

PUBLIC

AI Index: AMR 34/048/2003

07 August 2003

UA 235/03 Fear for Safety

GUATEMALA **Gustavo Meoño Brenner (m), Director of the *Fundación Rigoberta Menchú Tum* (FRMT),
Rigoberta Menchú Tum Foundation
Other staff of the FRMT**

Amnesty International is seriously concerned for the safety of Gustavo Meoño Brenner, director of the human rights organization the *Fundación Rigoberta Menchú Tum* (FRMT), Rigoberta Menchú Tum Foundation, and for other members of staff of the FRMT in the capital, Guatemala City.

On five occasions between 26 July and 7 August, two unidentified individuals, a man and a woman, were seen observing the offices of the FRMT in Zone 1 of Guatemala City. The man was reportedly dressed in the uniform of a private security firm, wore military-issue boots and was armed with a revolver. On each occasion, the couple have been seen outside the FRMT offices at around 6.30am, at the same time that Gustavo Meoño Brenner arrives for work and is unaccompanied in the office. The couple always left before the arrival of other members of staff or until staff of the FRMT began openly to take photographs of them. However, on occasion when they were observed openly by members of the FRMT, the couple reportedly looked threateningly at the FRMT staff.

The most serious incident occurred on 6 August, when the two were among a group of unidentified individuals who were seen taking turns in watching the FRMT offices for the entire day. The group constantly communicated with each other and one person reportedly took photographs of the offices. When a FRMT staff member photographed the suspicious individuals, they moved further away, but continued to observe the offices. One person reportedly used binoculars to watch the offices. One of the unidentified individuals allegedly looked like a military intelligence agent ("*con apariencia de operativo de inteligencia militar*").

On the afternoon of the 6 August, the Special Prosecutor for Human Rights Defenders, Thelma de Lam, visited the offices of the FRMT after hearing about the apparent intimidation of the staff. She arrived with agents of the Ministerio Público (MP), Public Prosecutors Office, to escort the human rights defenders out of the building and has launched an investigation into the incidents.

BACKGROUND INFORMATION

The FRMT, which works for the protection of human rights and the rights of indigenous people, was established by Nobel Peace Prize Laureate Rigoberta Menchú Tum, a Guatemalan indigenous woman, after she won the Nobel Prize for Peace in 1992. The FRMT has been working since December 1999 to prosecute a number of former Guatemalan officials for genocide and other crimes against humanity.

As a result of its human rights work, the FRMT has constantly experienced serious persecution and harassment. On 29 April 2002, Guillermo Ovalle de León, an administrative worker for the FRMT and nephew of the Executive Director, was killed by gunmen in an alleged robbery in Zone 1 of Guatemala City. However, Guatemalan human rights groups were concerned that his killing may have been an act of intimidation and not a common crime (see UA 133/02, 1 May 2002, AMR 34/031/2002).

Recently, Rigoberta Menchú Tum has been a prominent member of the recently formed *Frente Cívico por la Democracia*, Civic Front for Democracy, a coalition of organizations and political parties established in the wake of recent political violence to ensure that the general elections scheduled for November 2003 are transparent and free. The violence was precipitated by groups of supporters of Congressional President Ríos Montt, who were rioting after a decision to suspend temporarily his candidacy for President. The Constitutional Court has since upheld the decision for him to run as Presidential candidate.

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in Spanish, English or your own language:

- expressing concern for the safety of Gustavo Meoño Brenner and other staff at the FRMT;
- urging the authorities to carry out an immediate, impartial and exhaustive investigation into the incidents of intimidation and for those responsible to be brought to justice;
- urging the authorities to take all necessary measures to ensure the safety of FRMT staff members, in accordance with the wishes of the staff themselves;
- reminding the authorities of their obligations to human rights defenders, as laid out in the UN Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognised Human Rights and Fundamental Freedoms, adopted in December 1998, and in resolutions by the Organization of American States.

APPEALS TO:

President of the Republic of Guatemala

Lic. Alfonso Portillo Cabrera

Presidente de la República de Guatemala

6a. Avenida "A" 4-41, Zona 1, Ciudad de Guatemala, Guatemala

Fax: + 502 238 3579

Salutation: Dear President/Excelentísimo Sr. Presidente

Attorney General

Lic. Carlos David de León Argueta

Fiscal General de la República

Fiscalía General del Ministerio Público

8a. Avenida 10-57, Tercer nivel, Zona 1, Ciudad de Guatemala, Guatemala

Fax: + 502 221 2718

E-mail: fiscaldeleon@mp.lex.gob.gt

Salutation: Dear Attorney General/Senor Fiscal General

Minister of the Interior.

Lic. Adolfo Reyes Calderón

Ministro de Gobernación

Ministerio de Gobernación

6a Avenida 4-64, Zona 4, Ciudad de Guatemala, Guatemala

Fax: + 502 362 0237/362 0239

Salutation: Señor Ministro

Director General of the National Civil Police

Comisario General

Director General de la Policía Nacional Civil

6a Avenida 13-71, Zona 1, Ciudad de Guatemala, Guatemala

Fax: + 502 251 9382

Salutation: Dear Director/Señor Director

COPIES TO:

Fundación Rigoberta Menchú Tum

Rigoberta Menchú Foundation

1ª. Calle 7-45, Edificio Soalsa, Zona 1, Ciudad de Guatemala, Guatemala

Fax: + 502 254 4477

Newspaper

Diario Prensa Libre

13 Calle 9-31, Zona I, Ciudad de Guatemala 01001, Guatemala

Fax: + 502 251 8768/ 230 2193/ 230 2257

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 19 September 2003.