



COMMUNIQUE LAW 5257

The member organizations of the Forum of International NGOs in Guatemala (FONGI), representing 28 civil society organizations, from Germany, Belgium, Canada, the United States, The Netherlands, Ireland, Norway, Sweden, Switzerland, Spanish agglutinated in CODEG, and the Colectif Guatemala of France, as well as international federations, express our deep concern about the approval of Law 5257 by the Congress of the Republic of Guatemala, which contains requirements that negatively affect and limit the exercise of human rights, as well as administrative controls that could be applied in a discretionary manner to constrain the work of civil society entities.

Non-Governmental Organizations NGOs constitute a bridge between civil society, government and the state to strengthen the capacities of citizens as active subjects of rights, functioning as key actors for the promotion, protection and defense of human rights and strengthening democracy and the rule of law. Likewise, they play an important role in objective and independent auditing of governmental policy and actions that may have negative consequences for the full enjoyment of human rights, as established in the document 'International Standards on Human Rights applicable to Legal initiative 5257', delivered by the OHCHR to the Congress of the Republic.

NGOs also make an important contribution to supporting the work of the government and state, with social development actions that benefit the population in areas of health, migration, education; attention to the population in situations of malnutrition; capacity building and the development of economic initiatives; as well as the realization of studies that allow for problems to be identified in the interest of strengthening the rule of law, among others. In situations of calamity and disaster, NGOs provide critical, specialized humanitarian assistance to those most in need, reinforcing the response and coordination of Government agencies and actions.

NGOs have been supporting communities in the processes of building citizenship and consolidating democracy and rule of law; we have complied with established state financial regulatory bodies, transparently accounting for work done before the Government of Guatemala (Ministry of Foreign Affairs and Government, Superintendence of Tax Administration, among others). For all the above, we urge the Government of Guatemala to take into account the contribution that NGOs have made, and will continue to make to Guatemalan society, for the construction of a Guatemala where all sectors have a voice and exercise full citizenship, rights that correspond and are characteristic of a XXI century nation-state.

Given the situation generated on February 11 with the approval of Reforms to the Law of NGOs by the Congress of the Republic, we call on President Alejandro Giammattei not to ratify the Law 5257, which in its current version contains articles that threaten constitutionally guaranteed freedoms and rights, limiting the scope of citizen and civil society actions fundamental to the functioning of a democratic state and the rule of law, precedents that would constitute a major setback in Guatemala's aspiration to form part of a community of progressive and democratic nations.

We call on the International Community and Diplomatic Corps to speak out in defense of the democratic freedoms and rights of Guatemalan citizens and civil society.

Guatemala, February 12, 2020