

EXTERNAL (for general distribution)

AI Index: AMR 34/27/93

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UA 154/93 Torture/death threats/
fear of extrajudicial execution

13 May 1993

GUATEMALA: The following members of Consejo de Comunidades Étnicas "Runujel Junam" (CERJ), Council of Ethnic members Communities "We are all Equal":

Pablo Itzep Hernández
Cruz Luz Hernández
Manuel Batén Hernández

Amnesty International is deeply concerned at the torture reportedly suffered by Pablo Itzep Hernández, Cruz Luz Hernández and Manuel Batén Hernández, all of them *campesinos* (peasants) and members of CERJ, while held in military custody. Amnesty International is also concerned at the death threats directed at these three peasants and at other members of their community, Xequiquel, which is located in the hamlet of Chiul, Cunén municipality, in the heavily indigenous department of El Quiché.

On 8 May, 1993, Pablo Itzep Hernández was returning to his community after carrying out an errand in Cunén. He happened to meet the commander of the military detachment based at Chiul. The commander told Pablo Hernández to accompany him, pointing out that two of Pablo Hernández' friends were already going with him to the detachment. The commander had reportedly told the two friends that they should accompany him in order to obtain cement for a project to bring water to their community. When the group arrived at the military post, all three were interrogated under torture including blows to the face with military boots and other heavy objects and burns inflicted with pieces of wood that had been set alight. They were asked why they had been looking for the offices of CERJ and of the government-appointed Procurador de los Derechos Humanos, Human Rights Procurator, Ramiro de León Carpio.

Community members who came to the post to look for the three men were told that they had already been released, although this was not true. Four hours after their detention, the three were released, but both they and the members of their community who came to inquire after them were threatened with death by the commander if they reported what had happened to them.

Pablo Itzep Hernández remains in hospital where he is being treated for his injuries, including burns to the buttocks. Cruz Luz Hernández has been released from hospital after being treated for injuries to his eye caused by the blows to the face which he received.

BACKGROUND INFORMATION

CERJ was formed in July 1988 to protect indigenous peoples' rights. It has been particularly active in protesting at peasants being forced to join the ostensibly voluntary Patrullas de Autodefensa Civil (PAC), 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 on self defence groups. The authorities maintain the patrols are voluntary, but Amnesty International knows of scores of cases where peasants who have not

wished to do patrol service 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 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. CERJ leaders and members together with their families have repeatedly been characterized as "guerrillas" or as having links with them, and the group's leadership, particularly its president Amílcar Méndez Urrizar, have frequently received death threats. Since its formation, at least 17 members are known to have been killed in

Page 2 of UA 154/93

circumstances suggesting official involvement. The recent killing of CERJ member Tomás Lares Cipriano on 30 April 1993 (See UA 145/93, AMR 34/25/93 of 6 May 1993) raises particular concern at the death threats directed at Pablo Itzep Hernández, his two friends and the other members of their community.

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 appear to have been particular targets.

RECOMMENDED ACTION: Please send telegrams/telexes/faxes/express and airmail letters either in Spanish, English or in your own language:

- calling for investigations into the torture allegedly suffered by the three CERJ members, Pablo Itzep Hernández, Cruz Luz Hernández and Manuel Batén Hernández, and into the death threats reportedly directed at them and the members of their community;
- urging that those responsible for both the threats and the alleged torture to be brought to justice;
- asking for assurances that the three will receive adequate care for the injuries they reportedly suffered;
- urging that steps be taken to ensure the physical security of these three *campesinos*, the members of their community and of all members of CERJ as it carries out its peaceful and legitimate activities on behalf of Guatemala's indigenous peoples.

APPEALS TO

1) President of the Republic:

S.E. Jorge Serrano Elías
Presidente de la República de Guatemala
Palacio Nacional, Guatemala, GUATEMALA

Salutation: **Excelentísimo Sr. Presidente /
Dear President**

Telegrams: Presidente Serrano, Guatemala, Guatemala

Faxes: + 502 2 537472, + 502 2 519702

Telexes: 5331 CAPRES GU

2) Minister of Defence:

Gral. José García Samayoa
Ministerio de Defensa
Ministerio de Defensa
Palacio Nacional, Guatemala, GUATEMALA

Salutation: **Sr. Ministro /
Dear Minister**

Telegrams: Ministro de Defensa, Guatemala, Guatemala

Telexes: 5361 COMGUA GU

Faxes: + 502 2 537472

3) Commander of the base where the three were held:

Comandante
Destacamento Militar
Chiul, Cunén
El Quiché
Guatemala

Salutation: Sr. Comandante /
Dear Commander

Telegrams: Comandante, Destacamento Military, El Quiche, Guatemala

COPIES OF YOUR APPEALS TO:

1) Head of the Presidential Coordinating Commission of the Policies of the Executive relating to Human Rights:
Sr. Bernardo Neumann
Presidente, Comisión Presidencial
Coordinadora de la Política del Ejecutivo
en materia de Derechos Humanos (COPREDEH)
15 Avenida 18-38, Zona 13
Guatemala, GUATEMALA

2) Human Rights Procurator:
Lic. Ramiro de Leon Carpio
Procurador de Derechos Humanos
12 Avenida 12-72, Zona 1
Guatemala, Guatemala

3) Council of Ethnic Communities "We are all Equal":
Consejo de Comunidades Étnicas, CERJ
5a Avenida 3-13,
Santa Cruz del Quiché
El Quiché, 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 June 1993.