

UNCOVERING THE TRUTH

THE GUATEMALAN
FORENSIC
ANTHROPOLOGY
FOUNDATION

HUMAN RIGHTS
DEFENDERS

**AMNESTY
INTERNATIONAL**



FOR MORE THAN 15 YEARS, MEMBERS OF THE GUATEMALAN FORENSIC ANTHROPOLOGY FOUNDATION HAVE SOUGHT TO FIND THE TRUTH ABOUT VICTIMS OF HUMAN RIGHTS VIOLATIONS AND HELP RELATIVES FIND JUSTICE FOR THEIR LOVED ONES. THIS PAINSTAKING AND INVALUABLE WORK CONTINUES IN THE SHADOW OF DEATH THREATS, HARASSMENT AND SHOOT-OUTS.

More than 200,000 people were killed or forcibly disappeared in Guatemala during the internal armed conflict (1960-1996). Of those victims who have been identified by the UN-sponsored Historical Clarification Commission, 83 per cent came from Indigenous communities. The over-whelming majority of these violations were carried out by government forces.

The Guatemalan Forensic Anthropology Foundation (Fundación de Antropología Forense de Guatemala, FAFG) was formed in 1992 with the aim of helping to uncover the truth about the numerous massacres and killings carried out during the conflict. The work of FAFG – uncovering mass graves and identifying human remains – has made an invaluable contribution to the pursuit of truth, justice and reparation for the relatives and survivors of the conflict. Their work allows relatives to learn the truth about what happened to their loved ones and to bury them in accordance with their traditions.

Ten years after the adoption of the UN Declaration on **Human Rights Defenders**, they continue to face restrictions on their work, harassment, intimidation and abuse. Yet despite the risks and challenges, human rights defenders continue to make a real difference to the lives of individuals around the world.

Human rights defenders strive to close the gap between the promise of justice and equality in dignity and rights set out in the Universal Declaration of Human Rights (UDHR) and the reality of continuing human rights abuses today. Their work is vital for the realization of human rights for all.

The forensic evidence uncovered by the FAFG is also used by the people seeking to bring the perpetrators of these violations to justice. Although convictions of members of Guatemala's former military governments, military personnel and their civilian allies are rare, there have been some successes.

In May 2008, five former members of the Civil Defence Patrols (Patrullas de Autodefensa Civil, PAC), which worked during the conflict in collaboration with the military, were charged with killing 26 people in one of Guatemala's most notorious cases.

On 13 March 1982, the army and the PAC marched 70 women and 107 children from the village of Río Negro into the mountains and killed them. FAFG carried out an exhumation of the site in 1993, and the FAFG forensic expert who had overseen the exhumation gave evidence at the trial, which began in 1999. It was not possible to obtain justice for all 177 victims of the massacre. However, it was the work of FAFG that allowed the remains of 26 people to be positively identified, which eventually led to the five convictions.

There have also been some significant developments in the prosecution of former high-ranking members of the military government accused of crimes against humanity during the conflict. In April 2008, witnesses to the Guatemalan genocide of the 1980s gave testimony to a court in Guatemala for the first time. The court was gathering evidence in connection with the prosecution in Spain of former high-ranking members of the Guatemalan military



charged with genocide. Evidence used in some of these prosecutions was gathered as a result of FAFG's work.

THREATS AND INTIMIDATION

FAFG members have been targeted more than 16 times since February 2002. They have been followed, their offices and homes have been watched and they have been shot at.

The level of intimidation has intensified in 2008. Since February, members have received as many as seven death threats. The threats suggest that those anxious to avoid being held accountable for their past actions have become aware of the crucial role that FAFG is playing in combating impunity. This is because the important physical evidence they collect during exhumations is often used as evidence during prosecutions.

In February 2008, a threat was sent to Fredy Peccerelli, head of the FAFG; his brother, Gianni Peccerelli; his sister Bianka Peccerelli Monterroso; and her husband,



Member of staff at the Guatemalan Foundation of Forensic Anthropology studying human remains in order to identify them, June 2008.

The Declaration on Human Rights

Defenders was adopted by the UN General Assembly on 9 December 1998. The term “human rights defender” is used to describe people who act in many different ways and in different capacities to protect and promote human rights.

Some defenders work against particular abuses, such as torture or forced eviction. Others work for the rights of specific groups or sectors of the population facing discrimination and disadvantage, such as Indigenous People, ethnic or religious minorities, rural women, street children, or lesbian, gay, bisexual and transgender people.

For all their diversity, human rights defenders whoever they are and whatever they do have several characteristics in common. They all uphold the fundamental principle of universality – that all human beings are equal in dignity and rights, regardless of gender, race, ethnicity, or any other status. All are committed to respecting the rights and freedoms of others in their own actions.

Omar Bertoni Girón. The threat was sent on the same day that a newspaper article was published on the testimonies due to be given in Spain by the witnesses in the genocide case.

On 19 May 2008, one of Guatemala’s main newspapers published an article about the last day of the witness testimonies in the genocide case being pursued in Spain. The article appeared with a photo of an exhumation, where a sign bearing the name of FAFG could clearly be seen. On the same day, a death threat was sent by email to Fredy Peccerelli, Bianka Peccerelli Monterroso and three FAFG members – Omar Bertoni Girón, José Suasnavar and Leonel Paiz. The email read: “Well you bastards your day has come. You are being watched and we will kill you. Fredy we’re going to break your arse, Omar is being watched in the university, his degree won’t count for shit, his happiness at being a father won’t last long, we’re going to rape his wife and we’ll send her in pieces to the FAFG. Bastard revolutionaries. To hell with your security, all of you are being watched Fredy your day will come soon and it will be

the turn of the other members of the Institution afterwards, you’ll never get the chance to testify bastard son of a bitch. The list is long but we will kill all of you, your family will be first Fredy you bastard”.

Three days later, on 22 May, a second email was sent to Fredy Peccerelli and Omar Bertoni Girón, which read: “Greetings bastards, look how nice Bianca looks in pink driving a Jeep in Petapa Avenue, you will start receiving the first package with her [body] parts, hope that you have said goodbye, her security, we will blow it to pieces. We haven’t seen your family recently, the next one is Yani. You are screwed, this time you will respect us. Die revolutionaries, withdraw your complaints. FAFG IN MOURNING until we finish with all of you”.

In July 2008, José Suasnavar, deputy director of the FAFG, received four death threats by text (SMS) message. The first SMS message received was on 27 July, and read: “Jose your day has come”. He received three similar SMS messages over the next few days.



9 DECEMBER 2008 MARKS THE 10TH ANNIVERSARY OF THE UN DECLARATION ON HUMAN RIGHTS DEFENDERS, IT IS AN OPPORTUNITY TO PUBLICLY ACKNOWLEDGE THE LEGITIMATE WORK OF HUMAN RIGHTS DEFENDERS AND TAKE ACTION TO SUPPORT AND PROTECT THEM.

In 2002, the Inter-American Commission on Human Rights asked the Guatemalan government to provide protection for members of FAFG and their relatives. In 2006, the Inter-American Court of Human Rights made the same request and called for an investigation to be carried out. However, the protection provided appears to have been inadequate. Investigations into the threats against FAFG members have not progressed and no-one has yet been brought to justice for sending them.

HUMAN RIGHTS DEFENDERS IN GUATEMALA

“The level of impunity for attacks and [human rights] violations is also alarming. If you consider that 98% of the cases against human rights defenders remain [unresolved], justice in Guatemala becomes an empty word.”

Hina Jilani, former Special Representative of the UN Secretary-General on human rights defenders, Guatemala, 20 February 2008

Despite advances in the development of national standards for the protection of

Cover image: Human remains uncovered by the Guatemalan Foundation of Forensic Anthropology, 30 September 2005



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human rights defenders in Guatemala, reports of death threats, harassment, killings and intimidation of human rights defenders continue. According to Guatemalan human rights organizations, there were 195 attacks against human rights defenders in 2007; at least seven human rights defenders were killed because of their human rights work during the year. Investigations into these abuses rarely end in those responsible being brought to justice and, as a result, the vast majority of perpetrators are able to continue their attacks with impunity.

TAKE ACTION NOW

Please write to the Guatemalan authorities:

- **Highlighting the important contribution made by the FAFG in improving respect for human rights in Guatemala, and in ensuring the truth is uncovered in many cases of past human rights violations which still remain unresolved;**
- **Expressing grave concern for the safety of FAFG members in the light of the increasing number of death threats targeting them and their families;**
- **Urging them to take immediate steps to provide effective protection to FAFG**

members and their relatives, in strict accordance to their wishes;

- **Calling on them to carry out an immediate and thorough investigation into these threats, identify those responsible and bring them to justice promptly;**
- **Reminding them of their obligation – set out in the UN Declaration on Human Rights Defenders – to recognize the legitimacy of the activities of human rights defenders and defenders’ right to carry out their activities without restrictions or fear of reprisals.**

PLEASE SEND APPEALS TO:

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, Ministerio de Gobernación, 6ª Avenida 13-71, Palacio de la Policía Nacional Civil, Zona 1
 Ciudad de Guatemala, Guatemala
 Fax: +502 2413 8658
 Salutation: Dear Minister/Estimado Sr. Ministro

HUMAN RIGHTS DEFENDERS
AMNESTY INTERNATIONAL



Amnesty International is a global movement of 2.2 million people in more than 150 countries and territories who campaign to end grave abuses of human rights.

Our vision is for every person to enjoy all the rights enshrined in the Universal Declaration of Human Rights and other international human rights standards.

We are independent of any government, political ideology, economic interest or religion – funded mainly by our membership and public donations.

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