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Extrajudicial Execution

9 October 1990

GUATEMALA: José Pedro TIU CHIVALÁN

Amnesty International is concerned at the apparent extrajudicial execution of José Pedro Tiu Chivalán, a 35-year-old peasant farmer from the hamlet of Chajob, in Racaná, Santa María Chiquimula district, Totonicapán department.

According to the information received by Amnesty International, José Pedro Tiu Chivalán was having dinner with his wife and four children on Tuesday 2 October 1990 when men in plainclothes entered his home and took him away in a beige pick-up truck. Eyewitnesses, who said that the men had tied José Pedro Tiu Chivalán to the truck, claimed that one of the abductors was an army colonel. José Pedro Tiu Chivalán's body was found in Totonicapán department on three days later, on 5 October 1990, and later transferred to the Totonicapán morgue.

Three months ago, on 2 July 1990, José Pedro Tiu Chivalán's father, Pedro Tiu Cac, a member of the Consejo de Comunidades Etnicas "Runujel Junam" (CERJ), Council of Ethnic Communities "We are all Equal", was taken away from his home in Chajob by armed men in plain clothes who reportedly identified themselves as belonging to the police. The abductors drove away in two pick-up trucks.

Pedro Tiu Cac's body, bearing apparent signs of torture, was found two days later in a nearby hamlet (see UA 289/90, AMR 34/42/90, 9 July, and follow-up AMR 34/49/90, 13 August 1990). Despite government assurances, no investigation appears to have been opened into the killing, which Amnesty International believes may have been connected to Pedro Tiu Cac's membership of CERJ. Although most of his relatives are CERJ members, José Pedro Tiu Chivalán did not belong to it; however, the way in which he was abducted and the vehicles used suggest that José Pedro Tiu Chivalán's abduction and subsequent killing may be connected to the killing of his father.

BACKGROUND INFORMATION

CERJ was formed in July 1988 to protect indigenous people's rights. It has been particularly active in protesting at peasants being forced to join in the ostensibly voluntary Civil Defence Patrols. Article 34 of the Guatemalan Constitution, which recognizes the right to freedom of association, states that no one may be forced to serve in self-defence groups. The authorities maintain the patrols are voluntary, but Amnesty International knows of scores of cases where peasants who have not wished to do patrol service or have tried to withdraw from them, have been labelled "subversives" and subjected to harassment, death threats and extrajudicial execution. CERJ has, since its foundation, been the target of a wide range of human rights violations. Since March 1990, at least five CERJ members are known to have been killed in circumstances suggesting official involvement (see also UA 171/90, Fear of Extrajudicial Execution - José María Ixcaya).

RECOMMENDED ACTION: Telegrams/telexes/faxes/express and airmail letters:

- expressing concern at the abduction and subsequent killing of José Pedro Tiu Chivalán;

- urging that an investigation be made into his killings, and that its findings be made public and those responsible be brought to justice;

- noting that, although an investigation into the killing of his father had been announced, no serious effort to investigate it appears to have taken place, and urging the authorities to pursue it and bring those responsible to justice;

- requesting that the physical integrity of the remaining members of the family be protected.

APPEALS TO:

S.E. Vinicio Cerezo Arévalo
 Presidente de la República de Guatemala
 Palacio Nacional
 Guatemala, Guatemala
Tel: +502 22 1212, +502 22 2266
Fax: +502 253 7472
Telex: 5331 CAPRES GU
Telegrams: Presidente Cerezo, Guatemala, Guatemala

Gen. Carlos Augusto Morales Villatoro
 Ministro de Gobernación
 Despacho Ministerial
 Oficina No. 8, Primer Nivel
 Palacio Nacional
 Guatemala, Guatemala
Tel: + 502 2 21212/19, ext 500; 518105-6
Fax: + 502 2 518105
Telex: 5085 MINGOB GU
Telegrams: Ministro Gobernación, Guatemala, Guatemala

Brig. Gral. Juan Leonel Bolaños
 Ministro de Defensa
 Ministerio de Defensa
 Palacio Nacional
 Guatemala, Guatemala
Tel: +502 22 1212, ext 2226
Fax: +502 253 7472
Telex: 5361 COMGUA GU
Telegrams: Ministro Defensa Bolanos, Guatemala, Guatemala

Lic. Mario Roberto Yllescas Aguirre
 Procurador General de la Nación
 Procuraduría General de la Nación
 7a Avenida 7-78
 Edificio Centroamericano
 Zona 4, Guatemala, Guatemala
Telephone +502 264697, +502 2313656 or +502 2518385

Señor Comandante
 Base Militar Totonicapán
 Totonicapán, Guatemala
Telegrams: Comandante Base Militar, Totonicapán, Guatemala

Señor Juez
 Juzgado de Primera Instancia

Totonicapán, Guatemala

Telegrams: Juez Primera Instancia, Totonicapán, Guatemala

COPIES TO:

- CERJ, 5a Avenida 3-13, Zona 5, Santa Cruz del Quiché, Guatemala
- Diario Siglo XXI, 7a Avenida 11-79, Edificio Galerias España, 6o piso, Zona 9, Guatemala, Guatemala
- Sr. Gobernador, Gobernación Departamental, 4 Calle 7-06, Zona 1, Totonicapán, Guatemala
- Lic. Ramiro de León Carpio, Procurador de Derechos Humanos, Avenida Simeón Cañas 10-61, Zona 2, Guatemala, Guatemala

and to diplomatic representatives of Guatemala in your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 30 November 1990.