



For immediate release

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**SPAIN PRESSES AHEAD WITH GUATEMALA GENOCIDE CASE DESPITE NEW LIMITS
ON UNIVERSAL JURISDICTION**

Spanish Judge to Investigate Connected Crimes of Genocide, Crimes Against Humanity and Terrorism in
the Massacre of Indigenous Maya

Madrid, Spain – In a landmark decision, Judge Santiago Pedraz of the Spanish National Court announced on May 21, 2014 that his investigation of genocide in Guatemala will proceed. The ruling challenges a controversial law enacted in March 2014 that limits Spanish jurisdiction over international crimes. It marks a major victory for a legal strategy devised by the Center for Justice & Accountability (CJA) and the Spanish Pro Human Rights Association (APDHE), as private prosecutors in the case.

“For decades, the Pinochet precedent has been a badge of honor for Spain. That precedent is alive and well, despite the reforms,” said Almudena Bernabeu, International Attorney at the Center for Justice and Accountability. “Judge Pedraz’s order is a beacon to the tens of thousands of victims of the Guatemalan genocide—and to the courts of the world. We look forward to seeing the masterminds of the Guatemalan genocide finally stand trial.”

In March 2014, conservative lawmakers from Spain’s Popular Party enacted a reform of Spain’s universal jurisdiction. Under the reform, Spanish courts can only try cases of genocide or crimes against humanity if the accused was a Spanish citizen or resident when the crimes took place.

Undaunted by the reform, Judge Pedraz ruled that the Guatemala Genocide Case must proceed for two reasons. First, the charges include terrorism—a crime that falls within Spanish extraterritorial jurisdiction whenever there are Spanish victims. Second, the charges of terrorism, genocide, and other atrocities are all based on the same facts. Under Spanish law, as in many European countries, a court’s jurisdiction extends to all criminal charges that arise from the same acts. Because the Court has jurisdiction over the terrorism offenses, Judge Pedraz announced that he will investigate the other connected crimes.

The decision breathes new life into Spain’s experiment with international justice. For nearly 30 years, Spain’s universal jurisdiction law has allowed victims from around the world to bring charges in Spanish courts against suspected perpetrators of human rights abuses and war crimes, regardless of where the crimes took place or the nationality of the victims or the accused. The law was famously invoked against former Chilean dictator Augusto Pinochet, who was indicted by a Spanish court in the late 1990s and arrested and held in London.

The Guatemala Genocide Case was first filed in 1999, when Nobel laureate Rigoberta Menchú Tum and other victims lodged a criminal complaint with the Spanish National Court charging senior Guatemalan officials with terrorism, genocide, and systematic torture in a 1980s campaign of terror against indigenous Maya. In 2004, CJA joined the case as private prosecutors with the Spanish Pro Human Rights Association (APDHE), and launched a transnational effort to prosecute those responsible for the genocide in the courts of Guatemala and Spain.

For more information on the criminal case see www.cja.org.

About CJA:

CJA is a San Francisco-based human rights organization dedicated to ending torture and other severe human rights abuses around the world and advancing the rights of survivors to seek truth, justice and redress. CJA pursues litigation to hold perpetrators individually accountable for human rights abuses, develop human rights law, and advance the rule of law in countries transitioning from abuses.

About APDHE:

APDHE, founded clandestinely in 1976 soon after the death of Dictator Francisco Franco, is the oldest human rights association in Spain. APDHE advocates among government agencies and civil society for the protection of human rights. APDHE has a long tradition of working for the promotion of human rights in Latin America.