



International Organizations support the work of Guatemala's Public Ministry in transitional justice cases

Washington D.C. and Guatemala City, January 12, 2016. - The signatory organizations express our support for the recent efforts, led by the Public Ministry (PM), to bring high-level military commanders to justice for their responsibility in forced disappearances and crimes against humanity committed during the internal armed conflict in Guatemala. These efforts set an example for national justice systems of all the countries on the continent, and the rest of the world, that face the shared challenge of obtaining justice for criminal atrocities committed in the context of internal armed conflict.

Last week, 18 retired, high-ranking military members were arrested, four of them linked to the disappearance of the child Marco Antonio Molina Theissen in 1981; and the other 14 officials for accusations linked to various massacres and forced disappearances occurring between 1981 and 1988 related to the Creompaz case. This case refers to the Military Zone No. 21 in Cobán, Alta Verapaz, where in the last four years 503 skeletons and 55 skeletal parts have been exhumed, corresponding to 558 people murdered, many presenting gunshot wounds and signs of torture.

These arrests are the result of the professional, independent and impartial work on the part of the Public Ministry (PM) and represent a significant advancement in settling the country's historical debts in matters of justice. Nevertheless, now the appropriate courts must fulfill their role in guaranteeing justice, without undue meddling on the part of groups in power.

Additionally, this Monday the reopening of the genocide trial in Guatemala against ex-dictator Efraín Ríos Montt and ex-general José Mauricio Rodríguez Sánchez was suspended. However, a hearing was still carried out related to the execution of police officer José Miguel Mérida Escobar, who investigated the assassination of anthropologist Myrna Mack.

Also, the initial phase of oral arguments is set for the first of February in the trial of sexual slavery and sexual violence suffered by women in the military detachment of Sepur Zarco, located between Alta Verapaz and Izabal.

Considering the proceedings going forward in the aforementioned cases, all linked to events during the armed conflict, the undersigned international organizations express our support for the work achieved by the PM and urge continued efforts to construct a judicial system with equal access to justice for all.

We further urge the appropriate authorities to protect those working for justice, the victims and their families, as well as to respect the right of due process, without this resulting in tolerance for delay tactics by the accused.

Particularly concerning, in relation to the genocide trial, is the fact that two and a half years after the guilty verdict against José Efraín Ríos Montt for crimes of genocide and war crimes, family members have been denied access to justice and the courts are making erratic decisions that could re-victimize those affected. For example, the Constitutional Court is in support of a single trial for both accused (Ríos Montt y Rodríguez Sánchez) even though the High Risk Tribunal B established that the nature of these two processes is different.

This January 14, president-elect Jimmy Morales and his new administration will take office. The international organizations urge them to show decisive support for the PM and respect its independent authority. Likewise, we remind them that according to the Inter-American Court of Human Rights, it is the obligation of the State to remove obstacles, *de facto* and *de jure*, that impede these types of cases from proceeding.

We add our voices to the many that demand justice for all the grave human rights violations that, to date, remain in impunity. We trust that Guatemala will advance towards reconciliation and peace, without sidestepping its obligations to the victims.

The below-signed organizations are committed to justice and the protection of human rights:

Center for Justice and International Law (CEJIL)
Guatemalan Human Rights Commission (GHRC/USA)
Due Process of Law Foundation (DPLF)
Impunity Watch (IW)
Washington Office on Latin America (WOLA)
International Platform Against Impunity (PI)

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