

**Congress of the United States**  
**Washington, DC 20515**

April 27, 2007

Licenciado Juan Luis Florido  
Fiscal General de la República y Jefe del Ministerio Público  
Edificio Ministerio Público  
Tercer Nivel, 8a. Avenida 10-67, Zona 1  
Ciudad de Guatemala, 01001  
Guatemala  
Fax: +502.221.27.18

Dear Licenciado Florido,

We are writing to urge you to take action to prevent General Jose Efraín Rios Montt and other former leaders (“the defendants”) from obtaining immunity next week for alleged serious human rights violations.

As you know, in 2000 and 2001, the Association for Justice and Reconciliation (“AJR”), consisting of numerous indigenous communities and represented by the Center for Human Rights Legal Action (“CALDH”), presented petitions to your office against the defendants. Those petitions alleged that the defendants had committed genocide, war crimes and crimes against humanity during Guatemala’s internal armed conflict from 1970 to 1996.

We are concerned that General Rios Montt has announced that he will run for Congressional elections in 2007. He will be able to formally announce his candidacy on May 2. We understand that this move will provide him with immunity from legal proceedings for alleged human rights abuses. We are particularly concerned that gaining immunity is his stated reason for standing for election.

In over six years since the petitions were filed, there has been little discernable progress in the cases. We do not believe that the delay can be adequately explained by the replacement of Special Prosecutors and procedural appeals by the defendants. We urge you to formally open proceedings against the defendants because of: the gravity of the complaint; the testimony which your office has collected from over 100 witnesses; the other forms of forensic and military evidence which exist; and the recognition by the UN Historical Clarification Commission and the Inter-American Court of Human Rights that serious human rights violations were committed.

Rigoberta Menchú, amongst others, also filed petitions of genocide, murder and torture against the defendants in the Spanish National Court. As you know, arrest warrants now exist against the defendants and some have been taken into custody. However, General Rios Montt and other defendants remain free.

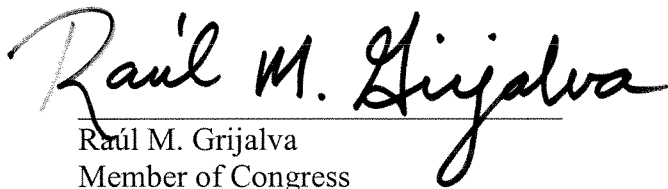
We applaud the recent arrest of two of the defendants, former Defense Minister, Ángel Aníbal Guevara Rodriguez, and former Director of the National Police, Colonel German Chupina


Barahona. In that vein, we encourage you to prosecute alleged serious human rights violations. Such prosecution will combat impunity and therefore protect human rights defenders, such as AJR and CALDH, who face threats and attacks due to their work. It will also strengthen democratic institutions and respect for the rule of law.

We therefore urge you to prevent General Rios Montt from obtaining immunity from prosecution. We urge you to take the following actions before May 2:


1. Act on the petitions filed by the AJR and formally open proceedings by subpoenaing the defendants; or
2. Arrest all of the defendants under the arrest warrant which exists pursuant to the Spanish legal proceedings.

Sincerely,


  
Raúl M. Grijalva  
Member of Congress

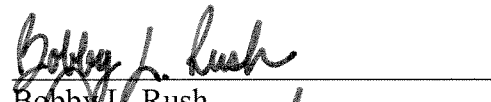
  
Tom Lantos  
Chairman  
House Committee on Foreign Affairs


  
Bill Delahunt  
House Committee on Foreign Affairs

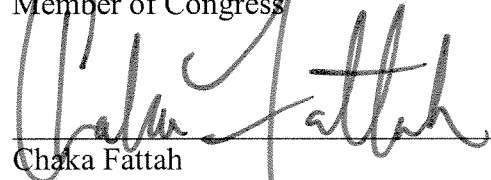
  
Linda T. Sánchez  
House Committee on Foreign Affairs


  
Luis V. Gutierrez  
Member of Congress

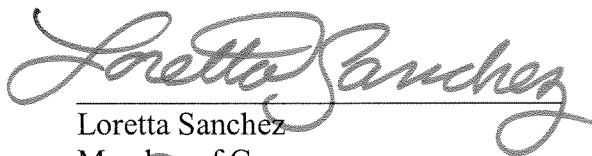
  
Michael H. Michaud  
Member of Congress

  
Bobby L. Rush  
Member of Congress

  
Tammy Baldwin  
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Chaka Fattah  
Member of Congress

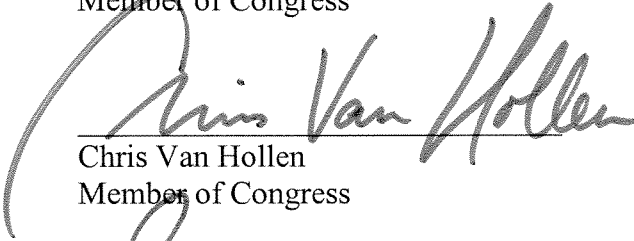
  
Peter A. DeFazio  
Member of Congress



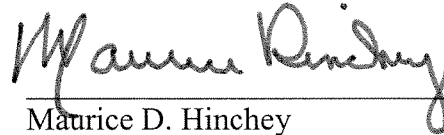
Loretta Sanchez  
Member of Congress



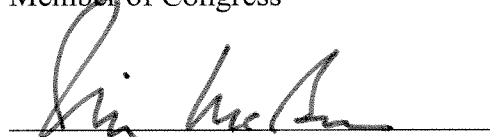
Michael M. Honda  
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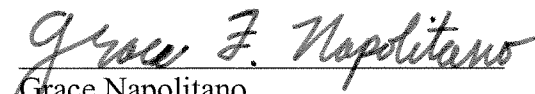
Chris Van Hollen  
Member of Congress



Maurice D. Hinchey  
Member of Congress



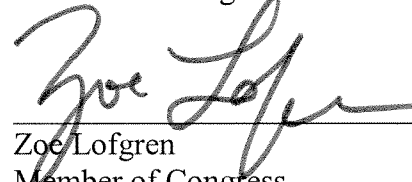
James P. McGovern  
Member of Congress



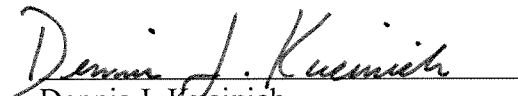
Grace Napolitano  
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Betty McCollum  
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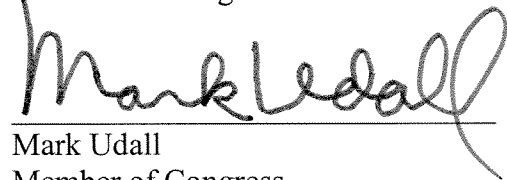
Zoe Lofgren  
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Dennis J. Kucinich  
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Hilda Solis  
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Joe Baca  
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Lloyd Doggett  
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Xavier Becerra  
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Barbara Lee  
Member of Congress



Jesse L. Jackson, Jr.  
Member of Congress



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Janice D. Schakowsky  
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Barney Frank  
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Maxine Waters  
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