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## **Guatemala: intimidation must not stop justice**

*The security of judges and witnesses involved in the judicial proceedings around the murder of Bishop Gerardi must be guaranteed, Amnesty International said today after a bomb attack against the home of Guatemalan judge Iris YassmRn Barrios. The attack took place last night, the eve of the reopening this morning of the Gerardi trial in Guatemala City.*

*"This attack is simply the latest in a long line of threats and abuses directed at Guatemalan judicial officials and others involved in the case," Amnesty International added. At least seven judges, prosecutors, other judicial staff and witnesses in the Gerardi case alone have left the country citing threats, surveillance and wiretapping.*

*Those unable to flee the country have paid a high price. Several witnesses have died suspiciously, including one in prison on 29 January 2001. Also, at least six of the street people who habitually slept outdoors near the Bishop's residence, and who were present the night of the murder, have also died, while staff of the Archbishop's Human Rights Office have faced a series of telephoned death threats and other harassment.*

*In addition to the direct intimidation and other abuses directed at those involved in the trial, there have also been repeated delays and postponements in the case, a number of them due to last minute manoeuvres on the part of the lawyers acting for the accused.*

"The eyes of the world are once again on Guatemala," Amnesty International said. "Intimidation and delaying techniques cannot be allowed to pervert the course of justice."

"As the third anniversary of Bishop Gerardi's murder approaches, justice must finally be done and seen to be done," the organization added.

Amnesty International is calling on the Guatemalan authorities to take every step needed to allow the Courts to proceed with their legal responsibilities in full security.

### **Background**

Seventy-five-year-old Bishop Gerardi was battered to death in front of his home two days after he had presided over the presentation of the Guatemalan church's report on army-led atrocities committed during the country's long-term civil conflict. Bishop Gerardi was an internationally renowned figure, and the highest ranking Guatemalan church figure to fall victim to a political killing.

A recent effort by the defence lawyers to have the judicial case thrown out and re-started from scratch, on the grounds that the time recorded as the Bishop's time of death was actually the time when the official autopsy took place, was rejected. However, on several occasions in the past, the defence has succeeded in having judges removed from the case at the last minute on flimsy pretexts. On other occasions, judges, apparently acting under pressure, have excused themselves just before the proceedings were to open.

In February, another judge involved in the trial, Judge Eduardo Cojulún, reported that death threats had been left on his telephone answering machine.

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