



CC: **Mr. Pedro Brolo**, Minister of Foreign Affairs of the Republic of Guatemala  
CC: **Mr. José Alberto Briz Gutiérrez**, Ambassador of Guatemala in Brussels  
CC: **Mr. Stefano Gatto**, Head of the Delegation of the European Union in Guatemala

Brussels, 21<sup>st</sup> February 2020

Dear **Mr. Alejandro Giammattei**,  
President of the Republic of Guatemala

We, the members of the European Parliament who have signed this letter, are concerned about the situation regarding the approval of Law 5257 by the Guatemalan Congress in its third reading during the legislative session of 11/02/2020, altering the agenda to approve the Law without a substantive debate.

This bill was first presented to Congress on 21 March 2017 under the pretext of "increasing the transparency of NGOs", despite the fact that Non-Governmental Organisations, as well as associations, foundations and duly registered entities, are already controlled by various state controlled mechanisms.

Both the European Parliament in its resolution of 14 March 2019 on the situation of human rights in Guatemala (2019/2618(RSP)) and the High Commissioner for Human Rights, Michelle Bachelet, in her statement of 09/05/2019, expressed their concern at the imminent adoption of the proposed law. We also take up the concern expressed by 30 MEPs on 23 October 2019 in a letter addressed to your predecessor, former President Jimmy Morales, as well as another to the President of the Congress of Guatemala and the President of its Human Rights Commission.

The new law leaves it to the executive branch's discretion to cancel the registration of NGOs and other civil society organizations. According to international standards, involuntary suspension and dissolution are the most serious sanctions that authorities can impose on an organization and should therefore only be used when other less restrictive measures are insufficient, and should be governed by the principles of proportionality and necessity, which is not guaranteed in the current articles. Furthermore, the law facilitates the restriction of constitutional rights and guarantees such as freedom of association, freedom of expression, as well as the right to petition, among others. It will also limit the capacity of Guatemalan civil society to monitor government activities and to question corruption within the state. It is of great concern that these restrictive laws reduce the space for civil society, since NGOs are an essential pillar for strengthening democracies.



In view of the serious damage that these regulations create to social organizations and national and international NGOs in Guatemala, we urge you Mr President of the Republic to review and use the mechanisms established in the Political Constitution of the Republic of Guatemala so that Law 5257 is in accordance with the highest international standards in the field of human rights.

Kind regards,

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