

EXTERNAL (for general distribution)

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Fear for Safety

26 October 1993

GUATEMALA

Luis MONTEFAR, Justice of the Peace
Hector MENDIZABEL
Dr. Fredy VELASQUEZ
members of the San Gaspar Chajul police station
others who participated in an exhumation at a clandestine
cemetery on 8 October 1993

Amnesty International is concerned for the safety of the people listed above, all of whom participated in an exhumation on 8 October 1993 at a clandestine cemetery in the village of Chel, municipality of Chajul, department of El Quiché. It is feared that their lives may be in danger as a consequence.

At the cemetery three bodies were exhumed which were identified as Nicolás Bernal Mendoza, Miguel Cobo and Gaspar Caba Santiago. These three men had been kidnapped in December 1989, reportedly by members of the Patrullas de Autodefensa Civil (PAC), Civil Defence Patrols, who accused them of refusing to serve in the PAC. Following the exhumation, Justice of the Peace Luis Montefar ordered an immediate investigation to determine those responsible for the killings.

Residents of the village of Chel have been forced to participate in the PAC for some ten years and have been threatened if they refuse to do so. On 27 June 1993 some residents were reportedly violently taken from their homes and beaten by members of the PAC. They were accused of studying the Constitution of the Republic and the Constitutional Catechism (an educational booklet produced by current President Ramiro de León Carpio when he was Human Rights Procurator). On 16 August 1993 ten people were reportedly threatened by the PAC because they had formed a human rights association and because they had not condemned some members of the Comunidad de Población en Resistencia (CPR), Community of people in Resistance, who had visited them.

BACKGROUND INFORMATION

Tens of thousands of people have been victims of human rights violations in Guatemala over the past 30 years. Several thousand of them were buried in at least one hundred known clandestine cemeteries during the 1980s. Despite widespread knowledge of the location of such burial sites, very few exhumations have taken place and these have only occurred as a result of repeated pressure on the authorities to do so. Those who have requested exhumations or who have participated, including judges and doctors, have received threats.

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

- expressing concern for the lives of all those who attended or participated in the exhumation of the bodies of Nicolás Bernal Mendoza, Miguel Cobo and Gaspar Caba Santiago on 8 October 1993 at a clandestine cemetery in the village of Chel, municipality of Chajul, El Quiché;

- asking for guarantees for the safety of all those who were there;

- urging an immediate inquiry into the killings of Nicolás Bernal Mendoza, Miguel Cobo and Gaspar Caba Santiago, that the findings be made public and that those found responsible be brought to justice.

- recommending that the authorities follow the guidelines given in the UN Manual on the Effective Prevention and Investigation of Extra-legal, Arbitrary and Summary Executions which sets out in detail appropriate investigative procedures.

APPEALS TO

1) President of the Republic:

S.E. Ramiro de León Carpio
 Presidente de la República de Guatemala
 Palacio Nacional, Guatemala, GUATEMALA
Telegrams: Presidente de León Carpio, Guatemala, Guatemala
Faxes: + 502 2 537472, + 502 2 519702
Telexes: 5331 CAPRES GU
Salutation: Excelentísimo Sr. Presidente /Dear President

2) Minister of Interior:

Lic. Arnoldo Ortiz Moscoso
 Ministro de Gobernación
 Ministerio de Gobernación
 Despacho Ministerial, Of. No. 8
 Palacio Nacional, Guatemala, GUATEMALA
Telegrams: Ministro de Gobernación, Guatemala, Guatemala
Faxes: + 502 2 518105
Telexes: 5085 MINGOB
Salutation: Sr. Ministro / Dear Minister

3) Minister of Defence:

Gral. Mario Enríquez Morales
 Ministro de Defensa
 Ministerio de Defensa
 Palacio Nacional, Guatemala, GUATEMALA
Telegrams: Ministro de Defensa, Guatemala, Guatemala
Fax: + 502 2 537472
Telexes: 5361 COMGUA GU
Salutation: Sr. Ministro / Dear Minister

COPIES OF YOUR APPEALS TO:

Human Rights Procurator:

Lic. Jorge García Laguardia
 Procurador de los Derechos Humanos
 12 Avenida 12-72, Zona 1,
 Guatemala, GUATEMALA
Faxes: + 502 2 81734

Head of the Presidential Commission Coordinating the Policies of the Executive relating to Human Rights:

Lic. Jorge Gonzalo Cabrera Hurtarte
Presidente
COPREDEH
15 Avenida 18-38, Zona 13
Guatemala, GUATEMALA

Archbishop's Human Rights Office

Oficina de Derechos Humanos del Arzobispado de Guatemala (ODHAG)
Apartado 723
Guatemala, 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 7 December 1993.