



Reform to the NGO Law promoted by Guatemala's Congress violates the Rights to Freedom of Association and Expression

Washington, D.C., San José, Costa Rica, and Guatemala City, February 13 2019 -

The signatory organizations demand that the Congress of Guatemala refrain from approving the Amendments to the Law of Non-Governmental Organizations for Development, Initiative 5257, whose discussion in the third and last debate had been scheduled for the 12th ordinary session of the Congress [that will take place today February 13 of 2019](#). Organizations defending human rights in Guatemala have issued an urgent alert for the call for discussion in the third debate, approval by articles and final approval of the Amendments to the Law of Non-Governmental Organizations for Development, Initiative 5257. The consideration and imminent approval of the project had been scheduled for the 12th ordinary session of Congress today, February 13, 2019.

As the organizations defending human rights in Guatemala have warned, initiative 5257 establishes the purpose of facilitating the "fulfillment of aims and objectives" of non-governmental organizations, however, in practice, this regulation would create new barriers to free association, free expression, and the defense of human rights in the country. In the face of attempts to modify this same regulation in 2018, the [Inter-American Commission on Human Rights](#) (IACHR) and the Office of the United Nations High Commissioner for Human Rights (OHCHR) expressed concern that the proposal "would seek to implement limitations and controls in the registration and exercise of functions of NGOs in a manner incompatible with the rights to freedom of expression and association."

The initiative which, from the initial proposal through the two previous debates, has excluded the participation and opinion of the organizations that it intends to regulate, would increase the registration and inspection requirements by the State. It also restricts the scope of action of NGOs and outlines strong sanctions in vague and imprecise circumstances, which could even lead to the cancellation of permits for an NGO's continued operation. In short, the proposal provides spaces for State intervention in the work of organizations, leaving them clearly vulnerable as they work to defend human rights independently.

By virtue of the above, the signatory organizations demand that the Congress of Guatemala, in compliance with its international commitments, abstain from approving the Initiative of law 5257, since it represents a clear affront against the principles of free association and expression recognized in the Declaration Universal Declaration of Human Rights (Article 20), the International Covenant on Civil and Political Rights (Article 22), the American Convention on Human Rights (Article 16), and the Declaration on Human Rights Defenders. human rights (article 5.a).

Signatory Organizations:

Centro por la Justicia y el Derecho Internacional (CEJIL)
Fundación para el Debido Proceso (DPLF)
Guatemala Human Rights Commission (GHRC)
OXFAM América
Robert F. Kennedy Human Rights
WOLA