lead to the release of those found guilty within 24 hours of its approval. It would also lead to the suspension of ongoing investigations into these crimes. Guatemala's Congress must refrain from passing Bill 5377 to respect the rights of victims to justice, truth and reparation.

TAKE ACTION: WRITE AN APPEAL IN YOUR OWN WORDS OR USE THIS MODEL LETTER

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Dear Mr Arzú,

On 17 January, the Guatemalan Congress approved the first reading of Bill 5377 to reform the National Reconciliation Law. This bill has progressed despite being rejected by the Congress' own Human Rights Commission. It aims to extend an amnesty to those accused of serious international crimes against humanity, such as genocide, torture and enforced disappearances, that took place during the country's internal armed conflict. If passed, the bill would lead to the suspension of ongoing investigations into these crimes and the immediate release of those already convicted.

The bill represents a serious setback for the rights of thousands of victims in the country to achieve truth and justice for the atrocities they and their families experienced during the conflict. It also breaches Guatemala's international obligation to investigate, prosecute and punish grave crimes.

On several occasions, Guatemala's tribunals and the Inter-American Court of Human Rights have ruled that amnesties for crimes under international law are incompatible with states' human rights obligations, and multiple international human rights bodies and organizations, including the Inter-American Commission on Human Rights and the United Nations High Commissioner for Human Rights, amongst others, have consequently condemned this bill.

I urge you to respect the right to justice of victims in Guatemala by not tabling Bill 5377 for debate and to refrain from passing it into a law. The advancement of this bill would represent a severe breach of Guatemala's international human rights obligations.

Yours sincerely,

**AMNESTY
INTERNATIONAL**



ADDITIONAL INFORMATION

Bill 5377 was originally presented in November 2017 by Congressman Fernando Linares Beltranena, and was co-signed by 12 other members. It aims to repeal articles 2, 4 and 8 of the National Reconciliation Law and amend articles 1, 5 and 11, leading to the establishment of a general amnesty for crime acts relating to the country's civil war, including for individuals accused of serious crimes under international law.

According to the Commission for Historical Clarification, established to clarify human rights violations during the internal armed conflict, approximately 200,000 persons were killed or disappeared during the internal armed conflict (1960-1996). 93% of the violations were attributed to state forces and related paramilitary groups, whereas 3% were attributed to insurgency groups.

After decades of impunity, from 2008 onwards at least 30 former military officials, military commissioners and former members of civil defence patrols have been convicted of crimes such as torture, enforced disappearances, extrajudicial executions, sexual violence and sexual slavery, under international law. If passed, the bill would lead to the immediate release of all the individuals already convicted and the suspension of any ongoing investigations.

The proposed reform passed the first reading, and to become a law it needs to pass two more readings and be approved article by article. The second reading could be tabled at any time during the following weeks.

PREFERRED LANGUAGE TO ADDRESS TARGET: Spanish.

You can also write in your own language.

PLEASE TAKE ACTION AS SOON AS POSSIBLE UNTIL: 12 March 2019.

Please check with the Amnesty office in your country if you wish to send appeals after the deadline.

NAME AND PREFERRED PRONOUN: Victims of human rights violations during Guatemala's internal armed conflict (they/them).