

LASA condemns amnesty legislation which seeks to undo war crimes convictions in Guatemala

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LASA calls on Congress of Guatemala to reject amnesty legislation which seeks to immediately free those convicted of or charged with war crimes and ends all future investigations into such crimes.

The Executive Council of LASA is gravely concerned that the Guatemalan Congress is considering legislation that amounts to a general amnesty for those who committed grave violations of human rights during the internal armed conflict (1960-1999). If approved, this legislation would undo significant judicial advances and put at risk victims of past crimes and those who have supported them and adjudicated their cases.

Guatemala's progress in reforming its judicial system and bringing to justice those responsible for assassination, enforced disappearance, sexual violence, genocide and other war-time crimes has been inspiring. Hundreds of people have assumed great risks to support these processes of transitional justice, including survivors, human rights lawyers, prosecutors, expert witnesses, judges and others. Among them are academics, many of whom are LASA members who have served as expert witnesses and who have reported on human rights abuses, war crimes trials, and the ongoing fight against impunity in Guatemala.

The bill under consideration, legislative proposal 5377, would modify the 1996 National Reconciliation Law to provide amnesty for those who committed the wartime crimes named above, block future prosecutions of cases of transitional justice, and liberate convicted human rights abusers as well as those awaiting trial within 24 hours of the law's passage. Opposition legislations blocked the bill from coming to the floor for a second of three required debates on two separate occasions. But last week, the bill completed the second debate. It is expected that the Guatemalan Congress will schedule the third debate and final vote on the bill this week.

This proposed law goes against the international conventions on human rights that the Guatemalan state has signed and which its own constitution obligates it to uphold. It is thus unconstitutional. Beyond that, it violates the rights of victims to access justice, and it places in immediate danger the lives of all of those who worked to achieve justice in cases such as the genocide case against Efraín Ríos Montt, massacres such as Plan de Sánchez and Dos Erres, the Sepur Zarco sexual violence and sexual slavery case, and the Molina Theissen case, among many others.

Guatemalan courts have convicted 33 military officials, military commissioners and paramilitaries for a series of human rights violations, including forced disappearances, massacres, torture, sexual violence and sexual slavery. Courts have also convicted one guerrilla leader for a 1988 massacre. More than a

dozen others are awaiting trial on charges for similar crimes. These achievements in transitional justice have set international precedents for recognizing the gendered and racialized nature of wartime violence and for holding human rights abusers accountable in domestic courts.

LASA condemns the proposed legislation which seeks to undo such achievements and calls on our members to publicly support the withdrawal of this illegal piece of legislation. Furthermore, we stand in solidarity with the survivors and the families of victims and call on the Guatemalan state to uphold its international obligations to continue to make transitional justice available to all who have fought tirelessly for decades to have their day in court.

About LASA

With more than half a century of history and already exceeding 12,000 members, the Latin American Studies Association (LASA) is the largest professional association in the world that brings together individuals and institutions dedicated to the study of Latin America from a multidisciplinary perspective. The mission of LASA is to foster intellectual debate, research and teaching about Latin America, the Caribbean and its people; promote the interests of its members and encourage civic engagement through networking and exchanging ideas.

If you wish to interview a LASA Executive Council member, you can contact the LASA communications office at (412) 648-7929 or lasa@lasaweb.org.

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