

EXTERNAL (for general distribution)

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UA 439/93 Fear for Safety

22 December 1993

GUATEMALA

**Returning Guatemalan refugees from Mexico
International human rights observers**

Amnesty International is concerned for the safety of over a thousand Guatemalan refugees who returned to Guatemala on 9 December 1993 after spending over a decade in Mexico, and for the safety of international human rights observers who accompanied them on their return.

The refugees are presently in a temporary encampment in Veracruz, El Quiché department, waiting to move to their final destination. However, they are not able at present to move to their former lands in the Ixcán Grande Cooperative (despite the fact that they hold lawful title to the land) because a military garrison is currently located in Tercer Pueblo (at the centre of the Ixcán Grande Cooperative). Prior to their return, the government reportedly agreed to remove this military detachment but failed to comply with its promise. President Ramiro de León Carpio reportedly recently stated that the armed forces have the right to remain in the zone as long as the armed conflict continues.

The refugees are not requesting that the military withdraw entirely from the zone, only from their cooperative lands. Some government officials have apparently accused the refugees of being involved with the armed opposition.

Human rights monitors have expressed concern that the army may attack the returnees, especially if they attempt to resettle on their land.

Following the refugees' return, an article in a Guatemalan newspaper reportedly criticised international observers as bringing with them values foreign to Mayan culture, such as the use of drugs. Subsequently, on 14 December 1993 President de León Carpio reportedly stated that he had ordered an investigation to determine the role of the foreigners. International human rights groups are now concerned that the government may put a stop to foreigners accompanying refugees and monitoring human rights, or that the human rights observers may now themselves be in danger.

BACKGROUND INFORMATION

Tens of thousands of Guatemalans, many of them indigenous peasants, fled Guatemala in the late 1970s and early 1980s, escaping the Guatemalan army's scorched earth counter-insurgency campaign which claimed many thousands of non-combatant victims. Many of the refugees fled to Mexico.

The first return of Guatemalan refugees from Mexico was in January 1993 when some 2,800 returned. By June 1993 over 3,600 had reportedly returned. It has been estimated that there may be as many as 95,000 refugees in Mexico, 80% of which may want to return.

In February 1993 the army launched a new offensive in the Ixcán area of El Quiché, including aerial bombardments, artillery attacks and the presence of thousands of troops. According to reports, on 2 April the army increased the bombings, affecting mainly Los Angeles, Cuarto Pueblo, Mayaland and Pueblo Nuevo. This apparently provoked the flight of hundreds of returned refugees - about 700 of them fled again to Mexico and others went into hiding in the jungle. Hundreds of houses and crops have reportedly been destroyed and farm animals stolen.

On 25 February 1993 Carlos Ranferi Gómez, Deputy Secretary of the Quetzaltenango Workers' Union (UTQ), was attacked by armed men while travelling from Guatemala City to Quetzaltenango. They took his video camera, audio and photographic materials from a recent visit to the *Comunidades de Población en Resistencia* (CPR), Communities of people in Resistance, and the resettlements in Ixcán for refugees recently returned from Mexico. They then shot him and ran away.

On 27 August 1993 Joaquín Jiménez Bautista, a coordinator of the *Asociación de Refugiados Dispersos de Guatemala* (ARDIGUA), Association of Dispersed Refugees of Guatemala, who had returned to Guatemala from Mexico, was detained by members of a civil defence patrol. While held in detention by armed men, he was reportedly beaten and kicked until unconscious. He was later released and he returned to Mexico.

As Human Rights Procurator, President De León is well aware of the plight of the returning refugees since he was a member of the *Instancia Mediadora and Verificadora*. This was a mediating and verifying commission set up to verify compliance with the agreements reached for a collective and organised return, which was established on 8 October 1992 and headed by Bishop Jorge Mario Avila. On 12 July 93 President De León ratified accords guaranteeing the refugees a safe, collective and organised return.

RECOMMENDED ACTION: Please send telegrams/telexes/faxes/express and airmail letters either in Spanish or English or in your own language:

- expressing concern that Guatemalan refugees who have returned from Mexico could be in danger;
- urging that their physical security is guaranteed;
- urging that the physical security of international observers is guaranteed and that they are permitted to continue to accompany the refugees, as agreed in the accords signed by the refugees and the government.

APPEALS TO:

1) President of the Republic:

S.E. Ramiro de León Carpio
 Presidente de la República de Guatemala
 Palacio Nacional, Guatemala, GUATEMALA

Telegrams: Presidente de León Carpio, Guatemala, Guatemala

Faxes: + 502 2 537472, + 502 2 519702

Telexes: 5331 CAPRES GU

Salutation: Excelentísimo Sr. Presidente /Dear President

2) Minister of Interior:

Lic. Arnoldo Ortiz Moscoso
 Ministro de Gobernación, Ministerio de Gobernación
 Despacho Ministerial, Of. No. 8
 Palacio Nacional, Guatemala, GUATEMALA

Telegrams: Ministro de Gobernación, Guatemala, Guatemala

Faxes: + 502 2 518105

Telexes: 5085 MINGOB

Salutation: Sr. Ministro / Dear Minister

3) Minister of Defence:

Gral. Mario Enríquez Morales
 Ministro de Defensa, Ministerio de Defensa
 Palacio Nacional, Guatemala, GUATEMALA

Telegrams: Ministro de Defensa, Guatemala, Guatemala

Faxes: + 502 2 537472

Telexes: 5361 COMGUA GU

Salutation: Sr. Ministro / Dear Minister

COPIES OF YOUR APPEALS TO:

Human Rights Procurator

Lic. Jorge García Laguardia

Procurador de los Derechos Humanos, 12 Avenida 12-72

Zona 1, Guatemala, GUATEMALA

Human Rights Group

Centro para la Acción Legal en

Derechos Humanos (CALDH)

6a Avenida 3-23, Zona 1, Oficina 204, 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 2nd February 1994.