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GUATEMALA

JOSE ESTUARDO SOTZ ALVAREZ

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SUMMARY

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When José Mercedes Sotz Caté saw his three-year-old son fall on a street in Guatemala City in May 1986, he thought the child had tripped over a stone. Then he saw blood and realized that his son had been shot.

The bullets were apparently intended for the father, a trade union official who had been abducted and beaten three months earlier by armed men and warned to cease his union activities. The boy, José Estuardo Sotz Alvarcz, survived the May 1986 shooting but lost the use of both legs.

José Estuardo's father, blacklisted and unable to find work, had difficulty obtaining medical treatment for his son. The Swedish Section of Amnesty International paid for the fares for the boy and his father to travel to the United States, where Physicians for Human Rights arranged for the boy to receive expert care, provided free of charge by the New England Floating Hospital for Infants and Children. José Estuardo celebrated his sixth birthday on 4 April 1989 by taking his first steps in three years, with the aid of braces and a walker. Before his return to Guatemala later that month, doctors pronounced him "a very strong-spirited young man".

Amnesty International has repeatedly called for an official investigation of the shooting and of the earlier abduction and beating of José Estuardo's father. No official agency in Guatemala has even asked him for an account of the attack.

This summarizes a 5-page document, Guatemala: José Estuardo Sotz Alvarez (AI Index: AMR 34/01/90) issued by Amnesty International in February 1990. Anyone wanting further details or to take action on this issue should consult the full document.

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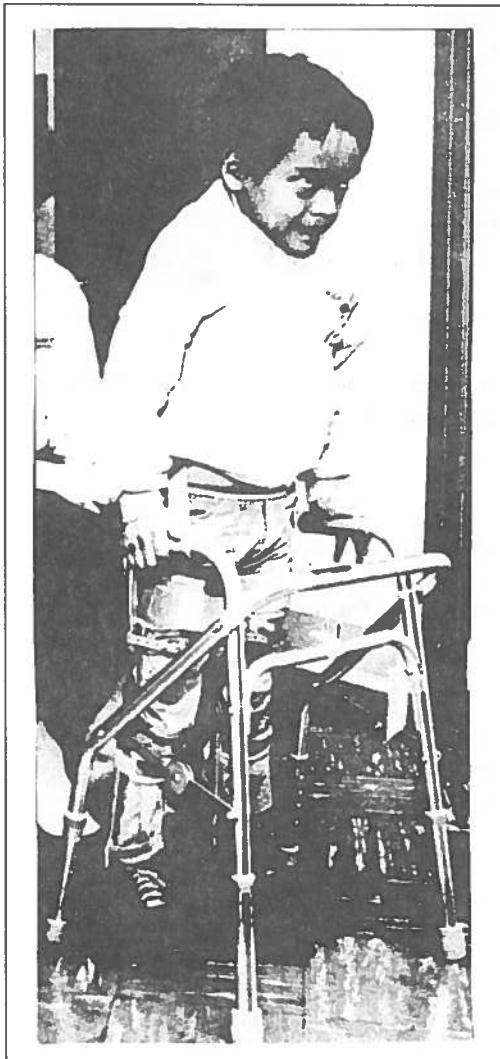
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JOSE ESTUARDO SOTZ ALVAREZ



José Estuardo Sotz Alvarez is six years old. Three years ago, in May 1986, armed men in plain clothes opened fire on his father José Mercedes Sotz Caté, but hit José Estuardo instead. He was left paralyzed from the waist down.

José's father was Finance Secretary of the Sindicato Central de Trabajadores Municipales (SCTM), the Central Municipal Workers' Union, which has been a repeated target for human rights violations. In February 1986 José Mercedes Sotz Caté was seized by three heavily armed men in Guatemala City after leaving a meeting at SCTM headquarters. He told Amnesty International that he had been driven to a house where he was beaten and kicked and told to give up his trade union activities. He escaped several hours later.

José Estuardo Sotz Alvarez

José Estuardo's father blamed official security force personnel working for the mayor of Guatemala City for both his own abduction and for the armed attack three months later which crippled his son. He gave the following account of the shooting:

"What happened to him [José Estuardo] was that ... On 31 May 1986 I went out with him at about 3 o'clock in the afternoon to go and visit a friend ... We set off towards the University [USAC, University of San Carlos], intending to go in and get a bus there. We were on foot, with him walking along about one metre ahead of me, when just as we were approaching University buildings, I heard something that sounded like fireworks. When it stopped, I saw nothing ... and he was still there, walking ahead of me. Then I heard two more sounds - bang! bang! - and I saw my son fall over. I went and picked him up thinking he had tripped over a stone. I picked him up and [carried him]. But later on he started saying 'papa, papa carry me'. When I heard him asking to be carried, when in fact I was carrying him already, I took hold of him like this and laid him prone. He was smaller then, and I put my hand under his back and carried him that way. After about five steps, I felt through the palm of my hand that he was hot, and when I moved my hand [from under him], I saw blood and foam on it, and I realized he'd been shot and that what I'd heard had been shots. When I saw that, I started walking towards the University to go and ask them for help, to ask to use their telephone and ring an ambulance."



**José Estuardo Sotz Alvarez and his father,
José Mercedes Sotz Caté**

"... The telephones were out of order. Instead they gave me money to hire a car to take him to the Roosevelt Hospital ... It was a Saturday ... He then spent the Saturday and the whole of Sunday there without being operated on; he was operated on the Monday. The scar on his back has healed almost completely now, and he's healthy, except that he can't move his legs - he's lost use of both of them."

Other members of SCTM have been subjected to human rights violations

including torture and extrajudicial execution (see Guatemala - The Administration of President Vinicio Cerezo Arévalo: Developments relevant to Amnesty International Human Rights Concerns in the Country, AI Index AMR 34/13/86, Human Rights Violations reported under the Administration of President Vinicio Cerezo Arévalo, AI Index AMR 34/07/87 and Urgent Action 292/89 - Fear of Arbitrary arrest/Ill-treatment - AI Index AMR 34/37/89), and municipal officials have sacked SCTM members and promoted a parallel government-sponsored union. Because of his trade union activities and the publicity given his son's case abroad, José Sotz has apparently been black-listed and has not been able to find work. With no income, he has had



**José Estuardo Sotz Alvarez and his father,
with staff of the Floating Hospital for
Infants and Children**

difficulty obtaining adequate medical treatment for his son. Although the clinic for workers and their families established in Guatemala by the Trade Union International Unión Internacional de Trabajadores de la Alimentación y Afines (UITA), International Union of Food and Allied Workers, has provided medical treatment for José Estuardo, the clinic has very little funding and does not have access to all the equipment necessary for José Estuardo's treatment. In February 1989, the Swedish Section of Amnesty International paid the fares for the boy and his father to travel to the United States where the Boston-based group Physicians for Human Rights had arranged for the boy to receive expert care, which was provided free of charge by the New England Medical Center's Floating Hospital for Infants and Children. There, on 4 April, he celebrated his sixth birthday by taking his first steps in three years, with the aid of braces and a walker. His

spinal cord is dead, but doctors admire his perseverance and have described José Estuardo's progress as "... wonderful... standing, walking much better than we ever thought. He's a very strong-spirited young man. He's been a dose of good medicine for all of us. We're very proud of José".

However, leg braces and clutches have to be replaced as José Estuardo grows, and his bladder has to be catheterised daily with sterile equipment. If this is not done, he runs the risk of serious infection which could prove fatal. The catheters must be constantly changed and are expensive and difficult to obtain in Guatemala. While in the United States, José was also provided with a wheelchair, which will also have to be replaced with larger models as he grows.

José Estuardo went back to Guatemala at the end of April 1989, although we expect he will return at some point to the United States for at least one follow-up visit in the next few months. Since his return he has been receiving private help with his schooling and is also continuing to learn English, which he had quickly picked up in the six weeks he spent in hospital in Boston. He will receive private tuition until he is able to attend school.



José Estuardo learns to walk again

Since the abduction and beating of José Mercedes Sotz Caté in February 1986 and the shooting three months later of his son José Estuardo, Amnesty International has repeatedly asked that official investigations be carried out into the two incidents and that those responsible be brought to justice. The response from the Mayor of Guatemala City, Alvaro Arzú Irigoyen in October 1987 was denial that municipal officials were involved in the incidents. He contended that apparent abuses against SCTM leaders were actually the result of an internal dispute within the union and that José Estuardo had been wounded accidentally during a shoot-out between drug dealers on the USAC campus.

An Amnesty International delegation which visited Guatemala in July 1988 made further inquiries into the apparent human rights violations directed at SCTM unionists. Concerning the incident which crippled his son, José Mercedes Sotz Caté told how he had been followed for some time by the men who opened fire on him, and that he was convinced that he was their intended target. He gave details concerning his assailants' dress, behaviour and weapons which suggested that they were official security

agents. He told Amnesty International that he had reported the incident to the police and sought an investigation, but said that neither the police nor any other official agency ever asked for his account of the shooting. The mayor of Guatemala City was unavailable when Amnesty International's delegation requested a meeting with him to discuss the case.

