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Guatemala: President's fine words must be followed by action

The agreement on a handful of human rights cases announced yesterday between the Inter-American Human Rights Commission (IACHR) and Guatemala is a step in the right direction to address the country's outstanding legacy of abuses, but there is still a long way to go before Guatemala's tragic past can truly be laid to rest, Amnesty International said today.

The organization welcomed the accord, through which President Alfonso Portillo accepted state responsibility for two specific massacres and 16 individual executions and "disappearances" which occurred during Guatemala's long-term civil conflict, and agreed that the State would pay compensation to the relatives. He also said that the government would do all it could to prosecute those responsible.

"The limited number of cases on which agreement has been reached must be placed in the context of the overall number of abuses which occurred," Amnesty International warned, recalling that the UN-sponsored Historical Clarification Commission (CEH) established that over 600 large-scale massacres occurred during the years of conflict, and that some 200,000 people had been victims of either "disappearance" or extrajudicial execution. The majority of the victims were indigenous peoples, leading the CEH to conclude that genocide had been committed in four specific areas of the country.

"The government must now deliver on this new promise, not merely to acknowledge the abuses and pay some compensation, but to bring those responsible to justice," Amnesty International said.

A similar apology in 1998, made by Mr. Portillo's predecessor, former President Alvaro Arzú, brought few concrete results, while promises made by Mr. Portillo before taking office -- including solving the case of murdered bishop Juan José Gerardi within 6 months -- have also remained unfilled.

"It also remains to be seen whether victims' families will accept the compensation offered, as some of them made it clear in the past that they would not trade justice for financial compensation," Amnesty International said.

"It is very important that this agreement does not serve to deflect or undermine the initiatives currently underway to bring to justice the perpetrators of past human rights violations," the organization added. There are currently legal suits filed both in Guatemala and abroad, against officials allegedly responsible for gross human rights violations in the late 1970s and early 1980s. These include members of President Portillo's own political party, such as General Efraín Ríos Montt, who ruled Guatemala between March 1982 and August 1983.

"Given the widely reported tensions between the Portillo and Ríos Montt branches of the President's party, we have to be sure that no intra or inter-party deal has been struck in Guatemala in an effort to take the pressure off those named in the suits," Amnesty International said.

"We will therefore be monitoring developments in the situation to ensure President Portillo's promises are not just empty words," the organization added.

One of the first signs of real commitment to ending impunity could come from the Constitutional Court's decision on the 1982 Dos Erres

massacre cases -- one of those on which the IACHR and the Guatemalan government have come to a "friendly settlement" .

The village of Dos Erres, El Petén, was attacked by the Guatemalan army, leaving a death count of over 350 non-combatant indigenous people, including children and infants. Arrest orders have been issued for a number of soldiers recently named by former fellow soldiers as having been involved in the massacre. Their lawyers have argued that they cannot be tried for their crimes, as they are covered by Guatemala's 1996 Law Of National Reconciliation, which awarded amnesty for certain human rights abuses committed during the conflict.

However, the amnesty law specifically states that those responsible for genocide can not benefit from immunity. It is on this point that the Constitutional Court is to rule soon, and its decision will be an important indicator as to whether or not President Portillo can and will deliver on these new promises.

Similarly, the CEH recommended the establishment of a special commission to investigate the fate of the hundreds of Guatemalan children that "disappeared" during the conflict, some of whom may have been adopted after being seized by the Guatemalan army. A recently published report from the Human Rights Office of the Archbishopric of Guatemala reports at least 444 such cases, while only three of the child victims have so far been located.

"The establishment of a Commission to find the other children, and the institution of a program of exhumations -- also called for by the CEH -- would also signal real will on the part of President Portillo's to turn his promises into action," Amnesty International said.

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For more information please call Amnesty International's press office in London, UK,
on +44 20 7413 5566
Amnesty International, 1 Easton St., London WC1X 0DW web :
<http://www.amnesty.org>