
£GUATEMALA

@Apparent Extrajudicial Execution of Miguel Calel

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Amnesty International has recently learned of the apparent extrajudicial execution on 19 April 1991 of Miguel Calel, aged approximately 18. Miguel is the son of Marcelina Calel, a member of the Consejo de Comunidades Étnicas "Runujel Junam" (CERJ), Council of Ethnic Communities "Runujel Junam". The victim was from the cantón (hamlet) of Santabal Primero, San Pedro Jocopilas municipality, El Quiché department.

According to relatives, Miguel Calel was leaving his home on the evening of 19 April 1991, when he was shot dead by a group of men, two of them dressed in green, who were waiting for him near his home. His mother, who saw that the men were about to open fire, pleaded with them not to kill her son, but was unable to stop the killing. She was unable to identify the assailants, as it was dark, but believes her son may have been killed by members of the Patrullas de Autodefensa Civil (PAC), Civil Defence Patrols.

In August 1990, Amnesty International initiated a world-wide urgent appeal on behalf of Miguel Calel, after he went missing from his home on the morning of 23 July 1990. Amnesty International was concerned that he may have been abducted and subsequently "disappeared". He was found a few weeks later in the military base in Huehuetenango, after being forcibly recruited into the armed forces for military service, which is compulsory in Guatemala for all adult males under Article 135 of the Constitution, with certain exceptions. In January 1991 Miguel Calel was exonerated from military service, after his mother legally applied for an exemption on the grounds that she is a widow. When he was leaving the base, however, a member of the armed forces told him that since he was no longer collaborating with the armed forces, he must be collaborating with the "guerrillas".

Prior to his forcible recruitment into the armed forces, Miguel Calel had received death threats from the local civil patrol leader, because he refused to carry out civil patrol duty, which under the Guatemalan Constitution is ostensibly voluntary. Following his release from the army, Miguel Calel had again refused to carry out civil patrol duty, which had reportedly angered the leadership of the local civil patrol. Amnesty International is concerned that the killing of Miguel Calel may have been an extrajudicial execution carried out by civil patrollers.

BACKGROUND

CERJ was formed in July 1988 to protect indigenous people's rights. It has been particularly active in protesting at peasants being forced to join the ostensibly voluntary Civil Defence Patrols. Article 34 of the Guatemalan Constitution, which recognizes the right to freedom of association, states that no-one may be forced to serve in self-defence groups. The authorities maintain that the patrols, which have been formed at military behest and operate under military control, are voluntary. However, Amnesty International knows of scores of cases where peasants who have not wished to do patrol service or have tried to withdraw from them, have been labelled "subversives" by the army and subjected to harassment, death threats, "disappearances" and extrajudicial execution. The abuses have been carried out by uniformed soldiers and civil defence patrollers, as well as by men in plain clothes believed to be members of the security forces or acting under their orders.

CERJ has, since its foundation, been the target of a wide range of human rights violations. Since March 1990, at least eight members are known to have been killed in circumstances suggesting official involvement. This figure includes the recent killing of Camilo Ajquí Jiménez on 14 April 1991 in Potrero Viejo, Zacualpa, department of El Quiché. (See Urgent Action 128/81, AI Index: AMR 34/13/91, of 18 April 1991).

President Jorge Serrano Elías took office in Guatemala in January 1991. During his presidential campaign he pledged to ensure the protection of human rights for all Guatemalan citizens. However, Amnesty International is seriously concerned at continuing human rights violations in the country since the new government took office. CERJ members have been particularly targeted under the new government, and since January 1991, three CERJ members and three relatives of CERJ members (including Miguel Calel) have been killed. Many more members have been intimidated and threatened by members of the security forces or those working under their command. (See Urgent Action 161/91, AI Index: AMR 34/16/91 of 9 May 1991.)

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