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Guatemala: No protection, no justice - killings of women UPDATE Figures and Cases

Killings of women and girls

Over 2,200 women and girls have been murdered across Guatemala since 2001 (Guatemala Human Rights Ombudsman, 2005).

Up to 665 women were violently killed during 2005; 527 in 2004; 383 in 2003 and 163 in 2002 (Guatemalan Police, 2005).

229 women and girls were killed across Guatemala between 1 January and 5 May 2006 (Guatemalan Police, 2005).

Violence against women

Between 2002 and 2005, killings of men increased by 45% and of women 63% (Guatemala Human Rights Ombudsman, 2005).

Investigations

By the end of 2005, the police Female Homicide Unit had archived 100 cases out of a total of 224 cases of murdered women and girls allegedly due to a lack of evidence. The police claim this was because the families no longer wanted investigations or witnesses were no longer willing to talk for fear of reprisals.

Up to 70% of killings of women and girls in Guatemala are not investigated and no arrests are made in 97% of cases (Guatemala Human Rights Ombudsman, 2005).

CASES

Cristina Hernández - Flawed investigations / Lack of security for witnesses

On 27 July 2005, 20-year-old university student Cristina Hernández was forced into a grey car outside her home by four men. Neighbours witnessed the abduction and immediately alerted her father who later related:

“My son and I tried to chase them in the car. Then I went to San Juan police station and begged the police to try to stop their car. After two hours of searching everywhere I went back to the police station to see if they had any news...they claimed I hadn't reported anything and so they'd done nothing. They said many young girls run off with boyfriends; and so they couldn't start a search for 24 hours.”

Cristina's body was found the next morning. She had been shot four times and bitten all over her body. Instead of being subjected to a forensic examination, all but one item of clothing she was wearing were returned to the family. Cristina's family took the clothes to the Public Ministry to assist in the investigation and were told to burn them or throw them away.

Cristina's family is now in hiding due to the number of threats they've received. Nearly one year on from Cristina's murder and despite the existence of critical leads, including witnesses and a potential suspects no further investigations have been carried out. Her killers remain at large.

Claudina Velásquez - Flawed investigations

Claudina Velásquez, a 19-year-old university student was found dead on 13 August 2005. She had been shot and traces of semen were found on her body.

Serious deficiencies were reported in relation to the effectiveness of the investigation. For example, tests on the principal suspects, to ascertain if they had fired a gun, were not carried out.

Claudina's father had repeatedly visited the Public Ministry, suggested lines of investigation and even carried out independent inquiries.

Recognizing the deficiencies in the investigation of the case, in November 2005, the head of the Special Prosecutor's Office on Crimes against Life took over the investigation. Since then investigations have effectively restarted including sending blood samples of the five suspects to Spain for DNA analysis.

While the reactivation of investigations is a positive step, it is likely that critical evidence has been lost.

María Isabel Franco - Flawed investigations

María Isabel Franco was raped and brutally murdered in December 2001.

It was only after significant international attention on the case and after a TV documentary, that in February 2006 the prosecutor agreed to compile a list of leads that have yet to be investigated and to locate the main suspect in the case.

Two of the main suspects have reportedly consistently failed to respond to summons calling them to testify and are reportedly fugitives. According to relatives and an NGO supporting the case no effort has been made to locate them.

Clara Fabiola García - Lack of safety for witnesses

26-year-old Clara Fabiola García witnessed the murders of 15-year-old Ana Berta and 18-year-old Elsa Mariela Loarca Hernández on 7 August 2003 in Guatemala City.

Her testimony was key to securing the 100 year prison sentence against gang member Oscar Gabriel Morales Ortiz, alias "Small", in February 2005.

On receiving his sentence "Small" reportedly threatened Clara Fabiola García that she would pay for testifying against him.

On 4 July 2005 she was shot at in the town of Chimaltenango together with her aunt, 60-year-old Clara Luz García, who was killed immediately. Clara Fabiola García subsequently died in hospital. As is custom in Guatemala, the protection she was receiving as part of the Public Ministry's witness protection programme was terminated on the sentencing of "Small" despite the fact that she was still clearly at risk of retaliatory violence.

Public Document

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