

EXTERNAL

AI Index: AMR 34/29/96

24 September 1996

Further information on EXTRA 100/96 (AMR 34/18/96, 2 July 1996) - Death Penalty

GUATEMALAPedro Castillo Mendoza

Roberto Girón

At 6 am on 13 September 1996, Pedro Castillo Mendoza and Roberto Girón were legally executed by firing squad for the rape and murder of four-year-old Sonia Alvarez García in Guanagazapa, in the department of Escuintla. The execution was shown on national television, allegedly including images of one of the prisoners being shot in the head after the firing squad's bullets failed to kill him. All legal remedies had been exhausted.

The execution took place after the Guatemalan Supreme Court [*trans: Corte Suprema de Justicia*] on 11 September rejected a petition by the Inter-American Commission for Human Rights to grant precautionary measures and suspend the execution, on the grounds that such measures are not contemplated by Guatemalan law and that the men had been found guilty of their crimes by the Guatemalan judiciary.

The controversy surrounding the execution of Pedro Castillo Mendoza and Roberto Girón, originally scheduled for 23 July 1996 but deferred by a series of appeals, has been intensified by recent reports suggesting that the two prisoners had no access to a lawyer for the first three weeks of their detention and were later defended by law students. Doubts regarding the validity of the evidence presented against them also indicate that due process may have been violated. In addition, Judge Gustavo Gaitán, who sentenced the prisoners to death, filed a legal complaint against an employee of the United Nations Mission for the Verification of Human Rights in Guatemala (MINUGUA) [*trans. la Misión de las Naciones Unidas de Verificación de los Derechos Humanos en Guatemala*] and against members of the Supreme Court, claiming that he had been threatened and pressurized to change the sentence.

This is the first legal execution to take place in Guatemala for 13 years. Guatemala is the only country in Latin America, besides Cuba, which applies the death penalty.

No further action is required on this case. Thank you to all those who sent appeals.