

Guatemala: The lethal legacy of impunity

Businessman Edgar Ordóñez Porta, "disappeared" in May 1999. His mutilated body was found shortly afterwards. In-depth inquiries carried out by his brother Hugo suggest that responsibility for the murder may lay with military personnel whose economic interests were threatened by the small oil refining business recently started by the brothers. Hugo Ordóñez was offered help by the military to find his "disappeared" brother, on the tacit condition that the newspaper he directed would stop criticising the government. Investigations by the military led nowhere and Hugo Ordóñez became convinced that the "help" from the military was actually intended to divert the inquiry. He and his family subsequently had to flee the country in fear for their security.

The case of Edgar Ordóñez is illustrative of human rights violations committed in modern-day Guatemala in the context of the so-called "corporate mafia state" in which certain economic actors, including subsidiaries of some multinational corporations, collude with sectors of the police and military and common criminals to pursue their mutual economic interests and then conspire with these same forces to intimidate and eliminate those who get in their way, know too much or try to investigate their activities.

In a report released today in Madrid, Amnesty International relates this phenomenon -- and other chronic Guatemalan ills -- to the consistent failure to address the outstanding legacy of mass-scale human rights violations committed during the country's long civil conflict.

"The mass slaughter of thousands of indigenous people and the gross human rights violations suffered by many more in the context of counter-insurgency operations have never been properly tackled, and

those responsible at all levels are still walking free and continuing to wield power in today's Guatemala," Amnesty International said.

"This sends a message to those in power that they can literally get away with murder, and paves the way for renewed abuses," the organization added, stressing that those fighting for justice -- be they survivors of the atrocities, relatives of victims, human rights defenders or members of the judiciary -- are particularly at risk.

The victims of human rights violations in this context include the poorest of the poor, often indigenous, living in remote areas where the worst of the past atrocities took place and powerful interests collude to protect lucrative illegal activities. The repeated massacres carried out in the indigenous village of Río Negro between 1980 and 1982, highlighted in the report, illustrates how economic interests also played a part in the genocide. Río Negro may have been especially targeted because its lands were wanted for the construction of a hydro-electric dam in which the military reportedly had interests.

"Guatemala's justice system continues to fail its people, who in turn are losing faith in its ability to deliver justice," Amnesty International noted, adding that the increasing crime rates and numerous episodes of people taking justice into their own hands are but one of the consequences of this failure.

Meanwhile, another ongoing legacy of the conflict years is the prolonged and largely untreated psychological suffering of all those who suffered or witnessed atrocities, including mass rapes, or suffered the "disappearance" of relatives, and live with the long-term agony of not knowing if their parents or children are alive or dead.

"For history not to repeat itself, and for Guatemala to finally be able to leave behind its terrible past, addressing the legacy of impunity for past and present human rights violations is key," the organization added.

"Until the Guatemalan judiciary undergoes a root and branch reform process to bring it into line with international standards, and until a clear message is sent that no human rights abuses will be tolerated or remain unpunished, there can be no real and lasting peace in Guatemala."

Amnesty International's recommendations to the Guatemalan authorities include:

implementing the human rights and rule of law elements of the Peace Accords, as well as the recommendations of the Historic Clarification Commission on investigating human rights violations. This should include establishing the fate of the "disappeared" including the "disappeared" children, some of whom may have adopted whether legally or illegally at home or abroad, and providing reparations to victims including those who suffered rape and other sexual abuse by the official security forces;

establishing an effective protection program for judicial personnel and witnesses involved in anti-impunity cases;

guaranteeing the safety of human rights defenders so that they can carry out their important work and establishing a special fiscal to investigate threats and abuses against them;

ensuring that law enforcement agencies abide by international human rights standards and that all "death squads", private armies and paramilitary forces are disbanded and those members responsible for human rights violations are brought to justice.

**** Amnesty International today is also presenting a 28-minute documentary called "Digging for the truth", telling the story of Dominga Sic Ruiz, (now known as Denese Becker), who as a child survived the 1982 massacre of her native community of Río Negro and was later given up for adoption in the USA. As an adult she decided to go back to Guatemala to confront the past, to look for relatives and to demand justice for the atrocities suffered by her people.*

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