

PUBLIC

AI Index: AMR 34/007/2004

20 April 2004

UA 151/04 Fear for safety/death threats

GUATEMALA	María Isabel Escobar Donis (f)]
	Ana Morales (f)] Staff of the NGO <i>Donde están los niños y</i>
	María Teresa Soto (f)] <i>las niñas?</i>
	Manuel Cedillo Cedillo (m)]
	Diego Sunuc (m)]

Staff at the office of the non-governmental organisation *Donde están los niños y las niñas?* (Where are the children?) have reportedly been threatened and assaulted in a pattern of escalating violence apparently intended to prevent the organisation from continuing its work. It is investigating the circumstances in which children were adopted after they were separated from their parents during Guatemala's civil war, a very sensitive issue in which senior military officers are implicated. Amnesty International is concerned that their lives are in danger, as 18 other human rights defenders have been killed between 2000 and 2003.

In the most recent incident, the organisation's office was burgled over the Easter holiday (8-12 April). Together with computers and other equipment, case-files containing sensitive information about the involvement of military officials in human rights violations were stolen. The files were of no financial value, suggesting that this was not a simple burglary for money. The organisation has moved offices several times in the past year in the face of harassment and threats, but the intimidation of its staff and the attacks on its premises have continued.

In mid-March, María Isabel Escobar Donis was seized by three armed men a few blocks away from the organisation's offices. They demanded her keys at gunpoint, and took the organisation's car and all its contents. This was clearly intended as an attack on the organisation itself, rather than a simple car theft.

In 2003, two staff members were assaulted as they returned from an investigation, and their bags containing tape recordings and other case information were stolen. A man followed another of the staff on foot for several kilometres from the organisation's office as he went to investigate a case, and only gave up when he sought help at another NGO's offices.

BACKGROUND INFORMATION

Dónde están los niños y las niñas? works on cases of children who "disappeared" or were "adopted" during Guatemala's 30-year civil war, which ended in 1996 following the UN-brokered Peace Accords. It has recently been involved in high-profile and sensitive cases dating from 1981, when many children were adopted abroad in unclear circumstances.

The organisation has been forced to move office four times for security reasons. In January this year, they were involved in the exhumation of a young boy's remains from the former house of a military commander in Alta Verapaz. Those who alerted the organisation to the presence of the boy's remains suffered grave abuses shortly after the exhumation.

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

- expressing concern for the safety of all staff at *Dónde están los niños y las niñas?*;
- urging the authorities to carry out an immediate, impartial and exhaustive investigation into reports of violence, theft and intimidation directed at staff of the organisation, to make the results public and to bring those responsible to justice;
- reminding the authorities that the UN Declaration on the Rights and Responsibilities of Individuals, Groups and Institutions to Promote and Protect Universally Recognised Human Rights and Fundamental Liberties

recognizes the legitimacy of the activities of human rights defenders and their right to defend human rights without any restrictions or fear of reprisals.

President of the Republic of Guatemala

Licenciado Oscar Berger Perdomo

Presidente de la República de Guatemala

Casa Presidencial, 6 a. Avenida, 4-18 zona 1. Ciudad de Guatemala, GUATEMALA

Telegrams: Óscar Berger, Presidente de la República, Ciudad de Guatemala, Guatemala

Fax: +502 238 3579/239 0090

Salutation: Excelentísimo Sr. Presidente/Dear President

Attorney General

Sr. Juan Luís Florido

Fiscalía General del Ministerio Público

8a. Avenida 10-67, Zona 1,

Ciudad de Guatemala, GUATEMALA

Telegrams: Juan Luís Florido, Fiscal General de la República, Ciudad de Guatemala, Guatemala

Fax: + 502 221 2718

Salutation: Estimado Fiscal General/Dear Attorney General

COPIES TO:

Non-governmental organisation

Dónde están los niños y las niñas?

Kilómetro 28.5

Condominio Vistas de San Lucas 3

Casa Número 5

San Lucas Zacapetec

Tel. + 502 399 0536

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 1 June 2004.