

PUBLIC

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Fear of s

GUATEMALA Carlos Humberto Padilla (m)

Porfirio Sánchez (m)

Elio Hernández (m)

Humberto Orellana Sis (m)

Killed: Abinail Cerna Castañeda (m)

Leonel Haroldo Díaz Valenzuela (m)

Amnesty International is concerned for the safety of Carlos Humberto Padilla, Porfirio Sánchez and Elio Hernández, who were reportedly illegally detained by agents of the *Departamento de Operaciones Antinarcóticas* (DOAN), the department of Anti-Narcotics Operations, on the night of 30 January when they were reportedly tortured. The men, except Humberto Orellana Sis who's whereabouts are unknown, are being held in Los Ocotes prison in Zacapa.

On 29 January, more than 40 agents from DOAN raided the small hamlet of Chocón, Livingston, in the Eastern department of Izabal. They opened fire on the villagers, killing Abinail Cerna Castañeda and Leonel Haroldo Díaz Valenzuela. Humberto Orellana Sis was reportedly kidnapped and has not been seen since the raid.

The agents reportedly surrounded the village for three days and cut off all communication. They also reportedly searched homes for drugs without a judicial order. Carlos Humberto Padilla, Porfirio Sánchez and Elio Hernández were then reportedly taken to the *Juzgado de Paz*, Justice of Peace, in Livingston where they were told to sign a piece of paper saying they knew where drugs were hidden in the village. They refused to do so.

Carlos Humberto Padilla, Porfirio Sánchez and Elio Hernández, who reportedly has a mental disorder, were taken into custody and reportedly tortured on the night of the 30 January by DOAN agents. Humberto Padilla was reportedly beaten for several hours as he was being interrogated about the whereabouts of the drugs. Porfirio Sánchez reportedly collapsed at least nine times, after agents forced a plastic bag impregnated with the insecticide Gamexán on his head, while Elio Hernandez had one of his testicles crushed.

The authorities have stated that Carlos Humberto Padilla, Porfirio Sánchez and Elio Hernández are under investigation in connection with the two civilians killed in the raid, despite the fact that reports suggest DOAN agents were responsible.

According to reports, following the raid, at which the Acting Director of DOAN was present, seventeen DOAN agents are currently being investigated by their organisation. The Acting Director reportedly failed to inform the Ministry of the Interior about the raid, stating that "no me pareció importante" "It didn't seem important to me". The raid only came to light on 8 February, over a week after it took place.

BACKGROUND INFORMATION

DOAN itself is reported to be involved in illegal drug trafficking. There have been reports of efforts by DOAN to eliminate competition or interference with their own operations.

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

- calling on the authorities to ensure the physical integrity of Carlos Humberto Padilla, Porfirio Sánchez and Elio Hernández including access to doctors and lawyers and that they are subject to international fair trials;
- calling on the authorities to clarify the whereabouts of Humberto Orellana Sis;
- calling on the authorities to carry out a full and prompt investigation into the killings of Abinail Cerna Castañeda and Leonel Haroldo Díaz Valenzuela and to ensure that those responsible are brought to justice;
- urging the authorities to carry out an impartial investigation into the illegal raid on the hamlet of Chocón and investigate all DOAN agents who took part in the raid.

APPEALS TO:

President of the Republic of Guatemala

Lic. Alfonso Portillo Cabrera
Presidente de la República de Guatemala
6a. Avenida "A" 4-41, Zona 1,
Ciudad de Guatemala , GUATEMALA

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

Fax: + 502 239 0090 (please keep trying this number)

Email:mensajes@presidenteportillo.gob.gt

Salutation:Dear President/Señor Presidente

Minister of the Interior

Eduardo Arévalo Lacs
Ministro de Gobernación
Ministerio de Gobernación
6ª Avenida 4-64, Zona 4
Ciudad de Guatemala , GUATEMALA

Telegrams:Ministro de Gobernación, Ciudad de Guatemala , Guatemala

Fax:+ 502 362 0239/ 362 0237

Email: monica24@intelnet.net.gt

Salutation: Dear Minister/Señor Ministro

Director General of the National Civil Police

Comisario Luis Arturo Paniagua Galicia
6ª Avenida 13-71, Zona 1
Ciudad de Guatemala, GUATEMALA

Telegrams:Comisario Luis Arturo Paniagua Galicia, Ciudad de Guatemala , Guatemala

Fax: + 502 251 9382

Salutation:Dear Director/Señor Director

COPIES TO:

Human Rights Procurator

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

Telegrams:Procurador de Derechos Humanos, Guatemala

Telefax: + 502 230 0874-76
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Salutation: Señor Procurador

Comisión Presidencial Coordinadora de la Política
del Ejecutivo en Materia de Derechos Humanos

(COPREDEH)

13 calle 15-33, Zona 13
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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 11 April 2002.