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Guatemala: Ríos Montt trial delay is a letdown to genocide victims

Reports that the retrial of former Guatemalan President General Efraín Ríos Montt will not begin until January 2015 amount to a disappointing deferral of justice for genocide victims and their relatives, Amnesty International said today.

“This decision to further delay is a letdown for genocide victims and their families who have already waited over three decades, and fought hard to ensure Ríos Montt was held to account in the courts,” said Sebastian Elgueta, Guatemala researcher at Amnesty International.

Ríos Montt was convicted of genocide and crimes against humanity on 10 May this year by a criminal court in Guatemala City. The conviction was effectively annulled 10 days later by the Constitutional Court, Guatemala’s highest court, on a technicality.

“It was hoped that the retrial, made necessary by the Constitutional Court’s decision, would take place much earlier given the huge delay victims have already suffered and the importance of this landmark case,” said Elgueta.

The case against Ríos Montt, aged 87, was brought on behalf of 1,771 Mayan-Ixil indigenous people who were killed, tortured, subjected to sexual violence or displaced, during the internal armed conflict while Ríos Montt was President and Commander-in-Chief of the Guatemalan Army (1982-1983).

Today, victims also lodged a related complaint with the Inter-American Commission of Human Rights. The new complaint alleges that justice has been denied to victims because of the Constitutional Court’s decision to annul Ríos Montt’s conviction, and other abuses of process.

“It is unfortunate to see how, 30 years on, the victims of horrendous human rights violations in Guatemala feel obliged to look for justice outside their country,” said Elgueta.

The news of the delay in the Ríos Montt case comes just days after Guatemala’s Constitutional Court on 22 October raised the possibility of an amnesty for those accused of genocide and crimes against humanity during the internal armed conflict, from 1960 to 1996.

“Amnesty International categorically rejects any possibility of amnesty for crimes under international law, anywhere in the world,” said Sebastian Elgueta.

“Amnesties for human rights violations allow those responsible for the world’s most serious crimes to evade justice. They are a tragedy for victims and their loved ones, preventing justice, truth and accountability.”