

EXTERNAL (for general distribution)

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UA 20/93 Death Threats

28 January 1993

GUATEMALA: Juan Carlos MARROQUÍN TEJEDA, aged 21
 José Arnoldo TEJEDA, aged 20

Amnesty International is concerned at acts of intimidation against Juan Carlos Marroquín Tejeda and José Arnoldo Tejeda. The two men were witnesses to the killing of well-known anthropologist Myrna Mack Chang, who was extrajudicially executed on 11 September 1990 in Guatemala City. Both men also received written death threats at their homes, warning them not to testify in court.

In November 1992, Juan Carlos Marroquín Tejeda came forward as a witness during a reconstruction of the killing of Myrna Mack Chang. He told how he and his cousin José Tejeda had seen the killing of Myrna Mack Chang at 7.00 pm as they were walking along a street in Guatemala City.

The court called José Tejeda to give evidence on 25 January 1993. On 22 January 1993 the press had published the fact that both men were due to appear in court to give evidence. On the night of 23 January 1993 shots were fired at the home of Juan Carlos Marroquín and at a vehicle parked outside his home. Several days earlier shots had been fired at the same vehicle outside his home. On the night of 24 January 1993, Juan Carlos Marroquín received an anonymous note, delivered to his home which said "*sabemos que serás llamado a declarar...solo queremos advertirte que no te vayas a vender porque al hacerlo estas vendiendo tu vida...la mara Jackson te controlará de vos depende que tu raza se mantenga unida y viva...*" "*la mara Jackson*" ("we know that you will be called to testify...we wish to warn you not to go and sell out because to do so would be to sell your life away...the Jackson gang are watching you, it is up to you whether your people remain alive and together... "the Jackson gang").

José Arnoldo Tejeda received the same death threat on 24 January 1993 at his home, warning him not to testify the next day. His family were surprised that the note was delivered to their home because his address was not known to anyone, including the court. As a result of the death threats José Arnoldo Tejeda did not attend court on 25 January 1993 to give evidence.

BACKGROUND INFORMATION

On 11 September 1990, Myrna Mack Chang (female), an anthropologist and sociologist was stabbed to death by two men in Guatemala City, reportedly by members of the security forces, (See Guatemala: Killing of Myrna Elizabeth Mack Chang, AI Index: AMR 34/55/90 of September 1990). On 5 August 1991 José Miguel Mérida Escobar, the head of the Homicide Section in the Department of Criminal Investigation (*Departamento de Investigaciones Criminológicas*) (DIC), of the Guatemalan National Police was killed in circumstances suggesting official security force involvement. José Mérida had been responsible for the investigation into the killing of Myrna Mack Chang. He was the author of the police report in which it was stated that the reasons for her killing were political. In his report he accused Noel de Jesús Beteta Alvarez, an army sergeant, of being one of the two men responsible for the killing of Myrna Mack Chang. Noel de Jesús Beteta was at the time of Myrna Mack Chang's killing working with the Presidential Chief of Staff. Noel de Jesús Beteta Alvarez appeared in court on 4 December 1991, and was charged with the murder of Myrna Mack Chang. Two of his immediate superiors have been cited by the accusing party as the intellectual authors of the killing and their cases will be included in the sentence. Both men are active members of the armed forces, working

with military intelligence. Since the trial proceedings began many of those associated with the case have been threatened and harassed (see UA 11/92, AMR 34/03/92, 8 January 1992).

The court case against Noel de Jesús Beteta Alvarez has reached the final stages and the sentence is due to be handed down towards the end of February. The court is currently assessing all the evidence, which should be completed by mid-February.

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

- expressing concern at the threats and harassment of Juan Carlos Marroquín Tejeda and his cousin José Tejeda;
- asking for a full investigation into the threats made against them and that those found to be responsible be brought to justice;
- asking for full guarantees for the safety of both men;
- expressing concern at continuing obstacles in the investigations into the killing of Myrna Mack and urge that steps be taken to ensure that witnesses, those conducting the investigation, judicial officials and their families be protected from threats or any other forms of intimidation.

APPEALS TO

1) President of the Republic:

S.E. Jorge Serrano Elías
Presidente de la República de Guatemala
Palacio Nacional, Guatemala, Guatemala

Telegrams: Presidente Serrano, Guatemala, Guatemala

Telephone: + 502 2 21212 / + 502 2 22266

Faxes: + 502 2 537472 / + 502 2 519702

Telexes: 5331 CAPRES GU

Salutation: Excelentísimo Sr. Presidente / Dear President

2) Minister of the Interior:

Lic. Francisco Perdomo
Ministro de Gobernación
Despacho Ministerial
Oficina No. 8, Primer Nivel
Palacio Nacional, Guatemala, Guatemala

Telegrams: Ministro Gobernación, Guatemala, Guatemala

Telephone: + 502 2 21212, ext 500 / + 502 2 518105-6 (direct)

Faxes: + 502 2 518105

Telexes: 5085 MINGOB GU

Salutation: Señor Ministro / Dear Minister

3) Minister of Defence:

Gral. José García Samayoa
Jefe del Estado Mayor de Defensa Nacional
Ministerio de Defensa
Palacio Nacional, Guatemala, Guatemala

Telegrams: Ministro Defensa, Guatemala, Guatemala

Telephone: + 502 2 21212, ext 2226

Telexes: 5361 COMGUA GU

Salutation: Señor Ministro / Dear Minister

4) Interim Attorney General:

Lic. Edgar Tuna Valladares
Procurador General de la Nación
Procuraduría General de la Nación
18 Calle 10-36, Zona 1, Guatemala
Guatemala

Telegrams: Procurador General, Guatemala, Guatemala

Tel No: + 502 2 64697 / + 502 2 313656 / + 502 2 518385

Salutation: Señor Procurador General / Dear Attorney General

COPIES OF YOUR APPEALS TO

President of the Supreme Court:

Lic. Juan José Rodil Peralta
Presidente de la Corte
Suprema de Justicia
Centro Cívico, 21a Calle y 7a Avenida
Guatemala, GUATEMALA

Newspaper:

Diario Siglo XXI

7a Avenida 11-79
Edificio Galerías España, 6o piso
Zona 9, Guatemala, Guatemala

Human Rights Procurator:

Lic. Ramiro de León Carpio
Procurador de Derechos Humanos
Avenida Simeón Cañas 10-61
Zona 2,
Guatemala, Guatemala

Human Rights Organization:

Oficina de Derechos Humanos
Arzobispado de Guatemala
Apartado Postal 723
Guatemala, Guatemala

and to diplomatic representatives of Guatemala in your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat,
or your section office, if sending appeals after 11 March 1993.