



AUSTRALIA

AUSTRALIAN MISSION TO THE UNITED NATIONS

E-mail UN.Geneva@dfat.gov.au

Chemin des Fins 2, Petit Saconnex, 1211 Geneva 19 Ph +41 22 799 9100 Fax +41 22 799 9175 www.geneva.mission.gov.au

Universal Periodic Review

Guatemala

Statement by Australia

Australia welcomes the efforts of Guatemala to address human rights concerns through recently proposed Constitutional reforms.

Australia commends Guatemala for its accession to the Rome Statute of the International Criminal Court and congratulates it on the gains it has made in addressing concerns of public safety with the notable reduction in the homicide rate in the country over the last year and the recent establishment of special courts under a 2008 Law Against Femicide.

Australia is concerned that Guatemala has withdrawn its moratorium on the death penalty and **we recommend that it re-establish a moratorium on the death penalty as a first step towards complete abolishment of this practice and accession to the Second Optional Protocol to the ICCPR.**

Australia remains concerned regarding the issue of extra-judicial killings, including the deaths of eight civilians during a protest in Totonicapán on 4 October. We welcome the action taken by the authorities to arrest the military officers concerned and urge that justice be done in these cases.

Intimidation of human rights defenders and journalists is also of concern. Human rights organisations in Guatemala have documented 305 incidents of intimidation, threats and attacks against human rights defenders, including eight killings. In the vast majority of cases, authorities failed to hold anyone to account. **We recommend that Guatemala ensure effective and independent investigations into all reports of extrajudicial executions and ensure that reports of killings, threats, attacks and acts of intimidation against human rights defenders and journalists are thoroughly and promptly investigated and those responsible brought to justice.**

Australia is also concerned that, despite efforts in Guatemala to address violence against women, most perpetrators are not brought to trial. Australia is providing development assistance to combat violence against women. In December 2011, through its Human Rights Grants Scheme, the Australian Government supported NGO Health Poverty Action to conduct a project called 'Zero Tolerance Towards Violence against Women' which aims to raise awareness and build capacity in organisations that support survivors. **Australia recommends that Guatemala thoroughly investigate and promptly prosecute cases of femicide and other acts of violence against women.**