

PUBLIC

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13 June 2006

UA 168/06 Fear for safety

GUATEMALA **Oscar Humberto Duarte Paíz (m)**
René Guzmán Quiñónez (m)
David Alarcón (m)
José Cuellar (m)
Other members of the *Asociación Integral para el Desarrollo de Ciudad Quetzal*
(ASIDECQ), Association for the Development of Quetzal City

A senior member of a local development organisation has been kidnapped, and other members of the organisation have been intimidated, since the organisation attempted to mediate between police and the local community. Amnesty International believes the kidnapped man's life is at risk, and his colleagues are in grave danger.

Oscar Humberto Duarte Paíz is a member of the board of the *Asociación Integral para el Desarrollo de Ciudad Quetzal* (ASIDECQ), Association for the Development of Quetzal City. On 24 May, as he left the local council building in Quetzal City six men carrying machine guns and wearing bullet-proof vests seized him and bundled him into a car. His brother followed them in his own car, and called the police, but as they passed the local police station the kidnappers took aim at him and he had to abandon the pursuit.

The three other men named above are also ASIDECQ board members. They have reported being intimidated. On the morning of 6 June René Guzmán saw a car with no licence plates circling his house. That afternoon a car with tinted windows drove alongside David Alarcón on his motorcycle and attempted to force him off the road. He took an alternative route, but the car caught up and began trailing him discreetly at a distance. At 9pm that day, unknown men arrived at the home of José Cuellar, knocked on the window and asked if the assistant mayor lived there. José Cuellar answered that he was not the mayor. As he closed the door he heard the men say, "this is another son of a bitch." (*este es otro hijo de la gran puta*).

ASIDECQ has been active in the local development of "Quetzal City", a small impoverished neighbourhood on the outskirts of the capital, Guatemala City, including the building of a nursery and a water storage facility. It has also helped to mediate between the community and the police. On 6 May a young boy was shot dead by a local man, who was apparently drunk. The police arrested the man and took him to the police station. Local people were furious at the shooting, and gathered outside the police station, apparently wanting to lynch the man. The police allegedly fired on them. ASIDECQ attempted to mediate, and have since protested against the police's alleged use of excessive force against the demonstrators. Many ASIDECQ members are also active in organisations demanding justice for those who "disappeared" during the country's internal armed conflict, and with a former guerrilla organisation which is now a political party.

Since Oscar Duarte was kidnapped his family have lodged formal requests for an investigation with the police Criminal Investigations Division, the Public Prosecutors Office's kidnapping unit and the Guatemalan Human Rights Ombudsman's Office. The local fire station has received three telephone calls claiming to report where Oscar Duarte's body is, but these have been false alarms (in Guatemala the fire services are usually called to retrieve bodies from public places). The Community of Quetzal recently held a candlelit march and vigil demanding the safe return of Oscar Duarte.

BACKGROUND INFORMATION

Attacks against human rights defenders have increased over the past few years. The Human Rights Defenders Protection Unit, which monitors these attacks, documented 122 in 2004 and 224 in 2005.

Between January and April 2006 the organisation registered 65 attacks. Amnesty International has consistently raised its concerns at the lack of protection of human rights defenders and the authorities' failure to investigate attacks against them, with the government.

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

- expressing concern that human rights defender Oscar Duarte was kidnapped on 24 May;
- calling on the authorities to order a full and impartial investigation, with those responsible brought to justice, and also to take all necessary action to find Oscar Duarte and ensure his safety;
- calling for an immediate and thorough investigation into the acts of intimidation against members of the *Asociación Integral para el Desarrollo de Ciudad Quetzal (ASIDECQ)*, Association for the Development of Quetzal City, with the results made public and those responsible brought to justice;
- reminding the authorities that human rights defenders have a right to carry out their activities without any restrictions or fear of reprisals, as set out in the UN Declaration on the Rights and Responsibilities of Individuals, Groups and Institutions to Promote and Protect Universally Recognised Human Rights and Fundamental Freedoms.

APPEALS TO:

Director General of the National Civil Police

Director General de la Policía Nacional Civil

Edwin Johann Spirisen

10ª. calle 13-92 zona 1

Ciudad de Guatemala, GUATEMALA

Fax: +502 2251 9382

Salutation: Estimado Director General/Dear Sir

Attorney General

Fiscal General de la República y jefe del Ministerio Público

Juan Luis Florido

15 avenida y 15 calle "A", Zona 1, barrio Gerona, Ciudad de Guatemala, GUATEMALA

Fax: + 502 2251 2218

Salutation: Estimado Fiscal General/Dear Sir

COPIES TO:

Human rights organisation

Unidad de Protección de Defensoras y Defensores de Derechos Humanos

Movimiento Nacional De Derechos Humanos

1 Avenida 0-11, Zona 2

Colonia Lo de Bran

Ciudad de Guatemala, GUATEMALA

Fax: + 502 22322651 (if a voice answers, say "por favor, tono de fax")

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 25 July 2006.