

EXTERNAL (for general distribution)

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Fear of Extrajudicial Execution

8 January 1992

GUATEMALA

Ernesto Rolando CORZANTES CRUZ, court official
José LÓPEZ MENDOZA, member of the Procurator's office
Silvino VELÁSQUEZ, journalist
Leonel GUTIÉRREZ, journalist

Amnesty International has learned of threats and harassment against a court official and a member of the procurator's office involved in the judicial investigation into the killing of well-known anthropologist Myrna Mack Chang, who was extrajudicially executed on 11 September 1990 in Guatemala City (See Guatemala: Killing of Myrna Elizabeth Mack Chang, AI Index: AMR 34/55/90 of September 1990). An ex-sergeant belonging to the Guatemalan armed forces, Noel de Jesús Beteta Alvarez, appeared in court on 4 December 1991, accused of the murder of Myrna Mack. Two journalists involved in reporting on the judicial investigation have also been threatened. Amnesty International is seriously concerned for the safety of those threatened and believes the threats are being used to intimidate those involved in the judicial investigation into the killing.

José López Mendoza, the head of the section of the Procurator's office of the Public Ministry (Fiscalía del Ministerio Público), responsible for bringing evidence in the case of Myrna Mack before the court, received anonymous telephone calls to his home and to his office only days after he participated in the reconstruction of the killing of Myrna Mack on 16 December 1991. The evidence gathered in this reconstruction will be presented to the court. The caller, who did not identify himself, said "Tené cuidado en el asunto de Beteta, no te metás a fondo o atene a las consecuencias" ("Be careful on the matter of Beteta, do not dig too deep or you will suffer the consequences").

Two journalists, Silvino Velásquez from the Guatemalan daily newspaper Prensa Libre and Leonel Gutiérrez who writes for the Guatemalan daily newspaper Siglo XXI, began receiving anonymous telephone calls on 16 December, telling them to stop reporting on the case of the killing of Myrna Mack. Both journalists have been covering the killing of Myrna Mack since her killing on 11 September 1990.

Ernesto Rolando Corzantes Cruz, an official of the Juzgado 4° de Primera Instancia Penal de Instrucción (4th Criminal Court of Investigation of First Instance) who has been handling the case against Noel de Jesús Beteta Alvarez, a former army sergeant who worked for the Estado Mayor Presidencial (Presidential Chief of Staff), has received threats and has been under surveillance since 31 December 1991. On 31 December he reported being threatened by a man he recognized as a member of the Presidential Chief of Staff while on the street in Zone 1 of Guatemala City. On the same day at approximately 8.00 pm he received an anonymous telephone call to his home telling him "Cuidate que te vamos a matar" (Be careful, we are going to kill you). On 5 January he saw a motorist watching his home and on 6 January he observed a van with polarized windows stationed outside his home.

BACKGROUND

On 11 September 1990, Myrna Mack Chang an anthropologist and sociologist was stabbed to

death by two men in Guatemala City, in circumstances suggesting security force involvement.

On 5 August 1991 José Miguel Mérida Escobar, the head of the Homicide Section in the Departamento de Investigaciones Criminológicas (DIC), Department of Criminal Investigation, of the Guatemalan National Police, and responsible for the investigation into the killing of Myrna Mack was killed, also in circumstances suggesting official security force involvement. José Mérida Escobar 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 of being one of the two men responsible for the killing of Myrna Mack. At the time of Myrna Mack's killing Noel de Jesús Beteta Alvarez was working with the Presidential Chief of Staff. The killing of José Mérida Escobar followed shortly after he accused high-ranking military

officers of having participated in the killing of Myrna Mack. He had received anonymous threats to his life shortly before he was killed. (See UA 271/91, AMR 34/35/91 of 8 August 1991). An arrest was subsequently made in connection with his killing and judicial proceedings have been initiated against the accused.

President Jorge Serrano Elías came to power in January 1991. During his presidential campaign he had pledged to ensure protection of human rights. However, Amnesty International remains seriously concerned at what appears to be a deterioration in the human rights situation in the country in past months, including an increased number of killings, death threats, torture and "disappearances". As in past years, the choice of victim and the manner in which the abuses have been carried out suggest the involvement of members of the official security forces.

RECOMMENDED ACTION: Telegrams/telexes/faxes/telephone calls/express and airmail letters:

- expressing concern at the threats received by Ernesto Rolando Corzantes Cruz, José López Mendoza, Silvino Velásquez, Leonel Gutiérrez;
- asking that immediate and adequate measures to protect their lives;
- asking for a full investigation into the threats made against them and that those found to be responsible be brought to justice.

APPEALS TO:

1) President:

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

**Telegrams: Presidente Serrano, Guatemala,
Guatemala**

Telexes: 5331 CAPRES GU

Faxes: + 502 2 537472; + 502 2 519702

Tel No: + 502 2 21212, + 502 2 22266

**Tel No: + 502 2 21212, ext 500;
518105-6**

Salutation: Señor Ministro / Dear Minister

**Salutation: Excelentísimo Sr. Presidente /
Dear President**

2) Minister of the Interior:

Lic. Fernando Hurtado Prem
Ministro de Gobernación
Despacho Ministerial
Oficina No. 8, Primer Nivel
Palacio Nacional, Guatemala, Guatemala

**Telegrams: Ministro Gobernación,
Guatemala, Guatemala**

Telexes: 5085 MINGOB GU

Faxes: + 502 2 518105

3) Minister of Defence:

José García Samayoa
Jefe del Estado Mayor de Defensa Nacional
Ministerio de Defensa
Palacio Nacional, Guatemala, Guatemala
**Telegrams: Ministro Defensa, Guatemala,
Guatemala**
Telexes: 5361 COMGUA GU
Faxes: + 502 2 537472
Tel No: + 502 2 21212, ext 2226

Salutation: Señor Ministro / Dear Minister

4) Attorney General:

Señor Acisclo 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
or + 502 2 518385**

**Salutation: Señor Procurador General /
Dear Attorney General**

COPIES TO: TWO OR MORE OF THE FOLLOWING:

President of the Supreme Court:

Dr. Edmundo Vásquez Martínez
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 Galerias España, 6o piso
Zona 9, Guatemala, Guatemala

Newspaper:

Diario Prensa Libre
13 Calle 9-31, 50 Nivel
Edificio Prensa Libre
Zona 1, 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 19 February 1992.