

PUBLIC

AI Index: AMR 34/003/2005

07 January 2005

UA 05/05 Fear for safety/death threats

GUATEMALA Armando Sánchez (m), lawyer

Lawyer Armando Sánchez has received a death threat, in what appears to be an effort to force him to stop representing clients in one of several cases he has taken up, some of which involve local government officials and drug traffickers. Amnesty International believes he is in grave danger.

On 23 December an anonymous caller to Armando Sánchez's mobile phone told him he would be killed if he did not leave the country within five days. He reported the death threat and was given 24-hour police protection. At 2am on 26 December, three men came to the area where he lives, knocked on a neighbour's door and asked where Armando Sánchez's house was. They did not approach the house, as there were two police officers outside.

This 24-hour police protection lasted for approximately a week, and has since been reduced to three hours per night, approximately 9-12pm. However, the police failed to provide protection on the night of 6 January, despite agreeing to do so.

Armando Sánchez has been representing people involved in several cases which could have given rise to the death threat he has received. They include a local human rights organisation, which has accused local government officials of complicity in helping a murder suspect escape; a woman whose husband was allegedly murdered by drug traffickers; and labour disputes between farmers and their employers. These include illegal dismissals, failure to pay the minimum wage or labour entitlements, overdue payment of wages and evictions of peasant farmers from two local farms.

In August 2004 he filed a complaint against local police, alleging they had unlawfully closed a right-of-way in the town where he lives and works, Coatepeque, in the department of Quetzaltenango, in the east of the country. After he filed the complaint the local prosecutor charged him with coercion and *incitacion a delinquir* (incitement to commit an offence). Amnesty International considers the charges to be unfounded, and an attempt to prevent him carrying out his work.

BACKGROUND INFORMATION

Lawyers representing people who allege official corruption, or pursue claims against drug trafficking, or defend peasant farmers involved in labour disputes, have been systematically intimidated in an attempt to make them give up their work.

During 2004 two lawyers, a magistrate and a judge were killed in Guatemala in what appeared to be an effort to stop them carrying out their work. Numerous other lawyers and witnesses have received death threats because of their involvement in trials or complaints implicating government officials in corruption or other criminal charges. Congress member Nineth Montenegro received a death threat in November 2004, apparently linked to her work investigating corruption among high-ranking military officers (see UA 326/04, AMR 34/021/2004, 30 November 2004). Spurious criminal charges have also been levied against lawyers who represent rural workers in labour disputes with their employers, in an apparent attempt to prevent them from carrying out their work.

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

- expressing grave concern at the increasing difficulties for lawyers and other members of the legal profession, like Armando Sánchez, to carry out their legitimate work due to threats and harassment;
- calling on the authorities to resume 24-hour police protection for Armando Sánchez;
- calling for a prompt, impartial and exhaustive investigation into the death threat received by Armando Sánchez on 23 December, with the results made public and those responsible brought to justice;
- urging the authorities to take steps to ensure that lawyers and other members of the legal profession, like Armando Sánchez, are able to carry out their legitimate work without fear of harassment;

APPEALS TO:

Minister of the Interior

Ministro de Gobernación

Carlos Vielman

6a.Avenida 4-64, zona 4, nivel 3.Ciudad de Guatemala. GUATEMALA

Fax: +502 2362-02 37

Email: ministro@mingob.gob.gt

Salutation: Señor Ministro/ Dear Minister

National Civilian Police

Oficial Segundo Norberto Revolorio Hernandez, Jefe de Estacion PNC Coatepeque

2da Calle, 3av, Zona 3, Coatepeque, Quetzaltenango, Guatemala

Fax: +502 775 1370

Salutation: Estimado Señor Oficial Segundo/Dear Second Officer

COPIES TO:

District Attorney

Lic. Rodolfo Hernandez, Fiscal Distrital del Ministerio Público,

6ª Calle 5-65, Zona 2, Barrio El Rosario, Coatepeque, Quetzaltenango, Guatemala.

Fax: + 502 775 1645

Salutation: Estimado Fiscal Distrital/Dear District Attorney

Newspaper

Diario Prensa Libre

13 Calle 9-31, Zona I

Ciudad de Guatemala 01001

GUATEMALA

Fax: +502 2251 8768

Armando Sánchez's legal office

Lic. Armando Sanchez

5 calle 1-01

Local 5, zona 2

Barrio Rosario, Coatepeque, Guatemala

Fax: +502 7775 1106

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 18 February 2005.