

UA 50/01

Fear for**GUATAMALAMarta Elena Pichol Guarcax (f), aged 16**

A 16-year-old girl, whose family has received repeated death threats in connection with a high profile court case against an ex-military commissioner, has gone missing. Amnesty International is concerned for her safety.

Marta Elena Pichol Guarcax went missing on 19 February. It is believed she was abducted and is being held against her will. On 21 February, she telephoned her family. She was very distressed and cried a lot. She said she was in the capital, Guatemala City, but did not know the names of those she was with, where in the capital she was being held, or the number of the phone she was calling from. No one has heard from her since.

Her family has reported her missing, and a local human right group has filed a complaint with the *Ministerio Público*, Public Prosecutor's Office, in Santa Lucía Cotzumalguapa, Esquintla department, in an attempt to make the authorities step in to guarantee her safety. The Pichol Guarcax family have gone into hiding as they do not feel safe in their home following the abduction.

Marta is the sister of Ana María Pichol Guarcax, who was allegedly raped repeatedly by a former military commissioner in 1999, when she was 12 years old (see UA 128/00, AMR 34/15/00, 22 May 2000 and follow-ups). The ex-commissioner was supposed to go on trial for the rapes and for child sexual abuse on 21 February, but this was postponed when the defense attorney failed to appear. On 26 February one of his companions reportedly approached Ana María in the street, telling her that "they" had taken her sister to the capital. He refused to give her any details of her sister's whereabouts. He also warned her that if her father reported Marta's abduction, the same thing would happen to him ("*...que mi papá no lo debe denunciarlo porque el mismo lo va venir...*").

The girls' parents work with the *Coordinadora Nacional de Viudas de Guatemala* (CONAVIGUA), the National Coordinator of Guatemala's widows, a non-governmental organization that campaigns for the investigation of massacres carried out by the security forces during Guatemala's long-term civil conflict, and for compensation for the victims' families. CONAVIGUA has been supporting the Pichol Guarcax family in their efforts to bring Ana María's assailant to justice. Since the alleged perpetrator was arrested in April 2000, both the Pichol Guarcax family and CONAVIGUA members have received numerous death threats. With the rape trial pending, it is possible that Marta's abduction is meant to put further pressure on the Pichol Guarcax family and CONAVIGUA, to drop the case.

RECOMMENDED ACTION: Please send telegrams/telexes/faxes/express/airmail letters in Spanish, English or your own language:

- urging the authorities to take immediate and effective measures to locate Marta Elena Pichol Guarcax and to guarantee her safety;
- asking the authorities once again to guarantee the safety of Ana Maria Pichol Guarcax, her relatives, members of CONAVIGUA and others involved in the proceedings against the ex-military commissioner accused of child sexual abuse and rape;
- expressing concern that relatives of and those supporting the Pichol Guarcax family have been intimidated and threatened because they have tried to bring the man accused of repeatedly raping a 12-year-old girl to justice;
- calling on the authorities to fully investigate the threats and to bring those responsible to justice.

APPEALS TO:

Minister of the Interior

Sr. Byron Barrientos
Ministro de Gobernacion
Ministerio de Gobernacion
6a Avenida 4-64, Zona 4
Ciudad de Guatemala
GUATEMALA

Telegram: Ministro Gobernacion, Guatemala, Guatemala

Fax: + 502 362 0239 / 362 0237

Salutation: Dear Minister / Estimado Senor Ministro

Attorney General

Lic. Adolfo Gonzalez Rodas
Fiscal General de la Republica
Ministerio Publico
8a. Avenida 10-67
Zona 1, Tercer nivel
Ciudad de Guatemala
GUATEMALA

Telegram: Fiscal General, Guatemala, Guatemala

Fax: + 502 221 2718

Salutation: Dear Attorney General / Estimado Senor Fiscal General

Public Prosecutor's Office

Lic. Rodolfo Gonzalo Hernandez/
Lic. Jose Augusto Martinez Monzon
Fiscal Distrital de Escuintla
Ministerio Publico
4a Avenida 2-39, Zona 1
Escuintla, Escuintla
GUATEMALA

Fax: + 502 889 4099 / 502 888 0437

(If a voice answers, say 'fax por favor')

Salutation: Dear District Attorney / Estimado Senor Fiscal Distrital

COPIES TO:

CONAVIGUA
Coordinadora Nacional de Viudas de Guatemala
8a. Avenida 2-29, Zona 1,
Guatemala
GUATEMALA

Fax: + 502 232 5642

E-mail: conavigua@intelnet.net.gt

Salutation: Dear Friends/Estimados Amigos

and to diplomatic representatives of Guatemala accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 18 April 2001.