

Urgent Action

In Focus

An insight into the stories behind UAs

Public

July 2007

AI Index: ACT 60/014/2007

Jorge Velásquez: "I am not going to stop until Claudina's case is solved"

"Claudina was a Law student at the San Carlos University of Guatemala. She was a girl full of enthusiasm, a girl full of life... well loved not only by her parents and her brother but also by her friends..." Jorge Velásquez



During his visit to the UK, Jorge Velásquez speaks in front of a picture of his daughter Claudina. © Carlos Reyes-Manzo/Andes Press Agency

Accountant Jorge Velásquez last spoke to his 19-year-old daughter Claudina on the evening of 12 August 2005, when she rang her parents at home in Guatemala to say she would be home soon. The next day, her body was found. She had been murdered with a shot to the forehead.

This was the start of an ongoing

nightmare for the Velásquez family. After making their statements to the Public Prosecutor's Office (responsible for investigating the murder and prosecuting the perpetrators), Jorge Velásquez and his wife (also called Claudina) discovered that the official records of the case contained false and contradictory information. Claudina's killers may never

be brought to justice, as serious deficiencies have been reported in the investigation into her murder. For example, no tests were performed on the primary suspects to establish whether or not they had fired a gun.

A high number of murder cases in Guatemala are shelved on the grounds of lack of evidence, due to poor quality investigations. Families seeking help from the authorities are often faced with indifference and discrimination, and a particularly worrying tendency to blame the victim's behaviour or background for their death. Jorge Velásquez says *"The investigator... stated that the crime scene wasn't investigated as it should have been only because the victim was prejudiced against due to her background and condition. Claudina was classified as a person whose death shouldn't be investigated because of the place she was found in and because she was wearing sandals, a necklace and a belly button ring."*

Despite such obstacles, Claudina's family have been active in pursuing justice. As well as keeping up the pressure to ensure that the investigations are not abandoned, they have also proposed new lines of investigation for the Public Prosecutor's Office, highlighted the number of mistakes made throughout the investigation, and have even carried out their own independent inquiries. Even so, no significant progress has been achieved.

For Jorge Velásquez and for AI, who have adopted this as one of their priority cases for long-term action, the campaign for justice for Claudina Velásquez has become a struggle for justice for all the female victims of violence in Guatemala. Since 2001, more than 2,000 women and girls have been murdered in the country. The murder rate for women and men is very high, but according to the Human Rights Ombudsman's Office, women, unlike men, are also subject to acts of gross brutality and direct physical violence, including rape. As the Human

Rights Ombudsman's Office puts it: *"[T]he difference is that in the case of women they make them suffer more before being killed."*

In May 2007, AI invited Jorge Velásquez to visit the UK to support campaigning for justice in the specific case of his daughter, and on the broader context in which violations against women are perpetrated in Guatemala.

Jorge says, *"The obstacle I have met is indifference... A woman in Guatemala, it is said, is dead because she was asking for it. She's dead because she was in the middle of something she shouldn't be. Claudina was perhaps identified as a gang-member (marera) or as a prostitute... So how can you solve a case if there's no interest in it? Then the only word for it is indifference, and indifference provokes impunity."*

Jorge believes that the obstacles he and his family have faced are typical of other cases of women who have been killed in Guatemala. *"It is tiring that you go to the Public Ministry and what you get is disdain, what you get is abuse, what you get is offence",* he says. *"I am not going to stop until Claudina's case is solved, this not only for her, but for the 3,200-odd women who died... so that no more women will die."*

In November 2005, recognizing the deficiencies in the investigation into Claudina's murder, the case was taken on by the head of the Special Prosecutor's Office on Crimes against Life. Since then investigations have effectively restarted. While this is a positive step, it is likely that critical forensic evidence has now been lost, and so far, no significant progress has been achieved. Due to the lack of results, Claudina's family has reported the case to the Human Rights Ombudsman's Office, in order to press for the Public Prosecutor's Office to conduct a more serious and deep investigation into the case. This pressure has yielded results: following the start of

an investigation by the Human Rights Ombudsman into the handling of the case, an internal disciplinary hearing by the Forensic Investigation Service found against the doctor responsible for registering the details of Claudina's autopsy. The doctor had registered her identity as unknown when her family had in fact already identified her. He was sentenced to be suspended from his job for 20 days without pay. However, to the family's knowledge, this has not yet been carried out. According to reports, there is also an internal disciplinary investigation into the Public Prosecutor for the alleged poor handling of the crime scene. This investigation has not yet been concluded.

Claudina's family have to date received some 20,000 messages of solidarity from AI supporters around the world. They have appeared in the Guatemalan press with photos of some of the cards they have received, and have been able to put additional pressure on the authorities with all of the international attention on Claudina's case.



Jorge Velásquez opens some of the thousands of letters of solidarity sent by

AI supporters © Carlos Reyes-Manzo/Andes Press Agency

In a message to AI in April 2007, the family said "As the Velásquez family, our heart is full of emotion and sincere gratefulness for all the cards with messages of solidarity that we have received. We would like to express our gratitude to those so special people."

AI's support for the Velásquez family has raised awareness and international support for the pursuit of justice for Claudina and for other victims of violence against women in Guatemala. However, during his visit to the UK, Jorge Velásquez urged people to continue to challenge impunity: *"Support us, write to the authorities... Claudina's case is an emblematic one, it's a case that has had a high profile, but [m]y daughter was no different to the other women who have been killed... the killers of women must be pulled out of society, for if they stay within it they keep on killing. No more women must die."*

To take action on behalf of Claudina Velásquez, please see AI UK's website: http://amnesty.org.uk/actions_details.asp?ActionID=219