

## **Guatemala deserves impartial, timely and comprehensive justice**

In light of statements made by judges in response to criticisms of their actions, the undersigned organizations declare:

1. It is no secret that one of the most serious problems faced by our country is the high impunity levels, both of past and present crimes, as can be unequivocally confirmed by the thousands of victims who are yet to receive justice. This lack of justice has been evidenced at all levels of the system, which is marked by weak and inefficient investigations, tortuous criminal prosecution and the biased deliverance of justice.
2. In response to the existence of a high number of State officials—especially in the system of investigation, criminal prosecution and justice authorities—involved with corrupt, impunity-generating structures, a request for assistance was made that resulted in the creation of the International Commission against Impunity in Guatemala (CICIG). The mandate of CICIG includes support for institutional strengthening, which undoubtedly involves processes of purging institutions.
3. Through its work, CICIG has helped to implement training and purging processes related to investigation at the National Civil Police (PNC) and the Public Prosecutor's Office (MP)—both of these bodies have showed signs of progress in fulfilling their respective missions, as reflected in the judicial proceedings that have been initiated.
4. However, impunity continues to be a serious bottleneck in the justice administration system, which is represented by the Judiciary (OJ). Recently, a series of actions taken by OJ officials, rather than helping the process to strengthen the democratic State, constitute repeated examples of the continued existence of impunity structures. This can be seen in the acquittals delivered in cases of egregious crimes against the State and society, despite the evidence present in proceedings.
5. Far from humbly accepting the possibility for error in their legal decisions, judges have joined together in a kind of quasi-autocratic inquisitorial court—infallible and, above all, unquestionable. They have gone as far as threatening to prosecute anyone who criticizes the actions they take, in total disregard for the constitutional tenet guaranteeing the exercise of rights such as the right to criticise public officials.

In view of the foregoing, we declare:

1. Our support for the work of CICIG, especially its team and Commissioner Francisco Dall'Anese Ruiz.
2. Our support for the purging processes conducted by the PNC and the MP, as well as

- calling for similar actions to be taken at the Judiciary (OJ), with the aim of achieving further progress.
3. Our determination to exercise, without any restrictions and regardless of any threats, our constitutional rights and guarantees, in particular those concerning the social audit that is necessary in purging the justice system and in contributing to strengthening rule of law.
  4. A call for society, especially victims of violence and impunity, to demand the independent and effective exercise of justice administration.

Guatemala, July 20, 2011.

### **THE HUMAN RIGHTS FEDERATION**

Centre for Human Rights Legal Action (CALDH)  
International Centre for Human Rights Research (CIIDH)  
Survivors Foundation  
Guatemalan Institute of Political Science Comparative Studies (IECCPG)  
Office of Human Rights of the Archbishop of Guatemala (ODHAG)  
Security in Democracy (SEDEM)  
The Unit for Protection of Human Rights Defenders in Guatemala (UDEFEGUA)  
National Union of Guatemalan Women (UNAMG)  
Social Movement for the Rights of Children, Adolescents and Youth  
Women Sector  
Centre of Guatemalan Studies (CEG)  
International Commission of Jurists Group of Social Organizations (COS)  
Ecumenical Council of Guatemala  
General Guatemalan Workers' Union (CCTG)  
Institute of Education for Sustainable Development (IEPADES)  
Association of Family Members of Disappeared Persons of Guatemala (FAMDEGUA)  
Community Psychological Support Team (ECAP)  
Rigoberta Menchú Tum Foundation (FRMT)