



## International Organizations Reject the Proposed Amnesty for Perpetrators of Grave Human Rights Violations

Washington, D.C. and Guatemala City— The international organizations that have signed below, in relation to initiative 5377, that would reform the Law of National Reconciliation, [Decreto 145-96](#), express:

1. The reforms to the Law of National Reconciliation would grant amnesty to perpetrators of crimes of forced disappearance, genocide, torture, sexual violence and slavery. Further, it would lead to the immediate release of those who have already been sentenced for these crimes.
2. It is necessary to remember that article 8 of this law says that "The annulment of criminal liability referred to in this law shall not be applicable to the crimes of genocide, torture and enforced disappearance, as well as those offenses that are not subject to statute of limitations or do not allow the annulment of criminal liability, in accordance with domestic law or international treaties ratified by Guatemala. "
3. If the reform is approved, it would mean that the State of Guatemala would violate the most elementary principles and norms of International Law, which are mandatory under the Political Constitution of the Republic of Guatemala.
4. Likewise, the State would breach its commitments made to the United Nations and the Organization of American States in relation to its obligation to investigate, prosecute, punish, order reparations, and guarantee non-repetition in the face of the most serious crimes that shake and outrage humanity and generate serious harm and repercussions for victims and society in general.
5. National and international organizations have warned that the proposed amnesty would mean impunity and the possibility of repeating atrocious crimes. warnings have been raised at the national and international level. Guatemala is prohibited from decreeing amnesties for the most serious violations of Human Rights and breaches of International Humanitarian Law according to jurisprudence from the Inter-American Court of Human Rights and also recommendations issued by the Human Rights Committee of the United Nations after its review of Guatemala in 2018 (CCPR/C/GTM/CO/4).

6. The reform proposal represents a setback that is in total contradiction with the advances that the Guatemalan criminal justice system has shown in recent years around the rights to truth, justice, reparation, the guarantee of non-repetition, and, above all, the application of the most modern international standards in the field of criminal law and victims' rights.

**Therefore, we exhort that:**

- a. The State of Guatemala and its various branches respect and comply with international obligations and stop the process of legislative reform of the National Reconciliation Act.
- b. The Congress of the Republic suspends the discussion of this initiative that contradicts treaties and international conventions approved by Guatemala, as well as the Political Constitution of the Republic of Guatemala, and the Peace Accords.
- c. The different social forces remain vigilant and use the complaint mechanisms in case the reforms to the mentioned law advance.
- d. That the international community continue its efforts to contribute to the respect and defense of human rights and the rule of law in Guatemala.

The Guatemalan courts have ruled, on numerous occasions, that amnesty cannot be applied to those responsible for international crimes. We trust that these courts will resolve the conflicts that this reform could generate, and will ensure the prevalence and respect for the principles and norms contained in the Political Constitution of the Republic of Guatemala and International Law.

We will continue supporting the fight against impunity and we will be attentive to any initiative of law that undermines or transgresses national or international law.

**Abogados sin Fronteras Canadá**  
**Centro por la Justicia y el Derecho Internacional (CEJIL)**  
**Fundación para el Debido Proceso (DPLF)**  
**Guatemala Human Rights Commission (GHRC)**  
**Impunity Watch**  
**Impunity Watch Open Society Justice Initiative (OSJI)**  
**Plataforma Internacional Contra la Impunidad**  
**Robert F. Kennedy Human Rights**  
**Oficina en Washington para Asuntos Latinoamericanos (WOLA)**