

GUATEMALA

Human Rights Community Under Siege

Amnesty International is seriously concerned about recent reports of serious attacks against members of civil society, human rights defenders, other non-governmental organisations (NGOs), journalists, members of the judiciary and others involved in human rights inquiries, all of which have occurred over the last several months. This document records a small fraction of the most recent of these attacks.

Human rights organisations and advocates as well as others investigating human rights abuses are increasingly being targeted in Guatemala, and have fallen prey to a recent spate of office break-ins, death threats, and intimidating acts. As so often in the past, authorities have blamed many of the incidents, including the raids on offices on common crime, but during several of the break-ins at the offices of organisations active in anti-impunity initiatives, important data relating to their efforts to bring perpetrators of past abuses to justice has been stolen. It also appears that such organisations and individuals have been subjected to electronic surveillance and that on occasion, their computers have been hacked into and important information altered or destroyed.

Foreigners have also been subjected to abuses. In one incident described below, it appears that a US nun, active in human rights work, may have been the victim of an extrajudicial execution, and in June, a delegate on an Amnesty International research mission to the country was seized from outside her hotel room, bound and gagged and left in the internal stairwell of the hotel.

Amnesty International is concerned that these acts form part of a campaign of intimidation aimed at undermining and silencing the work of human rights defenders and others involved in human rights inquiries. The organization further believes that there is no question that Guatemala's failure thus far to adequately address its own recent history and bring past perpetrators to justice is a contributory factor to current human rights abuses in the country. Not only does the prevailing impunity give a clear signal that perpetrators can literally continue to get away with murder, but the main targets of the new wave of abuses are the very organisations and people -- non-governmental human rights organisations, journalists, members of the judiciary, witnesses and others involved in human rights inquiries -- who are courageously trying to combat impunity and seek justice.

Amnesty International is also concerned that the Guatemalan government is failing to respect its obligations to protect members of civil society involved in efforts to bring past perpetrators to justice, including judicial officials, journalists and human rights defenders. Further, in failing to protect human rights defenders, Guatemala is not abiding by its agreements under the 1996 Final Peace Accords which ended the country's civil conflict and set out guarantees and

protections for persons and entities that work in the defence of human rights. It also contravenes the United Nations (UN) Declaration on Human Rights Defenders (Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms) of December 1998. Failure to protect human rights also contravenes the resolution on Human Rights Defenders in the Americas adopted with the support of Guatemala by the Organization of American States (OAS), at its meeting in Guatemala in June 1999, and two further resolutions passed by the OAS in 2000 and 2001. These resolutions also acknowledged the important contribution human rights defenders are making towards improving the human rights situation in the region and underlined the need to ensure they are able to carry out their legitimate activities without fear of attack or reprisals.

Finally, Amnesty International is concerned that the Guatemalan government is in fact encouraging or at least tacitly supporting attacks on human rights defenders and others seeking to bring past perpetrators to justice through ill-considered public statements which have periodically accused human rights defenders and other activists of seeking to de-stabilise the country. Highly placed officials have also suggested that human rights organizations risk being attacked by unknown forces, in effect declaring open season on them. Other governmental responses have been to repeatedly assert that the abuses in question were the results of common crime or had been fabricated by those who reported the threats or attacks. (See for example UA 314, AMR 34/41/00, and AI News Service items 171, AMR 34/036/2000, "Human rights community under siege," and AMR 34/020/2001, "Intimidation will not stop the struggle for human rights work" and AMR-HRD 05/00 "Statements by government officials put human rights defenders at risk" for further information on such statements made by Guatemalan officials.)

After a May 2001 visit to the country, the United Nations (UN) Special Rapporteur on the Independence of Judges and Lawyers, Param Cumaraswamy, expressed similar concerns. Cumaraswamy was visiting Guatemala in response to requests from a series of human rights organizations who were concerned at 22 instances of intimidation, attacks or threats directed at judges and magistrates, the murders of seven lawyers, and the lynching of a judge reported this year in Guatemala. He considered that the human rights situation had not improved since his last visit to the country in August 1999 and that in fact, Guatemala had largely ignored the recommendations he had made last year to reform the country's legal system, address impunity, and to put an end to the threats and harassment against judges and lawyers

Further evidence of the current administration's apparent lack of will to address Guatemala's serious human rights problems was the failure of prominent officials, including Vice President Juan Francisco Reyes to meet with the UN's Special Envoy. When an Amnesty International delegation visited Guatemala in June to address human rights concerns, several Guatemalan

officials whom it had hoped to see, including President Alfonso Portillo were similarly not available to Amnesty International.

RECENT ABUSES DIRECTED AGAINST HUMAN RIGHTS DEFENDERS AND OTHER SECTORS OF CIVIL SOCIETY

Some of the most recent abuses suffered by human rights defenders and other sectors of civil society and reported to Amnesty International include the following:

CASA ALIANZA

On 2 April 2001, two people broke into Casa Alianza's office in central Guatemala City where the organisation houses its Street Educators and Legal Aid Programs. A filing cabinet containing information on individual children helped by the organization's Street Educators Program was forced open, and hundreds of files left strewn around the office. It was later found that 12 active files on children currently being assisted by the Program had been removed. Digital cameras were also stolen.

Background

Casa Alianza works on behalf of street children. It has brought a series of prosecutions against police allegedly responsible for abuses against street children, including extrajudicial execution, torture and rape, and in a few cases, have secured convictions. Children who have given it information about abuses carried out against them, as well as its own staff have been frequent targets of threats, intimidation and attacks. Casa Alianza believes that its attempt to force an inquiry into the January 2001 rapes of two street girls by two uniformed members of the National Police may have provoked both this latest incident and a series of strange phone calls and increasingly frequent visits by the police in the week before the raid.



Urias Bautista from the PDH Sololá and María Julajuj (Teodoro Saloj's widow). June 2001. AI ©.

STAFF OF THE HUMAN RIGHTS PROCURATOR'S REGIONAL OFFICE IN SOLOLÁ

The *Procurador de Derechos Humanos* (PDH), National Human Rights Procurator, is an independent government body mandated to investigate alleged human rights abuses. It has offices in major towns throughout Guatemala. Staff in its Sololá Regional Office have faced harassment and intimidation from the police apparently related to their investigation into the killing of demonstrator Teodoro Saloj, in Quiché department in October 2000 (see UA 315/00, AMR 34/43/00).

Threatening phone calls directed at Sololá staff involved in the investigation of the fatal shooting began after the National Human Rights Procurator's office made public its November 2000 report. The report found that nine officers from the *Policía Nacional Civil* (PNC), National Civil Police, were responsible for the extrajudicial execution of Saloj. It also criticized the police for not pursuing the killers and called for disciplinary measures against those responsible, including the National Police Director, for not having actively pressed for a genuine investigation into the killing. The National Human Rights Procurator's office then submitted its report to the *Ministerio Público*, Public Prosecutor's Office, and called on the Minister of the Interior, Byron Barrientos and the President, Alfonso Portillo to take disciplinary measures against the police agents involved. The Human Rights Procurator also called on them to ensure compensation for Teodoro Saloj's family.



Luz Margoth Tuy, working for the PDH Sololá on the case of Teodoro Saloj. June 2001. AI ©.

It was following publication of this damning report that two people who had been involved in the Sololá office's investigation into the killing, Luz Margoth Tuy and Urias Bautista Orozco, began to receive death threats. Then, on 13 April, Luz Margoth Tuy was detained by the police and charged with inciting a riot, illegal demonstration and threats. There were fears for her safety while in custody, but she was released unharmed on 16 April. In the most recent threat to Sololá PDH staff in May, an anonymous caller threatened to kill Urias Bautista, the head of the office, warning him to "get out of the way of the police." Reportedly, the PDH Sololá office remains under surveillance and there are continuing concerns for the security of the staff there. (see UA 315 follow ups, AMR 34/48/00 and AMR 34/015/2001)

Background

Teodoro Saloj, was participating in a land rights protest march in El Quiché Department in October 2000, when he was shot from a pickup truck. Luz Margoth Tuy of the Sololá PDH office who had been present observing the march, heard the shots and indicated to the police who were present on the scene the vehicle from which she thought they had come. The police however, refused to give chase, and the suspected killers made good their escape.

Thus far, Amnesty International does not know of any specific action taken by the authorities to bring those police officers allegedly to justice nor to compensate the widow and the couple's children for the death of Mr. Saloj.

MOVIMIENTO CIUDADANO POR LA JUSTICIA Y DEMOCRACIA, CITIZENS MOVEMENT FOR JUSTICE AND DEMOCRACY and CENTRO PARA ACCIÓN LEGAL EN DERECHOS HUMANOS (CALDH), CENTRE FOR LEGAL ACTION IN HUMAN RIGHTS

On 24 April, 2001, members of the Citizens Movement for Justice and Democracy participating in a demonstration in Guatemala City were attacked by supporters of the ruling party, the *Frente Republicano Guatemalteco* (FRG), Guatemalan Republican Front (see News Service Nr. 76, Guatemala: Concern at wave of attacks against civil society, AMR 34/013/2001). The *Movimiento* members, numbering between 30 and 60 persons at various times, were present at the Court Building where General Efraín Ríos Montt, former Head of State (1982-83), FRG founder and now President of Congress, was to testify before a judge regarding allegations that he and other members of congress had illegally altered a law on liquor taxation after it had been approved by the full Congress, the so-called “Guategate” scandal.

The estimated 30-60 *Movimiento* members who arrived at the Court at various points in the demonstration included members of a number of Guatemalan non-governmental organizations, including the CALDH; the *Alianza contra la Impunidad*, Alliance against Impunity; the *Asociación de Estudiantes Universitarios* (AEU), University Students Association from the State University of San Carlos (USAC), *Hijos por la Identidad y la Justicia contra el Olvido y el Silencio*, (H.I.J.O.S.), Children for Identity and Justice against Forgetting and Silence and *Familiares de los Detenidos y “Desaparecidos” de Guatemala*, (FAMDEGUA), Relatives of the Detained and “Disappeared” people of Guatemala . They were attacked with batons and machetes by a crowd estimated at some 1500 people, allegedly paid and bussed in by the FRG. Their assailants also cut the *Movimiento*'s sound cable, destroyed their banners and subjected them to constant verbal abuse. CALDH representatives appeared to have been particularly singled out and hit. A group from the AEU also appeared to have been specifically targeted. They were separated off from the rest of the *Movimiento* demonstrators, and physically assaulted by the mob, leading to fears that they were in danger of being lynched. Members of the press trying to cover the court developments and the demonstration were also beaten and their cameras broken.

Very few police were present despite the size of the demonstration -- the largest in several years -- and repeated efforts to contact them when the violence began met with no response. The police that were on the scene or arrived later allegedly stood by doing nothing to stop the attacks against the demonstrators, leading to concerns that the security forces may have had foreknowledge of the intended assault, and were possibly complicit in it.

Background

The Citizens Movement for Justice and Democracy is a coalition of non-governmental organizations (NGOs) attacking corruption and campaigning to bring to justice members of Congress allegedly involved in the Guategate scandal. After coming to power in a coup, General Efraín Ríos Montt was Guatemalan strongman and Chief of State during 1982-1983, one of the worst periods of Guatemala's civil conflict. When his congressional immunity was removed so that he could be compelled to face charges in the liquor law affair, human rights groups had

hoped that this might signal his vulnerability to being charged for human rights crimes committed during his administration. However, on 25 April Ríos Montt was freed of charges related to the alteration of the liquor law.

CALDH has been prominent in efforts to bring former Guatemalan officials to justice in Guatemala for genocide and other crimes against humanity. It has served for example as legal counsel to the *Asociación Reconciliación para la Justicia*, Association Reconciliation for Justice, made up of survivors of 10 massacres which occurred during the civil conflict. Under CALDH's auspices, the *Asociación* filed suit in May 2000 against a number of officials from the administration of Romeo Lucas García I(1978-1982), charging them with genocide and other crimes against humanity.

A similar second suit was filed in June 2001 under CALDH's auspices, this time against General Efraín Ríos Montt and a number of officials from his administration, for army massacres during the civil conflict.

Staff members of CALDH have been subjected to abuses in the past. In August 2000 for example, one of its representatives who was assisting the villagers involved in the first suit was abducted, robbed, drugged and left unconscious by two men believed to be linked to paramilitary organisations. (see UA 256/00, AMR 34/34/00, and AMR 34/17/2001)



ODHAG banner outside the Supreme Court, Guatemala City awaiting the Gerardi verdict on 8 June 2001. "Justice". "Justice. A tribute to a just man...a martyr to the truth". AI ©

THE BISHOP GERARDI CASE AND ODHAG

Three military men and a priest were convicted in June 2001 in connection with the extrajudicial execution of Bishop Juan José Gerardi in 1998 and sentenced to long prison terms. However, the cost of that one successful prosecution has been high: A judge and a prosecutor have fled the country, the latter after he received death threats and five army officers were found staking out his house.

Dozens of others involved in the case have reported serious intimidation and another dozen have fled the country. Three witnesses who stayed paid with their lives as did six indigents who were sleeping outdoors near Gerardi's home the night of the killings. Yasmín Barrios, the judge presiding over the final stages of the trialsuffered a grenade attack on her home on the evening before proceedings re-opened in March 2001. In June, she reported further persecution and saw a helicopter overflying her home. She has left now the country. The judge who passed sentence on the convicted men also reported death threats as did the lawyers acting on behalf of ODHAG, which brought the prosecution. The prosecutor responsible for the final stages of the eventually successful prosecution now also fears for his life and those of his family.

Threats and intimidation had already escalated in April as the case was due back in court, after a lengthy delay. On the 4th of that month, the lawyer who has taken the lead in ODHAG's work on the case received yet another threat; earlier, in December 2000, his home had been raided and he had been threatened with death. The attack came two days after he had announced that ODHAG was helping prepare a legal suit for genocide against General Ríos Montt.

The April threats to ODHAG staff and others involved in the case elicited an angry denunciation from the Auxiliary Archbishop of Guatemala, Mario Ríos Montt who had himself received threats two days after giving his testimony at the Gerardi trial.

Five employees of the Myrna Mack Foundation, another prominent Guatemalan human rights group, also reported threats in April linked to the case. One of those threatened was Rodolfo Robles, a retired Peruvian general who was presented by ODHAG to give testimony concerning working methods of Latin American military intelligence agencies. He also gave statements as regards the effect the REMHI project could be expected to have had on the Guatemalan military.

Background

Bishop Juan José Gerardi was battered to death in February 1998, just two days after he had presided over the presentation to the public of the Guatemalan church's in depth study of the conflict years. As coordinator of ODHAG, he had been the moving force behind the project, known as REMHI, Recuperation of the Historical Memory, *Recuperación de la memoria histórica*. Based on the study of more than 55,000 human rights violations suffered over the 36 years that the civil war ebbed and flowed, the REMHI report had found the army and its civilian auxiliaries, the civil patrols, responsible for the vast majority of the abuses.

General Rodolfo Robles was dismissed from the Peruvian military in 1993 after denouncing extrajudicial executions carried out by military intelligence there and went into exile. He has been working at the Mack Foundation for the past year and a half or so, investigating military and national defence issues.

The convicted men have now appealed their sentences, while local human rights groups are pressing for proceedings to continue against higher -up military allegedly involved in the killing. The Court left proceedings against them open when it handed down its original June sentence. Many sources in Guatemala fear that all those who have played or continue to play a role in the case remain vulnerable to further threats, intimidation and other abuses.

For more details on these earlier incidents directed at ODHAG and others involved in the Gerardi case, please see AMRs 34/01/2001, 34/04/20001, 34/08.01, 34/17/2001.

FAMILIARES DE LOS DETENIDOS Y “DESAPARECIDOS” DE GUATEMALA, (FAMDEGUA) RELATIVES OF THE “DISAPPEARED” PEOPLE OF GUATEMALA

FAMDEGUA’s director Aura Elena Farfán and driver Luis Aldana were attacked on the morning of 4 May 2001 as they left FAMDEGUA’s office in Guatemala City to go to a meeting. They were approached by two armed men, who forced their way into the car, took control and drove off. The attackers repeatedly threatened the two with death if they screamed or sought to attract help. The assailants also inspected their captives’ identity documents and questioned them about their work at FAMDEGUA. About forty-five minutes later, their abductors released Aura Elena Farfán and Luis Aldana in a different area of the city and drove off in FAMDEGUA’s car.

Background

FAMDEGUA is one of Guatemala’s oldest human rights groups. It has played an important role in initiating proceedings to bring to justice those responsible for massacres and other human rights abuses committed during the country’s 36-year civil war. It is also involved in efforts to exhume more of the mass graves where many thousands of victims of the army’s counter-insurgency policy of the war years lay unnamed.

On 4 September 2000, the group’s offices, which are shared by the new human rights organization HIJOS, made up of the children of the “disappeared,” were raided by unidentified armed men, who threatened staff of both organizations and took away important files and computers. (See UA 265/00, AMR 34/35/00 and follow up, AMR 34/014/2001) In the wake of the attack, the offices of FAMDEGUA were to have been under constant police protection to ensure their safety as a result of urgent measures requested by the Inter-American Commission of Human Rights of the Organisation of American States. However, the 4 May abduction of two staff members in front of the FAMDEGUA offices in broad daylight calls into question the quality of the protection they have received. Local NGOs believe that this latest attack against FAMDEGUA staff members could be related to the organization’s active involvement in efforts to bring to justice those responsible for the massacre of hundreds of indigenous Mayan in the Dos Erres community in El Petén in 1982, carried out by the Guatemalan army and their paramilitary civilian adjuncts, the civil patrols. (For more information on the Dos Erres massacre, see for example News Service Nr. 71, Guatemala: Crying out for Justice, AMR 34/012/2001.)



Aura Elena Farfán and two FAMDEGUA members showing cards sent by AI members. January 2001. AI ©

SISTER BARBARA ANN FORD

Sister Barbara Ann Ford, a US citizen, was shot and killed on the morning of May 5, 2001. She was in Guatemala City to buy a water heater for the Mayan highland village in which she worked, but was stopped at a street corner by unknown individuals as she drove through an affluent zone of Guatemala City. Initially, the Minister of the Interior described her murder as simply another case of common crime, citing police references to eye witnesses, who allegedly reported that she was shot in the head when she tried to hang on to the vehicle as the would-be robbers made to drive off in it. The vehicle was subsequently abandoned less than two blocks from where she was killed.

However, Sister Barbara was murdered at 1a. calle y 7a. avenida, zona 9, an area where some of Guatemala's most important military units are based: The *Guardia de Honor* (Honour Guard) building and the *Antigua Escuela Politécnica*, the former Army Polytechnic School, now housing the Ministry of Defence are both nearby as is the Minister's residence, the *Casa Crema*, Cream House. Consequently, the area is normally heavily guarded by military personnel at all times, raising the question as to why thieves would have chosen to strike there.

Several days after her murder, an analyst for the Government's Secretariat of Strategic affairs, the state's intelligence body, declared publicly that the circumstances of the victim and the type of crime suggested that the killing could have been politically motivated. On 15 May three agents from the US Federal Bureau of Investigation (FBI) arrived in Guatemala apparently at the request of the Minister of the Interior to help investigate Sister Barbara's death. US officials have apparently concluded that the death did occur in the context of common crime, but human rights groups in Guatemala remain unconvinced. Amnesty International believes the investigation must continue until those responsible, whoever they may be, are brought to justice.

Background

Sister Barbara Ford had lived and worked in Guatemala for 22 years before her death, 11 of those in El Quiché, a department which was one of the regions hardest hit during the civil conflict. There, she helped develop psycho-social assistance programs for indigenous peasants, many of them widows, who had been traumatized by the violence. She also helped to compile the findings of the REMHI project, the Guatemalan Roman Catholic Church's encyclopaedic report on the civil conflict, which blamed the army for the vast majority of the violations which occurred during that period.

CENTRO DE ESTUDIOS, INVESTIGACIÓN Y BASES PARA LA ACCIÓN SOCIAL (CEIBAS), CENTRE FOR STUDIES, INFORMATION AND BASIS FOR SOCIAL ACTION.

CEIBAS is an NGO campaigning for the implementation of social, economic and cultural rights that were agreed under the 1996 Peace Accords which formally ended Guatemala's long-term civil conflict. It has suffered a series of abuses since September 2000, when unknown attackers fired on one of its staff members. In the following months, its offices were raided on several occasions and computers were stolen along with the confidential information contained in them. The most recent such incident was on 15 May 2001, when finding that the computer equipment previously stolen had this time not yet been replaced, the raiders destroyed whatever was left in the office.

Background

Staff of CEIBAS were first targeted on 7 September, when unidentified individuals driving a pick-up truck attacked Ricardo Lobo, a CEIBAS staff member, and his travelling companion, as they drove by in the opposite direction. The attackers yelled insults and fired at Ricardo Lobo. The car was hit, but Ricardo Lobo threw himself on the floor of the car and was not injured (see UA 314/00, AMR 34/41/00). Then, in February 2001, CEIBAS' offices were raided. Similar raids on the office followed in March and April and on 1 May. On each occasion, computers and other office equipment were stolen.



William Mazariegos (FREPOGUA). June 2001. AI ©

The authorities have treated the series of incidents as common crime, but representatives of the Citizens Movement for Justice and Democracy and CEIBAS believe that the underlying reason for the repeated attacks against CEIBAS is its active involvement in campaigns and demonstrations carried out by the *Movimiento* of which it is a member. The attacks against its offices and staff have forced CEIBAS to suspend its activities in Guatemala, and it is now attempting to work from abroad.

FRENTE DE POBLADORES DE GUATEMALA, (FREPOGUA), GUATEMALAN SHANTY-TOWN DWELLERS ASSOCIATION

FREPOGUA is another organisation that reports constant surveillance and harassment. In May, police appeared to be regularly patrolling the group's headquarters. In the same month, during a meeting there, a caller warned "When the meeting ends, we're going to finish off all of you." [*Al finalizar la reunión, terminaremos con todos.*] Leaders have received threats on their personal mobile phones and other calls indicating that their conversations and their movements are being constantly monitored. On one occasion, when FREPOGUA was working with association members, a man approached one of the group's directors and said "I was in the army too. I killed people," which he interpreted as yet another threat. In the most recent incident known to Amnesty International, on 29 May, the car in which a FREPOGUA director was

travelling was rammed as he returned to the capital with journalists after visiting a community of shanty dwellers.

Background

Members of FREPOGUA, which campaigns for the right to decent housing for more than 5,800 families, have been on hunger strike outside the President's official residence in Guatemala City since 25 September 2000. They have faced continuous intimidation: on one early morning in October, while it was still dark, they were fired on from a car with tinted windows. At around 1.00 pm the same day they were attacked by a large group of ex-civil patrollers. The civil patrols operated as the army's civilian auxiliary during Guatemala's civil conflict and were involved in many human rights violations, including the massacre of entire villages. They were formally disbanded after the Peace Accords which ended the conflict were signed, but are reportedly re-surfacing in various parts of the country including several remote rural areas.

ATTACK ON AMNESTY INTERNATIONAL DELEGATE

On the evening of 11 June 2001, an attempt was made to kidnap Barbara Bocek, a member of an Amnesty International research delegation to Guatemala as she was entering her room at a Guatemala City hotel. She was seized by two men in plain clothes, one of them armed, and forced several floors down the hotel's internal fire escape stairs to the door at the bottom of the stairs. It may have been the assailants intent to remove Ms. Bocek from the hotel via that door. However, possibly contrary to their expectations, the door was locked and alarmed. In any event, reaching this level, her assailants bound and gagged Ms. Bocek with what appeared to be surgical adhesive tape, and warned her that they intended to return. Fortunately, Amnesty International's delegate was found by her colleagues and the hotel's security staff some 2 ½ hours after she had been seized. She suffered no lasting effects from her ordeal. Amnesty International has filed a complaint with the Public Ministry insisting on a full and open inquiry into the incident and that the perpetrators be brought to justice.

Background

Amnesty International has been following the human rights situation in Guatemala for many years, and regularly visits the country to collect information, assess events at first hand and present its concerns to the relevant authorities. On this occasion, Amnesty International's delegation followed its normal procedure of discussion with numerous human rights organisations, judicial personnel, journalists and others who have suffered threats and abuses because of their efforts to end impunity in Guatemala or to campaign for social and economic rights. Amnesty International also spoke with representatives of the diplomatic community in Guatemala and with a number of government and inter-governmental agency representatives. Its delegates attended sessions of the trial then in progress for the extrajudicial execution in

1998 of Bishop Juan José Gerardi and participated in an event organised by CALDH to introduce its second suit for genocide against members of the administration of General Efraín Ríos Montt.

**UNIÓN SINDICAL DE TRABAJADORES DE GUATEMALA, (UNSITRAGUA),
GUATEMALAN TRADE UNION CONFEDERATION**

On 6 July, a male caller reportedly made two phone calls to the office of the trade union confederation, *Unión Sindical de Trabajadores de Guatemala, UNSITRAGUA*, Guatemalan Trade Union Confederation first saying "This is a warning. If you say anything AGAINST the government, you'll see what happens," [*Es una advertencia. Si manifiestan algo en contra del gobierno se las van a ver*] and then: "We're going to toss a bomb at you and you will all die, you sons of bitches." [*Les vamos a tirar una bomba y van a morir hijos de la gran puta*] Then on 10 July, a man again called twice, asking for one of the national leaders of the Confederation. When she took the first call he cursed her and hung up. On his second call, he threatened "Stop *** around in the factory, it will cost you your life." He also threatened to call her at her home in about a week's time. [*Deja de estar chingando en la fábrica. Valora tu vida. Te voy a llamar dentro de ocho días a tu casa.*]

Background

UNSITRAGUA has been working to consolidate the trade union movement in Guatemala and improve the working and living conditions of its membership organisations since its formation in 1985. It has regularly reported on abuses against trade unionists and on other tactics utilised by successive Guatemalan administrations to inhibit the formation and activities of trade unions. As a result, its leadership has been the frequent target of death threats and other intimidation. Recently, UNSITRAGUA has reported that their office is being monitored by people in plain clothes, both on foot and in a pick-up, who follow anyone who leaves the office, before returning to take up positions outside UNSITRAGUA headquarters in Guatemala City.

RECOMMENDATIONS:

Amnesty International views with deep concern the situation as regards human rights defenders and others involved in efforts to combat impunity in Guatemala. **It is therefore recommending that an independent and prompt review be immediately initiated as regards existing protection measures for human rights defenders and others working to put an end to impunity.** This should be done in full consultation with the Guatemalan human rights community. The review should be aimed at identifying and then recommending concrete proposals as to what is to be done to implement the recommendations regarding human rights protection set out and adhered to by the government in Guatemala's final 1996 Peace Accords. It should also make clear what actions are intended to implement the recommendations of the Historical Clarification Commission, established under those Accords. Recommendations in that report which relate to human rights protection include:

- That a national reparations program be established to assist victims of human rights violations and their families
- That Commissions be established to investigate the fate of the "disappeared," including the children who went missing during the conflict and may have been adopted
- That a national exhumations program be established to exhume the hundreds of mass graves throughout the country and that any remains uncovered and identified be returned to their families for burial
- That a special commission be established to examine the conduct of the military and other security units during the armed conflict, to determine whether their actions were in accord with the minimum standards established in international human rights standards and international humanitarian law