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Guatemala: Myrna Mack verdict -- a tribute to courage and persistence

The sentencing of Guatemalan army colonel Juan Valencia Osorio to thirty years in prison for having ordered the 1990 killing of anthropologist Myrna Mack is an overdue but welcome step towards justice, Amnesty International said today.

Two other officers, General Edgar Augusto Godoy Gaytán and Colonel Juan Guillermo Oliva Carrera, who had faced the same charges, were acquitted. They were Colonel Valencia's superior officers in the notorious *Estado Mayor Presidencial*(EMP), Presidential High Command. Amnesty International will study the court's judgement closely to determine whether it finds convincing the court's decision that they were indeed not involved in ordering Ms. Mack's death.

"Never before had a high-ranking military official been convicted for a crime committed during Guatemala's 36 year internal conflict, and only once before had other officers been convicted for a political crime," Amnesty International noted.

In welcoming the conviction, Amnesty International paid tribute to the victim's sister, Helen Mack, and the Guatemalan human rights community.

"It was their courageous determination to see the killers punished and their effectiveness in mobilising international and local support which finally moved the case through the courts," the organization said.

However, the organization expressed its dissatisfaction that it had taken 12 years for the case against those who ordered the killing to finally come to court. "The wheels of justice have ground slowly, far too slowly," said Amnesty International. "Twelve years is far too long to wait to see justice -- possibly only partial justice -- done."

"Justice should be the rule, not the exception in Guatemala," Amnesty International insisted. "Despite a Constitutional guarantee that it is the duty of the State to guarantee justice to all of its inhabitants, only a handful of high profile cases have seen convictions for conflict-related abuses, while nobody has been held accountable for the killing and 'disappearance' of over 200,000 people, the majority of them indigenous," the organization added.

"A genocide -- and that is what the Guatemala's UN-sponsored Historical Clarification Commission (CEH) determined had occurred -- cannot be swept under the historical carpet. Each and every victim and each and every survivor deserves justice," Amnesty International said.

The organization also noted that the three officers were tried in an atmosphere of death threats, intimidation and violence against individuals and organisations associated with the case, including the lawyers for the prosecution.

"These attacks against the human rights and legal communities in Guatemala, are symptomatic of an escalating wave of violence against those involved in seeking justice for human rights violations committed both during and following Guatemala's long civil conflict," Amnesty International said.

Background

Myrna Mack, founder member of the social science research institute, AVANCSO, was brutally stabbed to death in September 1990 as she left the AVANCSO office in Guatemala City. In 1989, she had published a ground-breaking study which concluded that the massive internal displacement of Guatemala's indigenous people, and the suffering it had caused, had been a direct result of the army's counter-insurgency policy. Her findings were published just as peace talks began, and were highly damaging to the government.

From the beginning, efforts to convict those who carried out Myrna Mack's brutal murder encountered irregularities, incompetence and every imaginable legal manoeuvre to paralyse the judicial process. Finally, however, in 1993 Sergeant Noel de Jesús Beteta Alvarez, a member of the EMP, was found guilty of the killing and jailed for 25 years.

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