

EXTERNAL

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HUMAN RIGHTS DEFENDERS NETWORK ACTION

To: Human Rights Defenders Network - Americas
From: Human Rights Defenders Program - Americas
Date: 8 September 2000
Duration: 31 October 2000
Country: Guatemala
Network No: AMR-HRD 03/00

Action: **Human Rights Defenders Network members are requested to contact their own government representatives with responsibility for Guatemala or Latin America regarding the situation of human rights defenders in Guatemala**

GUATEMALA: Attacks against human rights defenders

Summary

On 1 August 2000, Celso Balán, who works for *Centro de Acción Legal en Derechos Humanos* (CALDH), the Centre for Legal Action in Human Rights in San Martín Jilotepeque, Chimaltenango, was detained, beaten, robbed, drugged and left unconscious by two people thought to be involved in paramilitary organisations. During the attack the CALDH office was ransacked. Sr Balán and his family were threatened against reporting the attack.

At the time of the attack Celso Balán was working on a CALDH project to assist relatives to exhume mass graves of villagers massacred by the Guatemalan army and the civil patrols under their command during the army's brutal counter-insurgency of the late 1970s and early 1980s, and to bring those responsible to justice.

He was interrogated for several hours about a particular mass grave at Mixco Viejo, where the remains of those massacred by the army at Chipastor, San Martín Jilotepeque, Chimaltenango in 1982, had recently been exhumed and returned to their families. It is believed that those who attacked Sr Balán are linked to those responsible for the Chipastor massacre, and that the orders may have come from army personnel at the Chimaltenango military base.

In May 2000, the *Asociación Reconciliación para la Justicia*, the Reconciliation Association for Justice, filed a suit, assisted by CALDH, against officials of the administration of General Fernando Romeo Lucas García (7 July 1978-23 March 1982), for ten large-scale massacres

carried out during that period against nine indigenous communities. The Association and CALDH are now collecting further evidence for a second suit regarding massacres under the subsequent administration of General Efraín Ríos Montt (March 1982-July 1983)

On 4 September heavily armed men raided the offices of the *Familiares de Detenidos y Desaparecidos de Guatemala* (FAMDEGUA), the Association of Families of the Detained and "Disappeared" of Guatemala, and assaulted members of their staff.

The attackers asked for members of a new human rights group *Hijos por la Identidad y la Justicia contra el Olvido y el Silencio* (HIJOS), Children for Identity and Justice against Forgetting and Silence, who also work from the FAMDEGUA offices. On being told that no one from HIJOS was there, they forced their way in. According to Aura Elena Farfán, the Director of FAMDEGUA, FAMDEGUA staff were thrown to the floor and had pistols put to their heads. The assailants stayed for an hour, repeatedly threatening to kill them if they spoke or cried out. The men were forced to strip. When they left they took most of the organization's computers containing records of important human rights cases they are investigating, other office equipment, money and one of the group's vehicles.

BACKGROUND INFORMATION

FAMDEGUA and CALDH are two of Guatemala's most respected human rights organizations. They have been key in promoting exhumations and initiating proceedings to bring to justice those responsible for the large-scale massacres carried out by the Guatemalan army during its counter-insurgency campaign of the late 1970s and early 1980s.

HIJOS is a new organization, formed by people who were children at the time of their parents' "disappearance", but have recently joined together to try and find out what happened to their parents and to educate the new generation in Guatemala about the years of repression.

These latest attacks add to a new and highly disturbing wave of threats and abuses against members of human rights organizations, journalists and others involved in important human rights cases in Guatemala.

For more information on these and other recent cases please see the information pack attached.

RECOMMENDED ACTION BY HUMAN RIGHTS DEFENDERS NETWORK:

Please send the attached information pack to your own government representatives with responsibility for Guatemala or Latin America.

Please enclose a covering letter:

- expressing your concern at this wave of attacks against those working to bring to justice those responsible for past human rights violations in Guatemala;
- urging your government to encourage the Guatemalan authorities to fully investigate these attacks and to apply the principles for the protection of human rights defenders and their work as laid out in the UN Declaration on Defenders (*Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms*) of December 1998.

- urging your government to closely monitor the situation of Guatemalan human rights defenders.

FURTHER RECOMMENDED ACTION BY AI SECTIONS:

Further to sending the information pack, please request a meeting with your own government representatives with responsibility for Guatemala or Latin America.

In the meeting you should:

- express your concern at the attacks against CALDH, FAMDEGUA, HIJOS and other Guatemalan NGOs;
- express your concern that these attacks appear to be directly related to their work to bring to justice those responsible for past human rights violations in Guatemala;
- *express your concern that these latest incidents cast doubt on the will of the Guatemalan authorities to respect and deliver on the agreements reached in the Peace Accords signed in 1996;*
- urge your government to call for an immediate and thorough investigation into the attack against Sr Balán and FAMDEGUA and for those responsible to be brought to justice;
- urge your government to put pressure on the Guatemalan authorities to ensure the security of members of CALDH, FAMDEGUA and other Guatemalan human rights defenders in accordance with the principles laid out in the UN Declaration on Defenders (*Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms*) of December 1998 and the resolution *Human Rights Defenders in the Americas* adopted by the Organization of American States (OAS) in June 1999;
- urge your government to monitor the situation of human rights defenders in Guatemala particularly closely as proceedings are initiated against those responsible for mass violations of human rights in Guatemala.

In case of any doubts or queries regarding this action please contact:

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