

AI Index: PRE 01/289/2011
08 June 2011

Guatemalan former officials must be brought to justice over killings

Austria and Switzerland must ensure that former high-ranking Guatemalan officials face justice for serious allegations of involvement in extrajudicial executions, Amnesty International said today.

Both countries have ongoing proceedings against Guatemalan former officials over cases of prisoners who died in custody from 2004 to 2007, with Austria poised to decide shortly whether one will be extradited.

“This is an opportunity for Austria and Switzerland to prove their commitment to international human rights standards,” said Sebastian Elgueta, Researcher on Central America at Amnesty International.

“Either by extraditing the accused to face trial in Guatemala or prosecuting in their own countries, European countries can help Guatemalan victims of human rights violations achieve justice.”

Amnesty International called on Austrian authorities to either approve the extradition to Guatemala of Javier Figueroa Díaz, former chief of the criminal investigation division of Guatemala’s police force, or prosecute him in Austria. He is currently under house arrest in Austria pending a judge’s ruling on the extradition next week.

In Switzerland, an investigation is ongoing into the alleged involvement of Guatemala’s former police chief Erwin Sperisen, who holds dual Swiss-Guatemalan citizenship, in several cases of extrajudicial executions of prisoners. The Swiss authorities recently contacted their Guatemalan counterparts to seek information relating to the investigation. The Swiss constitution gives Swiss citizens the right not to be extradited.

Spanish authorities on 31 May approved the extradition of Guatemala’s former Interior Minister Carlos Vielman, who has been living in Spain, on related charges.

All three former officials and others are accused of involvement in extrajudicial executions while they served in Guatemala’s government and police force.

Among the cases involved are the killings of four inmates who escaped from El Infiernito prison in October 2005, as well as the killings of seven prisoners in El Pavón prison in September 2006 and other alleged crimes.

At the time, Guatemala’s Interior Ministry and police said that the inmates at El Pavón had been killed in clashes with prison authorities. However, a December 2006 report of the Guatemalan Human Rights Ombudsman’s Office concluded they had been shot, amounting to extrajudicial executions.

“Ensuring these former officials face fair, impartial trials – whether at home or abroad – sends a strong

signal that steps are being taken to overcome Guatemala's rampant impunity in cases of extrajudicial executions and other human rights violations," said Sebastian Elgueta.