

PUBLIC

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Fear for Safety/Intimidation

25 May 2004

GUATEMALA Héctor Ramírez Rubio (m), aged 25, journalist
David Hernández Rubio (m), aged 18
Roxana Marubbeny Gubien Morales (f)
Other family members

Amnesty International is deeply concerned for the safety of those named above and other family members, who have reportedly been attacked and intimidated in an attempt to prevent an investigation into the death of their family member, Héctor Ramírez.

At 12pm on 17 May, two armed men on motorcycles went to the home of journalist Héctor Ramírez Rubio. They asked his two step-sisters questions about where Héctor Ramírez Rubio was and when he would be home in an intimidating manner. The step-sisters responded by saying they would call the police and closed the door as one of the men attempted to enter the house. At the same time this was happening, a black car with tinted windows was seen on the corner of the street. Approximately 12 minutes after this incident eight unidentified men tried to find Héctor Ramírez Rubio at his wife's property in a different area of the city. The men were reportedly armed as they asked the tenants of the house where and when they could find him.

On the same day, Héctor Ramírez Rubio's step-sister was reportedly followed while in her car by two motorcyclists and a white car. They followed her for about 15 minutes until she found refuge in a commercial centre, where a police patrol helped her. On 18 May at 3 pm, Héctor Ramírez Rubio's wife Roxana Marubbeny Gubien Morales was also allegedly followed while in her car by a pick-up truck for about 25 minutes.

On the night of 19 May, David Hernández Rubio was reportedly attacked by two unidentified men near his home. As he passed a telephone booth, he heard a voice say: "Éste es", "It's him". He was then punched and kicked, before he fled the scene while his attackers said to him "mejor ándate corriendo, porque si te alcanzamos, te matamos", "you better run because if we catch you we'll kill you". Following the attacks Héctor Ramírez Rubio and David Hernández Rubio have requested precautionary measures from the Inter-American Human Rights Commission.

Héctor Ramírez Rubio and David Hernández Rubio are the sons of Héctor Ramírez, the journalist known as "Reportero X", "X journalist". He died during political violence in what is now known as "Black Thursday" and "Friday of Mourning", which occurred on 24 and 25 July 2003. His death is now being investigated as a result of a suit filed by his sons against General Efraín Ríos Montt and other members of the former Government of Alfonso Portillo. Intimidation and threats against the family began four days after the Tenth Court of Appeals upheld the sentence of house arrest by the Fifth penal court against General Efraín Ríos Montt and six others for their role in the death of Héctor Ramírez.

BACKGROUND INFORMATION

On 24 and 25 July 2003, what became to be known as "Black Thursday" and "Friday of Mourning", the presidential campaign in Guatemala City was rocked by political violence. As many as 5,000 supporters of General Efraín Ríos Montt rampaged through the capital, supposedly protesting at the court's decision to uphold a Constitutional ban on coup participants, such as General Efraín Ríos Montt, from running for presidential office. Many arrived on buses allegedly provided by the then ruling *Frente Republicano Guatemalteco (FRG)*, Guatemalan Republican Front party, of which the General is a founding member. The protestors were allegedly given food, weapons and instructions by masked men, some of whom were recognized as FRG leaders. Under their direction, the mob committed acts of vandalism and violence, targeting noted opponents of the FRG, including judges who had ruled against the General's candidacy,

opponents in the business and diplomatic communities, and journalists. Héctor Ramírez, known as "Reportero X", "X journalist", died after fleeing the mob and former Head of State, General Ríos Montt and former President Alfonso Portillo have been implicated in his death (See UA 252/03, AMR 34/050/2003, 22 August 2003 and follow up).

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

- calling on the authorities to guarantee the safety, in accordance with their wishes, of Héctor Ramírez Rubio, David Hernández Rubio, Roxana Marubbeny Gubien Morales and other family members following threats and attacks upon them;
- urging the authorities to carry out an immediate, exhaustive and impartial investigation into reports of attacks and intimidation against Héctor Ramírez Rubio, David Hernández Rubio, Roxana Marubbeny Gubien Morales and other family members, to make the results public and bring those responsible to justice;
- calling for the investigation into the death of Héctor Ramírez to be exhaustive and impartial and for those to found responsible for his death to be brought to justice;
- urging the Government to ensure the creation of the *Comisión para la Investigación de Cuerpos Ilegales y Aparatos Clandestinos de Seguridad* (CICIACS), Commission for the Investigation of Illegal Bodies and Clandestine Security Apparatus, which is to investigate human rights abuses allegedly committed by illegal armed groups and clandestine security apparatus and to take immediate steps to dismantle such groups and prosecute those involved.

APPEALS TO:

President

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: Presidente de la República, Ciudad de Guatemala, Guatemala

Fax: +502 221 4423

Salutation: Excelentísimo Sr. Presidente/Dear President

Minister of the Interior

Licenciado Manuel Arturo Soto Aguirre

Ministro de Gobernación

6a.Avenida 4-64, zona 4, nivel 3.

Ciudad de Guatemala, Guatemala

Telegrams: Manuel Arturo Soto, Ministro de Gobernación, Ciudad de Guatemala, Guatemala

Fax: +502 362-0239/37

Email: gobernación@mingob.gob.gt

Salutation: Señor Ministro/ Dear Minister

Attorney General

Sr. Luis Alfonso Rosales Marroquín

Procurador General de la Nación

Procuraduría General de la Nación

15 Avenida 9-69, Zona 13

Ciudad de Guatemala, Guatemala

Telegrams: Procurador General de la Nación, Ciudad de Guatemala, Guatemala

Fax: +502 248 3228

Salutation: Señor Procurador/Dear Sir

COPIES TO:

Human Rights Procurator

Dr. Sergio Fernando Morales Alvarado

Procurador de los Derechos Humanos

Procuraduría de los Derechos Humanos (PDH)

12 Avenida 12-72, zona 1,

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Salutation: Señor Procurador/ Dear Sir

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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 6 June 2004.