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Guatemala: No protection, no justice : killings of women and girls - Facts and Figures

Cases

Nancy Karina Peralta Oroxon

On 1 February 2002, 30 year old Nancy Karina Peralta Oroxon, left home at 6 in the morning. She was going to work and then on to the University of San Carlos in Guatemala City where she was studying. She failed to return home that evening. After a sleepless night, her anxious family began searching for her at local hospitals and stations. When her sister went to report her missing at the local police station, she was asked whether she was sure she had not run off with her boyfriend. She was told she would have to wait 48 hours to lodge a missing persons' report. She provided a description of her sister and left a photograph. She also called the morgue and gave a description of her sister but was reportedly informed that no young woman had been admitted. In fact, a death certificate had been issued a few hours earlier on behalf of an unidentified woman. Time of death was registered at 11pm, 1 February 2002.

On 3 February 2002, the family identified Nancy Peralta in the morgue. This was after an article and photograph in the press about the discovery of the body of a young unidentified woman, wearing a white jumper, who had had her throat cut. Recognising the clothing, her father rang the morgue and gave them Nancy Peralta's name and a physical description of her that matched the characteristics of the unidentified woman. Despite the police having been given a description and a photograph of Nancy Peralta, it appears no effort was made to cross-reference data on a woman reported missing with that of unidentified murder victims.

Nancy Peralta's family insisted the Public Ministry call potential witnesses and asked for an identikit picture to be made of the witness who had called the police and fire brigade, the night she was murdered. They also repeatedly asked for the area where Nancy's dead body was found to be inspected but were reportedly told that the inspection would be carried out in a couple of weeks. Over two years later, the site had yet to be examined. On 8 March 2004, Nancy Peralta's sister attended a march to mark International Women's Day during which she managed to speak to a government minister. A few days later, an investigator from the Public Ministry came to the house to question the relatives. When relatives read statements in the case file, they reportedly found that their statements had been changed.

Maria Isabel Veliz Franco

Rosa Franco said that when the body of her 15-year-old daughter Maria Isabel was handed over to her: "I threw myself to the ground shouting and crying but they kept on telling me not to get so worked up."

With the help of witnesses, the authorities identified two of the alleged murderers and a luxury car and

obtained details of the house where she had been held. The case has been passed to two prosecutor's offices but those responsible are still at liberty.

Maria Isabel's mother Rosa Franco has been deeply concerned of the lack of investigations around her daughter's brutal killing: "They didn't even do a fluids analysis. They gave me all her clothes in a bag and when I saw some white stains on it, I asked at the morgue: what's this, is it semen? My little girl had been very badly treated, there was blood on her front and back but they didn't do any blood analysis or anything. It's two years and eight months since she was murdered. Where are the forensic tests?"

Rosa also reported that her daughter had had her mobile phone with her when her body was found. She reportedly asked the Public Ministry office dealing with the case to investigate the calls on it which they apparently failed to do. She obtained a list of calls and handed the numbers over to the prosecutor's office. The phone numbers were never investigated and the list was reportedly filed. The Public Ministry office in Mixco also failed to go to the house where the car from which a witness reportedly saw the dying Maria Isabel being dragged was seen. Neither did it order a search of the addresses that had been identified. They reportedly went to the site on one occasion but did not go into the house.

Rosa Franco reported that whenever she goes to the Public Ministry to find how the case is progressing, the staff members of the office ask her if she has anything new to report, rather than the other way around. She complained to the Attorney General about the lack of progress in the investigations who concluded that the office in Mixco had acted properly in the investigation. Meanwhile, the case is at a standstill.

The following two cases have been reported by the media in Guatemala:

Sandra Janet Palma Godoy

The body of 17-year-old Sandra Janet Palma Godoy was discovered next to a football pitch on 5 July 2004. She had reportedly been abducted a week earlier in the town of Buena Vista in San Pedro de Sacatepéquez. The reports indicate that her right arm, breasts, left hand, eyes and heart had been mutilated. One theory developed during the course of the initial investigation was that she had been a witness to a murder a few weeks earlier. Owing to the trauma of the killing, the family are reported to have left the area.

Andrea Fabiola Contreras Bacaro

The body of 17-year-old Andrea Fabiola Contreras Bacaro was found on 12 June in a wasteground in Jocotenango, Sacatepéquez. According to the article, the word "vengeance" had been carved into her right leg with a knife. An article published in the daily newspaper Prensa Libre described the brutal murder, stating:

"She was found with her hands tied in a plastic bag which had been thrown into a ditch used as a rubbish dump. Her throat had been cut, she had wounds and cuts on her face and chest and she had been shot at close range in the head. She had been raped, her plastic sandals, white blouse and underclothes were found next to her body."

Deborah Elizabeth and Olga Aracelly Tomás Viñeda

On 28 June 2003 members of the youth gang Mara Salvatrucha in Guatemala City kidnapped the sisters, Deborah Elizabeth and Olga Aracelly Tomás Viñeda aged 16 and 11 respectively. They were killed with a machete and parts of their bodies were found on 2 July in San Pedro de Ayampuc, 20 kilometres from the capital. According to investigators from the Office of the Special Prosecutor for Crimes against Women, the two girls had previously received death threats from one of the perpetrators for refusing to have a relationship with him. The police classified the motive for the killing as "due to personal problems." The criminal investigation concluded that the girls had been raped and cut up with a handsaw. In July 2004, the Third Sentencing Court sentenced three members of the gang to fifty years in prison.

Oliberta Elizabeth Calel Gomez

Members of the police have been implicated in several killings in recent years. On 18 May 2004, 17-year-old Oliberta Elizabeth Cael Gómez was allegedly killed by a police officer based at the PNC station in San Bartolomé Jocotenango, in the department of El Quiché. According to the report prepared by the Human Rights Ombudsman's Office in El Quiché, Oliberta was coming out of school with a friend when she was stopped by a police officer who offered to drive her and her friend to their destination. Oliberta reportedly knew the police officer so they accepted the offer. The police officer drove to a remote area and told the two students to get out of the truck. They tried to run away but were caught and taken back to the truck. The police officer reportedly threatened to kill them if they tried to run away again. He reportedly told the two to remove their underwear and took out a knife and a gun. One of the girls managed to escape but Oliberta was murdered. The autopsy report states that she had multiple stab wounds to her neck, thorax and abdomen. The police officer was detained on 10 June 2004. At the time of writing, the case was near sentencing.

Sex workers

In 2001, at least 12 sex workers were reportedly strangled in Guatemala City, Escuintla and Huehuetenango. The first murder occurred in February 2001 when the body of a woman was found in the room of a hotel in Zone 7 of Guatemala City. According to reports, the body was found alongside with the message "death to bitches, I've come back" ("muerte a las perras, ya regresé"). The following month, a second body was found in another hotel in the same area. The woman was reportedly strangled after a fight. This time the murderer had reportedly left the message, "I hate bitches" ("odio a las perras"). She was buried as unidentified but was subsequently claimed by her family. At least three other women were murdered shortly after.

The cases were reported to the PNC and an identikit picture was distributed around Guatemala City resulting in the detention of one individual who was subsequently released. Some of the cases were investigated by the Special Prosecutor for Crimes against Women but those responsible were not identified.

Figures

Killings of women and girls

The Guatemalan authorities registered the deaths of 1,188 women and girls between 2001 and August 2004. However, the precise number of women who have been murdered is unknown and disputed: figures vary among institutions and are based on different criteria.

The National Police Force recorded 527 cases of women violently killed during 2004. A number of factors, however, including relatives' fear of reporting a murder and lack of public confidence in state institutions, in particular in the administration of justice system to adequately respond to complaints, suggest that police figures could be conservative.

Killings of women and girls have been on the rise in the context of an increase in general violent deaths. According to police records, in 2002 women accounted for 4.5 per cent of all killings, in 2003 11.5 per cent and in 2004 12.1 per cent.

Violence against women

The Special Prosecutor for Crimes against Women stated that of the 152 cases being investigated by her office between January and August 2004, 28% had been sexually assaulted and 31% had previously been threatened.

Investigations

The Women's Office of the Ministerio Público and the special unit of the National Police (PNC) reported that 40% of the cases are archived and never investigated. In February 2004 the UN Special Rapporteur on VAW was informed that the police unit was functioning with 20 investigators divided into five groups with each investigator estimating they had 20 cases pending.

According to the Human Rights Ombudsman's Office only 9% of cases have been investigated.

Internal armed conflict

An estimated 200,000 people “disappeared” or were extrajudicially executed during Guatemala’s 36-year internal armed conflict that ended with the signing of the UN-brokered Peace Accords in 1996. According to the Guatemalan Catholic Church’s Project for the Recuperation of Historical Memory (REHMI, Recuperación de la Memoria Histórica) and the Historical Clarification Commission (CEH, Comisión de Esclarecimiento Histórico), a quarter of the victims were women. Rape and sexual violence were an integral part of the counter-insurgency strategy.

Amnesty International calls on the Guatemalan authorities to:

Publicly condemn the abduction and murder of women and girls;

Carry out immediate, coordinated, full and effective investigations into all cases of abduction and murder of women and girls in Guatemala and bring those responsible to justice;

Set up an urgent search mechanism in cases of women and girls reported missing;

Strengthen and improve coordination and resource allocation for all state institutions dealing with violence against women – particularly the Office of the Special Prosecutor for Crimes against Women of the Public Ministry;

Incorporate a gender perspective into the analysis and treatment of violence against women in policing and judicial practice as well as in all other institutions created to protect and monitor women’s rights;

Develop and implement adequate warning and protection programs to prevent the abduction and murder of women;

Conduct education and advertising campaigns to promote zero tolerance of violence against women and to eradicate discrimination;

Bring national legislation into line with international standards on violence against women, modifying or removing legal provisions that are discriminatory, and ensure that it is implemented and enforced.

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