

EXTERNAL (for general distribution)

AI Index: AMR 34/12/91  
Distr: UA/SC

27 March 1991

Further information on UA 294/90 (AMR 34/43/90, 10 July 1990, and follow-up AMR 34/45/90, 26 July 1990) - Beatings and threats against street children

**GUATEMALA: Two street children**

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Amnesty International has learned with great interest that four Guatemalan policemen were recently sentenced to prison terms of between 10 and 15 years for the murder on 4 March 1990 of 13-year-old street child Nahamán Carmona López. This is the first known sentencing of official security force agents for human rights-related offences since the new government of President Jorge Serrano Elías came to office.

According to the information we have received, in passing sentence, the judge specifically added 25 percent to each sentence, on the grounds that the fatal attack had been carried out by state agents in an official capacity.

#### **BACKGROUND INFORMATION**

The Guatemalan government changed hands on 14 January 1991, after elections in November 1990 and run-offs in January 1991. The newly elected president, Jorge Serrano Elías in his inaugural speech promised to "*cumplir y hacer que se cumpla la ley sin discriminaciones*" ("comply with and see that the rule of law is complied with, without prejudice") and stated that "*quien viole la ley será castigado, sin importar su jerarquía, su fuero o el monto de su riqueza*" ("those who break the law will be sanctioned irrespective of their position, rank or wealth")

In the only other known convictions of official security agents for human rights abuses in recent years, the six policemen convicted for the 1987 kidnapping of two Quetzaltenango agronomy students who were later found dead with signs of torture, were released on appeal in July 1990. This was despite strong evidence, including forensic tests carried out with the assistance of United States Federal Bureau of Investigations (FBI), which linked the six policemen to the murders.

#### **FURTHER RECOMMENDED ACTION: Telephone calls/telexes/faxes/express and airmail letters:**

- noting the recent convictions of four policemen for the murder of Nahamán Carmona López;
- welcoming the explicit acknowledgement by the judge that the policemen had not been acting merely as individuals when they killed the boy, but had abused the authority vested in them as police officers;
- expressing your hope that these convictions signal the determination of the new government not to tolerate any further human rights abuses, no matter who the perpetrators, and that they represent merely a first step in a concentrated program of government action intended to return Guatemala to the rule of law.

**APPEALS TO:**

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**COPIES TO:**

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 Juez Primero de Primera Instancia Penal de Sentencia  
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and to diplomatic representatives of Guatemala in your country.

**PLEASE SEND APPEALS IMMEDIATELY.** After these appeals, no further action will be required. Thank you to all who participated in this action.