

EXTERNAL (for general distribution)

AI Index: AMR 34/20/95

Distr: UA/SC

UA 153/95

Extrajudicial Execution / Fear for Safety

29 June 1995

GUATEMALA

Edwin Américo ORANTES MARTÍNEZ, aged 17 (killed)

Nicolás CRUZ, aged 18 (attempted killing)

and other witnesses to shooting incident

Amnesty International is concerned at the death of Edwin Américo Orantes Martínez in circumstances which suggest he was the victim of an extrajudicial execution and at the attempted killing of Nicolás Cruz. The two youths were shot by a man claiming to be a member of the *Dirección de Investigaciones Criminológicas* (DIC), Criminal Inquiries Division, of the National Police.

On 23 June 1995, at 8.30 in the evening, several street youths were gathered at 18th street between 4th and 5th Avenues in Zone 1 in Guatemala City. Two of them were reportedly picking someone's pocket when a man in plain clothes allegedly fired a shot into the air and then opened fire on the youths gathered there. Edwin Américo Orantes Martínez was hit in the face and Nicolás Cruz was hit in the right ankle. The gunman shot Edwin Américo Orantes again, reportedly saying, "all the thieves on 18th Street are going to end this way" ("*todos los ladrones de la 18 calle, van a parar así*").

A young woman who was present at the scene ran after the gunman and when she caught up with him, accused him of having shot the youths. The gunman reportedly replied, "and so what, I am from the DIC" ("*y que hay con eso, yo soy del DIC*") and pointed his gun at her. Amnesty International fears that this young woman, Nicolás Cruz himself, and other eye-witnesses at the scene may be the targets of further attacks.

The case was presented to the *Juzgado de Paz*, Justice of the Peace Court, and from there it was referred to the *Ministerio Público*, Public Ministry, for investigation.

#### **BACKGROUND INFORMATION**

The street children and youths of Guatemala are often from other parts of Central America as well as Guatemala, most of them living in Guatemala City. There is no question that street children are involved in petty crime, and sometimes in more serious criminal acts. Nevertheless, Amnesty International has been concerned at reports of human rights violations against the children and youths living in the streets, including harassment, threats, attacks, beatings and other forms of cruel, inhuman and degrading treatment, torture, "disappearance" and apparent extrajudicial executions. These abuses have been carried out against such children and youths by Guatemala City police, acting sometimes in uniform and sometimes in plain clothes. In other cases, the abuses have been carried out by agents of private security firms licensed by the National Police and Ministry of the Interior. The Guatemalan army has also on occasion been accused of attacks on street children and youths. Amnesty International has been concerned by the failure of the authorities to identify the perpetrators and bring them to justice.

**RECOMMENDED ACTION: Please send telegrams/telexes/faxes/express and airmail letters either in Spanish or in your own language:**

- expressing serious concern at the killing of Edwin Américo Orantes Martínez and the attempted killing of Nicolás Cruz, reportedly by a man who said he was a member of the DIC, in circumstances suggesting an extrajudicial execution;
- asking for guarantees for the safety of witnesses to the killing;
- asking for a full investigation into the incident, that the findings be made public and that those responsible be brought to justice.

**APPEALS TO:**

1) President of the Republic:

S.E. Ramiro de León Carpio  
 Presidente de la República de Guatemala  
 Palacio Nacional, Guatemala, GUATEMALA  
**Telegrams: Presidente de León Carpio, Guatemala, Guatemala**  
**Faxes: + 502 2 537 472 / 515 667**  
**Telexes: 5221 CAPRES GU**  
**Salutation: Excelentísimo Sr. Presidente / Dear President**

2) Minister of Interior

Lic. Carlos Enrique Reynoso  
 Ministro de Gobernación,  
 Ministerio de Gobernación  
 Despacho Ministerial, Of. No. 8  
 Palacio Nacional, Guatemala, GUATEMALA  
**Telegrams: Ministro de Gobernación, Guatemala, Guatemala**  
**Faxes: + 502 2 515 368 / 2 537 472**  
**Telexes: 5085 MINGOB**  
**Salutation: Sr. Ministro / Dear Minister**

3) Head of the National Police

Lic. Angel Antonio Conte Cajulún  
 Director General de la Policía Nacional  
 6 Avenida 13-71, Zona 1, Guatemala, GUATEMALA  
**Telegrams: Director General Policía Nacional, Guatemala**  
**Salutation: Sr. Director General / Dear Director General**

**COPIES OF YOUR APPEALS TO:**1) Human Rights Procurator

Lic. Jorge García Laguardia  
 Procurador de los Derechos Humanos  
 12 Av. 12-72, Zona 1  
 Guatemala, GUATEMALA  
**Faxes: +502 2 81734**

2) Group working for street children

Casa Alianza  
 Apartado 1734  
 2050 San Pedro  
 COSTA RICA  
**Faxes: 506 224 56 89**

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 10 August 1995.