

PUBLIC

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13 August 2008

UA 223/08 Fear for safety

GUATEMALA **Amilcar de Jesús Pop Ac (m), President of the Mayan Lawyers' Association (*Asociación de Abogados Mayas*)**

Amilcar de Jesús Pop Ac has been threatened with death at gunpoint by masked men, apparently in connection with his work as President of the Mayan Lawyers' Association (*Asociación de Abogados Mayas*). His life is at risk.

On the night of 1 August, as he drove through the capital, Guatemala City, Amilcar Pop was followed by a white pick-up truck without license plates. The pick-up truck accelerated, pulled out in front of Amilcar Pop's car and forced him to make an emergency stop, injuring himself in the process. Two masked men armed with pistols got out of the pick-up truck and tried to force open Amilcar Pop's car doors, shouting "you don't learn" (*vos no aprendés*). The men also shouted "We're going to kill you, you're dead already. It's no trouble for us to put a couple of bullets in you and send you to the next life" (*te vamos a matar, ya estás muerto. No nos cuesta nada darte un poco de balazos y mandarte al otro mundo*). Amilcar Pop managed to accelerate away, and was pursued by the pick-up truck for over 30 minutes. When he believed he was no longer being followed, he went to a local hospital where he sought treatment for the injuries he sustained while stopping his car. Upon entering the hospital, he looked out the window and saw that the white pick-up truck had continued to follow him and had parked behind his car. When he left the hospital in the early morning of 2 August, the pick-up truck had gone.

Threatening phone calls have previously been made to Amilcar Pop's home. In May 2007, his wife answered one of these calls and was told "you're getting yourselves mixed up in stupid things, take care, we're going to kill your husband" (*se están metiendo en babosadas, tengan cuidado, le vamos a matar a su esposo*) Amilcar Pop passed the phone number of the caller to the authorities and made a formal complaint. The Public Prosecutor's Office opened an investigation, but there has been no progress to date.

Amilcar Pop believes this incident is related to his work with Indigenous peoples in the municipality of San Juan Sacatepéquez, close to Guatemala City. In the past few years, the Mayan Lawyers' Association has helped communities in San Juan Sacatepéquez, who are asserting their right to be consulted about the construction of a cement plant in the area. In June, following a killing believed to be related to the dispute over the cement plant, the President of Guatemala ordered a State of Emergency to be declared in the area of San Juan Sacatepéquez.

Following previous threats against them, in November 2007 the members of the Mayan Lawyers' Association and leaders of the community in San Juan Sacatepéquez asked the Inter-American Commission on Human Rights to order the Guatemalan government authorities to ensure their safety.

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

- expressing concern for the safety of Amilcar Pop, for his family and for other members of the Mayan Lawyers' Association;
- urging the President and the Minister of the Interior to ensure that immediate measures are taken to guarantee the safety of Amilcar Pop in strict accordance with his wishes;

- calling for the Attorney General to order an immediate, thorough and swift investigation into this incident, with the results made public and those responsible brought to justice;
- reminding the authorities of the right of human rights defenders to carry out their activities without any restrictions or fear of reprisals, as set out in the United Nations Declaration on the Rights and Responsibilities of Individuals, Groups and Institutions to Promote and Protect Universally Recognised Human Rights and Fundamental Freedoms.

APPEALS TO:

President of Guatemala

Lic. Álvaro Colom

Casa Presidencial, 6ª Avenida, 4-18, Zona 1.

Ciudad de Guatemala, Guatemala

Fax + 502 2221 4423

+ 502 2238 3579

Salutation: Dear President / Estimado Sr. Presidente

Attorney General and Head of the Public Prosecutor's Office

Lic. José Amílcar Velásquez Zárate

Fiscal General de la República y Jefe del Ministerio Público

8ª Avenida 10-67, Zona 1, Antiguo Edificio del Banco de los Trabajadores,

Ciudad de Guatemala, GUATEMALA

Fax: +502 2411 9124/

+502 2411 9326

Salutation: Dear Attorney General / Estimado Sr. Fiscal General

Minister of the Interior

Francisco José Jiménez Irungaray

Ministro de Gobernación

6ª Avenida 13-71, Zona 1,

Ciudad de Guatemala, GUATEMALA

Fax: +502 2413 8658

Salutation: Dear Minister/Estimado Sr. Ministro

COPIES TO:

Mayan Lawyers' Association

Asociación de Abogados Mayas

10 avenida 10-58 zona 1

Ciudad de Guatemala, GUATEMALA

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 24 September 2008.