

PUBLIC

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EXTRA 48/03 Fear for Safety/Harassment

07 November 2003

GUATEMALA Human Rights Activists, Voters, Candidates and others around 9 November elections including:

Joji Fukuyama (m)] Members of <i>Alianza Comunitaria Organizada de Derechos</i>
Victoria Dardón (f)] <i>Humanos</i> , (ACODH), Alliance of Community Human
Victor Rosa (m)] Rights Organizations

High levels of election-related political violence and human rights violations are causing serious concern for the safety of human rights activists, voters, candidates, journalists and election observers around Guatemala's elections on 9 November.

There have been reports of at least 21 election-related killings, 46 threats directed at journalists covering the elections and over one-hundred other acts of harassment and intimidation. These have been aimed at intimidating voters, hampering the campaigning process and interfering with freedom of information and association.

A recent victim was Japanese/Guatemalan citizen Joji Fukuyama, who was subjected to harassment as a result of his activities with the *Alianza Comunitaria Organizada de Derechos Humanos*, (ACODH), Alliance of Community Human Rights Organizations. On 1 November, he challenged a number of individuals, reportedly members of the ruling government party, the *Frente Republicano Guatemalteco* (FRG), Guatemalan Republican Front party, as they were tearing down party political materials posted by opposition parties and replacing them with FRG materials. He was threatened by the individuals who claimed to be members of the army, which is constitutionally barred from carrying out party propaganda or voting in elections.

Earlier, in mid-October, Joji Fukuyama was forced to seek protection in private homes after repeatedly being followed by a car with blacked-out windows and no number plates. He has not however, denounced these threats to the National Civil Police or to the Public Prosecutor for fear of retaliation. Two other members of ACODH, Victoria Dardón and Victor Rosa, have also been receiving threats as a result of their human rights work.

On 26 October, *Prensa Libre* journalists, Fredy López, Emerson Díaz, Mario Linares, Alberto Ramírez and Hilario Guerra, a staff member of the *Secretaría de Asuntos Administrativos de Seguridad* (SAAS), Secretariat for Administrative and Security Affairs, were held hostage for more than two days by former members of the *Patrullas de Defensa Civil*, (PAC) Civil Defence Patrols in La Libertad, Huehuetenango Department. Two staff of the Human Rights Procurator's office managed to escape. The patrollers took this action as part of their often violent campaign for compensation for war-time service as the army's civilian adjuncts. In recent days, former patrollers have threatened to disrupt the elections if their demands for compensation are not fully met. Their threats led Guatemalan officials to predict election-day disturbances in 16 of the country's 22 departments.

BACKGROUND INFORMATION

A non-violence pact signed by all parties at the start of campaigning for the 9 November elections has clearly not been respected. Tensions have been exacerbated by the controversial presidential candidacy of General Ríos Montt, founder member of the FRG party, who has a highly dubious human rights record and faces lawsuits both at home and abroad for genocide and other crimes against humanity. The FRG has also reportedly misused state funds and used other illegal tactics in an apparent effort to influence voters.

However, other political parties have also fielded candidates with dubious human rights records and have been implicated in fraud and political violence. Victims of election-related violence include *Unidad Nacional*

de la Esperanza (UNE) National Union of Hope candidate, Miguel Ángel Salvador Aguilar, who was killed in Jalapa Department on 21 October; Elmer Arturo Padilla Pérez, *Gran Alianza Nacional* (GANAN), a Grand National Alliance candidate, whose body was found in the Municipality of Fraijanes, Guatemala Department on 26 October; and three FRG sympathisers who were found dead in the municipality of Atescatempa, Jutiapa Department, on 27 October.

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

-expressing concern for the safety of human rights activists, voters, candidates, journalists and election observers around Guatemala's 9 November elections;
-calling on the authorities to take effective action to end politically motivated human rights violations such as that suffered by Joji Fukuyama, Victoria Dardón, Victor Rosa and others, to fully investigate these incidents and bring those responsible to justice;
-calling on the authorities to uphold the rule of law and to guarantee the safety of those named above as well as that of other citizens, who should be protected from violence as they attempt to exercise their right to vote;
-urging that the authorities ensure that all the political parties adhere to the all-party non-violence pact agreed before the start of the election campaign

APPEALS TO:

President of the Republic of Guatemala

Lic. Alfonso Portillo Cabrera

6a Avenida "A" 4-41 Zona 1

Ciudad de Guatemala, Guatemala

Fax: + 502 238 3579

Salutation: Excelentísimo Sr. Presidente/ Dear President

Ministro de Gobernación

Lic. Adolfo Reyes Calderón

6ª Avenida 4-64, Zona 4

Ciudad de Guatemala, Guatemala

Fax: + 502 362 0239

Salutation: Señor Ministro/ Dear Minister

Director General of the National Civil Police

6a Avenida 13-71, Zona 1

Ciudad de Guatemala, Guatemala

Fax: + 502 251 9382

Salutation: Señor Director/Dear Director

Tribunal Supremo Electoral

Oscar Edmundo Bolaños (Presidente)

6a Avenida 0-32 Zona 2

Ciudad de Guatemala, Guatemala

Fax: +502 232 0381 (if someone answers say "fax por favor")

Salutation: Estimado Señor Bolaños/Dear Mr. Bolaños

COPIES TO:

Mirador Electoral (Guatemalan Election Observation project)

Instituto Centroamericano de Estudios Políticos (INCEP)

8 Calle, 0-32, Zona 9

Ciudad de Guatemala, Guatemala

Fax: + 502 360 3625

Alianza Comunitaria Organizada de Derechos Humanos (ACODH)
8 Calle 10-67, Zona 1
Ciudad de Guatemala, Guatemala

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 December 2003.