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Guatemala: Grave cause for concern -- human rights and the Consultative Group

In a newly released assessment of the human rights situation in Guatemala, "*Guatemala: Deep Cause for Concern*", Amnesty International warned the international community of the grave deterioration in Guatemala's human rights situation over the last year.

The organization's warning came on the eve of the 13-14 May meeting of the Consultative Group (CG) of major donor countries and institutions to the Guatemalan peace process. At its last meeting in 2002, the Group called for real progress in implementation of Guatemala's 1996 Peace Accords, human rights protection and the battle against impunity if CG cooperation monies agreed in principle were to be fully dispersed.

"Instead of improvements in these areas over the last year, Guatemala has experienced dramatic deterioration: virtually every major Guatemalan human rights organization has suffered serious abuses over this period, including threats, rape, torture and extrajudicial executions," Amnesty International emphasized.

The international human rights organization noted that justice officials have also been heavily targeted: between January 2002 and February 2003, the total number of judges and magistrates threatened was 103. Several have been killed.

According to Amnesty International, many recent victims appear to have been singled out because of their efforts to combat the prevailing impunity for the gross atrocities of the conflict years. Yet, despite government promises, there has been little progress in bringing perpetrators to justice. Instead, many continue to use their high public or military office to obstruct anti-impunity initiatives.

In the context of this prevailing impunity, the overturning on 7 May, only days before the CG meeting, of the highly publicized 2002 conviction of a military officer for the 1990 extrajudicial execution of anthropologist Myrna Mack, can only cast further doubt on claims that Guatemala is committed to the battle against impunity.

"Once again," said Amnesty International, "one step forward is bragged about internationally as a sign of progress in human rights, then the ground is torn from under it." Given this new development, the organization urged that the CG continue to monitor developments in the case of Bishop Juan José Gerardi,

extrajudicially executed in 1998, the only other case in which high level Guatemalan military officers have been convicted for human rights abuses.

"In both cases, the convictions had come only as a result of courageous, sustained campaigning by relatives and human rights groups, rather than as the result of government anti-impunity initiatives," Amnesty International explained, warning that the Gerardi convictions are also currently under appeal.

Amnesty International also called on the CG to press for details as to how and when the notorious presidential intelligence agency, the Estado Mayor Presidencial, EMP, will finally be abolished and as to how agencies replacing it will be subject to civilian monitoring and control. The EMP has been implicated in some of Guatemala's most egregious human rights violations, including both the Mack and Gerardi killings. It should have been abolished under the Peace Accords, but has continued to operate and to evade accountability. The latest date for its supposed abolition is now October.

"Rather than winding down, the EMP's budget increased over the last year. Some of the additional funding has come from agencies like the Peace Secretariat, mandated to oversee implementation of the Peace Accords, and the Ministry responsible for nutrition. It is unconscionable that at a time that Guatemala is suffering from falling coffee prices, draught, widespread hunger, and in some areas, famine, that funds for nutrition should be transferred to the EMP," Amnesty International said.

The organization also pointed to the apparent collapse of the country's fledging Public Defenders Office; recent violent prisoner uprisings; the re-emergence of the paramilitary civil patrols; lynchings; social cleansing; and widespread official corruption as further indications that the Guatemalan authorities have not returned the country to the rule of law, as promised in the Peace Accords.

Set against this bleak human rights picture, Amnesty International welcomed the government's recent March 2003 agreement in principle to establish a Comisión para la Investigación de Cuerpos Illegales y Aparatos Clandestinos de Seguridad (CICIACS), Commission to Investigate Illegal Armed Groups and Clandestine Security Apparatuses, to look into attacks and threats against human rights defenders, members of the legal community and journalists. It urged the CG to press for rapid formation of this body, for its work to be unhindered; and for its conclusions to result in the complete dismantling of these groups and the prosecution of those responsible for their operations.

Amnesty International called on the CG to ensure that further contributions to Guatemala were applied to these and other programs that would further the aims of the Peace Accords, particularly the battle against impunity and the protection of human rights.

For the full copy of the report "Guatemala: Deep Cause for Concern: Amnesty International's assessment of the current human rights situation in Guatemala", please go to:
<http://web.amnesty.org/library.index/engamr340222003>

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