

Guatemala: International Organizations Reject the Removal of Prosecutor Juan Francisco Sandoval from Office.

Impunity Watch joins international condemnation of the dismissal of Guatemala's anti-corruption Prosecutor Juan Francisco Sandoval. On 23 July 2021, in a surprising and arbitrary maneuver, Attorney General Consuelo Porras dismissed the Prosecutor investigating the country's most important corruption cases; a harsh setback for the justice system and the fight against impunity in the country. We join other organizations that promote human rights in Guatemala in condemning this arbitrary act and calling for the reinstatement of Prosecutor Sandoval. The joint statement is available in English and Spanish.

Guatemala City, San José, Mexico City, Washington DC, Geneva and The Hague, 24 July 2021. We, the international organizations that contribute to promoting the rule of law and human rights in Guatemala, strongly reject the arbitrary decision of the Attorney General, María Consuelo Porras, to dismiss Juan Francisco Sandoval, Head of the Special Prosecutor's Office against Impunity (FECI). The move represents a serious blow to the Public Prosecutor's Office and the fight against impunity in the country.

With her decision, the Attorney General is violating the Organic Law of the Public Prosecutor's Office. According to Article 63 of the aforementioned law, in order to dismiss a prosecutor, an internal disciplinary procedure must be followed and it must be proven that he/she has committed a serious offense. The dismissal also violates international law, since the Inter-American Court of Human Rights has been emphatic in pointing out that the removal of a prosecutor from office must be exclusively due to permissible causes, serious disciplinary faults or incompetence and that a prior fair, objective and impartial procedure is required in accordance with the Constitution or the law.

However, the Attorney General dismissed Prosecutor Sandoval arbitrarily and without reasonable grounds, jeopardizing the continuity of the most serious corruption cases in the country.

Prosecutor Sandoval is a career professional with more than 15 years of experience in the Public Prosecutor's Office and has been involved in the landmark corruption cases in the country. He worked hand in hand with the UN backed International Commission against Impunity in Guatemala (CICIG) and has led the FECI with commitment, impartiality and courage. He has earned the respect of the citizenry and the international community, and it is unacceptable that he be removed arbitrarily.

The international community and the Inter-American Commission on Human Rights have repeatedly expressed their concern about the harassment and attacks against Prosecutor Sandoval and FECI staff. In 2019, the Inter-American Court ordered the state to reinforce the security measures in place to protect of Prosecutor Sandoval and other FECI prosecutors due to the high risk posed by the cases they investigate, and

for which the State of Guatemala has the obligation to guarantee their integrity and security.

We call on the Attorney General to immediately reinstate Prosecutor Juan Francisco Sandoval and to respect the regulations and the institutional framework of the Public Prosecutor's Office. It is important to guarantee the continuity of corruption cases and that the work of the FECI is not put at risk.

Signatories

- American Jewish World Service
- Center for Justice and International Law (CEJIL)
- Due Process of Law Foundation (DPLF)
- Foundation for Justice and the Democratic Rule of Law (Fundación para la Justicia y el Estado Democrático de Derecho)
- Guatemala Human Rights Commission (GHRC)
- Impunity Watch
- International Platform Against Impunity
- Lawyers Without Borders - Canada
- Latin America Working Group (LAWG)
- Protection International
- Washington Office on Latin America (WOLA)