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Guatemala: Amnesty International questions transfer of intelligence archives

"Access to important human rights information may have been put at risk and the Guatemalan government's commitment to fighting human rights violations called into question" said Amnesty International after the government announced its decision to move the archives of the recently abolished military intelligence services, the *Estado Mayor Presidencial* (EMP), Presidential High Command, to the Ministry of Defence.

"Should this information remain shrouded in military secrecy, it is highly unlikely to be ultimately made available to the Guatemalan authorities responsible for investigating human rights crimes", said Amnesty International.

The archives contain crucial information and evidence that could help clarify past human rights violations, including state sponsored killings and "disappearances" during the 1980s and 1990s, suspected of being planned and committed by the EMP. They are therefore also likely to contain information on human rights defenders, politicians, students and other targets of past repression.

The transfer of these archives must be undertaken in accordance within the legislation governing the process of transfer of functions from the EMP to its replacement civilian structure, the *Secretaría de Asuntos Administrativos y de la Presidencia*, (SAAS), Secretariat for Administrative and Security Affairs

Guatemala is one of the few countries in Latin America where no progress has been made on clarifying the role of the armed forces in mass and systematic human rights abuses. Amnesty International has expressed on several occasions its concern that the Guatemalan Ministry of Defence has repeatedly been unwilling to cooperate with judicial investigations into past human rights crimes.

Amnesty International has welcomed the abolition of the EMP, as called for in the 1996 Peace Accords. However, the organization has also expressed concern at signs that the military may continue to have influence over the new intelligence structure.

"It is the state's responsibility to shed light on these cases and bring those responsible to justice. Passing these archives from the EMP to the Ministry of Defence risks reinforcing impunity for human rights violations." Amnesty International concluded.

Background

Amnesty International has previously expressed its concern that the legislation governing the replacement of the EMP by the civilian agency, SAAS, consolidates military power over civilian affairs and "recycles" the personnel of the EMP within the SAAS.

Former agents of the EMP have reportedly already been "recycled" into the EMP's replacement agency, the *Secretaría de Asuntos Administrativos y de Seguridad (SAAS)*, (Secretariat for Administrative and Security Affairs).

Human rights groups in Guatemala have expressed concern that the continued lack of civilian oversight of military intelligence structures may mean little is accomplished by these new reforms.

Amnesty International has called on the Guatemalan government to take the necessary steps to ensure the subordination of all military intelligence structures to civilian oversight, to identify and investigate EMP officers implicated in human rights abuses and remove them from positions of authority pending outcome of these investigations. Those found responsible for such abuses should be brought to justice..

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