

IRTF

InterReligious Task Force on Central America

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Licda. María Consuelo Porras Argueta
Attorney General / Fiscal General de la República
Ministerio Público
15 Avenida 15-16 zona 1 - Edificio Gerona 8º Nivel
Ciudad de Guatemala, 01001

April 26, 2023

Dear Attorney General Porras:

We are monitoring news in your country with deep concern and disillusionment about politically motivated attacks on prosecutors and judges working to end impunity for serious human rights violations, especially those committed by former military personnel during the years of the internal armed conflict (1960-86), as well as attacks on journalists who report on these cases.

Orlando Salvador López formerly served as head of the Human Rights Prosecutor's Office, where he helped build the prosecution for critical transitional justice cases like the case of the Ixil Genocide. Former President Jose Efraim Rios Montt, who ruled Guatemala during 1982 and 1983, was found guilty on May 10, 2013 of being the intellectual author of 1,771 deaths and the forced displacement of 29,000 Ixil people in the western highlands of Quiché Department; the verdict was nullified, however, just ten days later by the Constitutional Court, which ordered a partial retrial. Orlando López's work throughout the years has made him a target of pro-military factions within Guatemala, most notably the Foundation Against Terrorism (FCT), which currently is a plaintiff in a questionable legal case against Orlando López. FCT, working hand in hand with the Public Ministry's Office, has led the charge to punish honest judges and prosecutors, nearly 30 of whom have been forced into exile.


On 6:00am on March 16, police and Public Ministry officials arrived at the home of former prosecutor Orlando López, raided his residence, and arrested him. He is accused of "abuse of authority" for allegedly taking on work as a notary public and lawyer in 2019 while still employed as a public prosecutor. Following the arrest of Orlando López, Ricardo Méndez Ruiz, the head of FCT, accused him on Twitter of "the illegal capture of our war veterans." After an initial hearing on March 21, a judge placed Orlando López under house arrest to await trial.

Francisco Dall'Anese is another victim of political persecution. As the former head of CICIG (Commissioner of the International Commission Against Impunity, 2010-13), Francisco Dall'Anese oversaw investigations into high-level corruption. The Special Prosecutor's Office Against Impunity (FECI) recently announced that it is taking legal action against him. His successor at CICIG, Iván Velásquez, also faces investigations from the FECI.

We urge that your government:

- drop the criminal charges against Orlando Salvador López and any legal action against Francisco Dall'Anese
- end the use of criminal proceedings as reprisal against those involved in investigating and prosecuting cases of corruption or serious human rights violations
- ensure that judges and prosecutors are able to work freely without fear of reprisal
- ensure free and fair elections during the election of Guatemala's next president on June 25

Sincerely,


Brian J. Stefan Szittai
Co-coordinators


Christine Stonebraker Martinez

copies: Lic. José Alejandro Córdoba, Procurador de Derechos Humanos/Human Rights Ombudsman ~ via email
Alfonso José Quiñónez Lemus, Ambassador of Guatemala to the US ~ email, US mail
IACHR: Esmeralda Arosemena de Troitiño, Rapporteur for Guatemala, Inter-American Commission on Human Rights ~ via email and US mail
OACNUDH: Mika Kanervavuori, Oficina del Alto Comisionado de las Naciones Unidas para los Derechos Humanos en Guatemala (OACNUDH) ~ via email
US State Department: William Popp, US Ambassador to Guatemala ~ via email
US State Department: Guatemala Desk Officers in Washington, DC: Doug Choi, Moises Mendoza ~ via email
US Senators Brown & Vance and US Representatives Balderson, Beatty, Brown, Johnson, Jordan, Joyce, Kaptur, Latta, Miller, Sykes ~ via email

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The following people hereby urge you to take action on this matter as indicated in this letter: