

# URGENT ACTION

## LEGISLATORS COULD PASS A DISCRIMINATORY LAW

**Guatemala's Congress is at the verge of passing a law to ban abortion, same-sex marriage and inclusive sex education. The bill 5272 "to protect family and life" directly threatens the rights of girls, women, and LGBTI people, their lives and their families.**

Congressman Aníbal Rojas Espino presented the bill 5272 to the Guatemala Congress on 26 April 2017, including 30,000 signatures of support gathered by the National Evangelical Coordinator. The bill received a favourable opinion from the Commission of Legislation and Constitutional Points and was then debated on 22 and 28 August 2018. It now needs a third reading in a plenary session where it could be voted and approved, which could take place in the next few days.

Local organisations and human rights defenders in Guatemala reported that the Congress was set to debate the bill on 4 September. Amnesty International issued a worldwide urgent action on 31 August to urge legislators to vote against the bill 5272 and instead work on a bill that would move forward the protection of human rights. The bill was not included in the agenda for debate on 4 September, and local human rights defenders assess that the legislators noticed the international pressure. It is not clear when the bill could be debated again, therefore the threat remains.

The bill intends to modify the Penal Code to harden penalties in cases of abortion and criminalise women even in cases of natural death of the foetus. These provisions put at risk the health and lives of women and girls by denying them lifesaving healthcare. It would extend the criminalisation of abortion to situations of miscarriage, stillbirth and obstetric complications, and impose prison sentences on anyone who "promotes or facilitates access to abortion", moving Guatemala backwards in terms of abortion rights.

The bill also reinforces the historical discrimination against women, and lesbian, gay, bisexual, transgender, and intersex (LGBTI) people, by expressly prohibiting same-sex marriage. It intends also to prohibit schools from promoting "politics or programs related to sexual diversity and gender ideology, or to teach as normal sexual conducts that are different from heterosexuality."

### Please write immediately in Spanish or your own language:

- Urging Guatemalan legislators to vote against the bill 5272 and say no to a discriminatory law;
- Urging the Guatemala Congress to work on a bill that would move forward the protection of human rights for girls, women and LGBTI people.

### PLEASE SEND APPEALS BEFORE 3 DECEMBER 2018 TO:

#### President of Congress

Alvaro Arzú Escobar  
Palacio Legislativo, 9 Avenida 9-44,  
Zona 1, Guatemala City,  
Guatemala, 01001

Email: [aarzu@congreso.gob.gt](mailto:aarzu@congreso.gob.gt)

Twitter: @AlvaroArzuE, #NoALa5272

(Say no to 5272)

**Salutation: Dear Congressman /  
Estimado Diputado**

#### Congressman and sponsor of bill 5272

Aníbal Rojas Espino  
Palacio Legislativo, 9 Avenida 9-44,  
Zona 1, Guatemala City,  
Guatemala, 01001

Email: [arojas@congreso.gob.gt](mailto:arojas@congreso.gob.gt)

Twitter: @AnibalRojasGT, #NoALa5272

**Salutation: Dear Congressman /  
Estimado Diputado**

#### And copies to:

[comunicacionsocial@congreso.gob.gt](mailto:comunicacionsocial@congreso.gob.gt)

[direcciongeneral@congreso.gob.gt](mailto:direcciongeneral@congreso.gob.gt)

[direccionlegislativa@congreso.gob.gt](mailto:direccionlegislativa@congreso.gob.gt)

Twitter: @CongresoGuate, #NoALa5272

**Also send copies to diplomatic representatives accredited to your country. Please insert local diplomatic addresses below:**

Name Address 1 Address 2 Address 3 Fax Fax number Email Email address Salutation Salutation

Please check with your section office if sending appeals after the above date.

**AMNESTY  
INTERNATIONAL**



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### ADDITIONAL INFORMATION

The World Health Organization (WHO) and the UN Committee on Civil and Political Rights have recognized the causal link between maternal mortality and laws that restrict or criminalize abortion. The WHO has stated that restriction of access to legal abortion does not decrease the need for abortion, and likely increases the number of women who seek illegal and unsafe abortions. This leads to higher morbidity and mortality rates and creates social inequities.

According to international treaties that Guatemala has signed, the Guatemalan government is obligated to guarantee people's rights without discrimination, including discrimination based on sexual orientation or gender identity.

In its recent observations about the Guatemalan government, the UN Human Rights Committee highlighted its concern about discrimination and violence motivated by victims' sexual orientation or gender identity, the criminalization of abortion and miscarriage and a lack of adequate reproductive health services. It demands that the Guatemalan government "ensure unimpeded access to sexual and reproductive health services, emergency contraceptives and comprehensive sex education for men, women, boys and girls throughout the country".

For its part, the UN Committee on the Rights of the Child expressly recommended that the Guatemalan government "ensure that sexual and reproductive health education is part of the mandatory school curriculum, and that it is developed with the involvement of adolescent girls and boys, with special attention paid to preventing early pregnancy and sexually transmitted infections."

The bill 5272 was presented before Congress on 27 April 2017 and was read for the second time on 28 August 2018. It now needs a third reading in a plenary session, which could take place in the next few days, and if it is approved there it will proceed to final article-by-article approval. Further information: <https://www.amnesty.org/en/latest/news/2018/09/guatemala-ley-discriminatoria-pone-en-riesgo-la-vida-y-los-derechos-de-miles-de-mujeres-ninas-y-personas-lgbti/>

Name: Girls, women, LGBTI people

Gender: All

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