

UA 19/00

Fear for**GUATEMALA Arturo Recinos, lawyer****Mario A. Menchú Francisco, lawyer****Luis A. Vázquez Menendez, lawyer****Luis R. Romero Rivera, lawyer****Carlos N. Palencia Salazar, lawyer.**

Amnesty International is concerned for the safety of the five lawyers named above, who have reportedly received anonymous death threats for defending members of a kidnapping gang who have been sentenced to death.

Two of the gang recently escaped from prison, and sources suggest that this spurred death penalty advocates to threaten the men's lawyers, whom they see as protecting people who deserve to die. The death penalty has widespread public support in Guatemala.

Arturo Recinos, who had lodged an appeal on behalf of one of the condemned men, apparently received anonymous telephone death threats for several weeks. He was so afraid for his life that he resigned as defence counsel for his client.

After this the other four lawyers, who were appealing on behalf of other members of the gang who had been sentenced to death, also started receiving threatening phone calls, and were followed by cars. They have also been forced to resign, in fear for their lives.

Two of the lawyers, Mario A. Menchú Francisco and Arturo Recinos, have already denounced the threats and intimidation to the authorities, but they have received no response. They report that the threats and intimidation have increased in recent days.

BACKGROUND INFORMATION

Five members of the *Los Pasaco* gang were sentenced to death in March 1998, convicted of kidnapping four people in April 1996.

Three more members of the gang were sentenced to death in September 1998, convicted of the kidnapping and also the January 1997 murder of businesswoman Isabel Bonifasi de Botrán.

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

- expressing concern at the threats directed at the lawyers Arturo Recinos, Mario A. Menchú Francisco, Luis A. Vázquez Menendez, Luis Romero Rivera and Carlos N. Palencia Salazar, and urging the authorities to take all necessary steps to guarantee their safety;
- urging the authorities to investigate these threats and bring those responsible to justice;
- urging the authorities to ensure that lawyers defending people sentenced to death can freely and openly perform their legitimate duties in accordance with the 1990 United Nations Basic Principles on the Role of Lawyers, in particular principle 16, which states: "Governments shall ensure that lawyers...are able to perform all of their professional functions without intimidation, hindrance, harassment or improper interference; ...and shall not suffer, or be threatened with, prosecution or administrative, economic

or other sanctions for any action taken in accordance with recognised professional duties, standards and ethics."

- reiterating Amnesty International's opposition to the death penalty in all cases, as the ultimate cruel, inhuman and degrading treatment and a violation of the right to life as proclaimed in the Universal Declaration of Human Rights and urging that any future death sentences be commuted.

APPEALS TO:

President

Lic. Alfonso Portillo Cabrera, Presidente de la República de Guatemala
Palacio Nacional, 6ª Calle, entre 6ª y 7ª Avenida, Zona 1
Ciudad de Guatemala, GUATEMALA

Telegrams: Presidente, Guatemala, Guatemala

Fax: + 502 221 4425

Salutation: Excelentísimo Sr. Presidente/ Your Excellency

Attorney General

Lic. Adolfo González Rodas, Fiscal General de la República
Ministerio Público, 6a Avenida 3-11, Zona 4
Ciudad de Guatemala, GUATEMALA

Telegrams: Fiscal General, Guatemala, Guatemala

Fax: + 502 362 7223/331 5549

Salutation: Señor Fiscal/ Dear Attorney General

Human Rights Procurator

Lic. Julio Eduardo Arango Escobar, Procurador de Derechos Humanos
Procuraduría de los Derechos Humanos, 12 Avenida 12-72, Zona 1
01001, Ciudad de Guatemala, GUATEMALA

Telegrams: Procurador de Derechos Humanos, Guatemala, Guatemala

Fax: + 502 253 5712/238 1734/251 7769

Salutation: Señor Procurador/ Dear Human Rights Procurator

COPIES TO:

Human rights organisation

Centro para la Acción Legal en Derechos Humanos (CALDH)
9ª Av. 2-59, Zona 1
Ciudad de Guatemala, GUATEMALA

Fax: + 502 221 1323/1268/1286 / 232 3821

Newspaper

Diario "Prensa Libre"
13 Calle 9-31, Zona 1,
Guatemala, GUATEMALA

Tel/Fax: + 502 230 1384

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 7 March 2000.