



## Organizations reject attacks against CICIG and demand respect for the rule of law and judicial independence in Guatemala

**The Americas, September 6, 2018.**- On September 4, it was made public that the President of Guatemala, Jimmy Morales, had decided to prohibit Commissioner Iván Velásquez Gómez from entering the country. This was in accordance with a recommendation of the National Security Council, which indicated that the head of the International Commission against Impunity in Guatemala (CICIG), was a threat to public order and security, affecting the governability, institutionality, justice, and peace of the country.

The signatory international organizations strongly reject this serious attack on the fight against impunity in Guatemala. The action by President Morales constitutes a unilateral breach of the terms of the Agreement between the United Nations and the government of Guatemala for the establishment of CICIG in the country (hereinafter, the Agreement). Moreover, it fails to comply with a Constitutional Court ruling rendering ineffective the Presidential declaration of Commissioner Velásquez as "persona non grata", for the purpose of expelling him from the country. This decision also ignores Commissioner Velásquez's status as a diplomatic agent (his valid diplomatic visa was pending renewal when this unilateral measure was approved).

We also express our complete rejection of the signs of militarization of public security, as shown by the increase of military security agents, armored vehicles and other military equipment in public spaces and roads, in order to discourage and threaten the full exercise of citizen freedoms and the right to peaceful social protest. At the same time, we condemn the monitoring and intimidation of human rights defenders that have taken place in recent days.

In this context, **we consider it fundamental that the Guatemalan State guarantee the utmost respect for the independence of the justice system organs charged with protecting basic rights and freedoms.** We especially reject any attempt to pressure or intimidate the justices of the Constitutional Court of Guatemala and the Human Rights Ombudsman, which may affect their ability to hear cases before them related to this matter. We demand that the judicial power be allowed to independently resolve the legal actions challenging the constitutionality of the presidential decision, as well as any other matter before them relating to human rights violations and obstacles to the Guatemalan people's longing to end the scourge of impunity.

In particular, we note with concern the "5300 initiative" currently being discussed in the Congress of the Republic, which is aimed at eliminating the due process guarantees related to investigations against these officials.

Furthermore, we call on the Secretary-General of the United Nations to demand that the State of Guatemala strictly respect the provisions of the Agreement. **We place special emphasis on the points related to the security, continuity, and immunities of CICIG personnel**, as well as the inviolability of its premises, documents, and materials, which cannot be subject to search, seizure, or confiscation.

Finally, the signatory organizations reiterate our support and recognition of the diligent work of CICIG and its commitment to combatting impunity in the country. We urge the national authorities to adopt all necessary measures to facilitate the fulfillment of its mandate and remove the obstacles that seek to impede CICIG, in accordance with the international commitments assumed by the State, and in response to the desire of the Guatemalan people to build a solid and lasting democracy.

### **Signing organizations**

Center for Justice and International Law (CEJIL)  
Due Process of Law Foundation (DPLF)  
Guatemala Human Rights Commission (GHRC-USA)  
Impunity Watch  
International Platform against Impunity  
Lawyers without Borders - Canada  
Robert F. Kennedy Human Rights  
Washington Office on Latin America (WOLA)