

AI Index: PRE 01/078/2009  
25 February 2009

## **Guatemala: Congress must approve law for National Search Commission for the Disappeared**

Amnesty International today urged the Guatemalan Congress to approve a law for a National Search Commission for the Disappeared as an essential step to implement the recommendations made by the country's Historical Clarification Commission ten years ago.

“The Historical Clarification Commission’s report was a massive landmark for human rights in Guatemala,” said Kerrie Howard, Americas Deputy Director at Amnesty International. “Now it is time for the government to deliver some justice.”

“It is very disappointing that so many of the report's recommendations remain outstanding and that justice is yet to be seen for the tens of thousands of cases of enforced disappearance, killings and torture which took place during Guatemala’s long conflict.”

The report by Guatemala’s Historical Clarification Commission – developed under the terms of the UN-brokered Peace Accords that ended the conflict – was published on 25 February 1999.

It found that during Guatemala’s internal armed conflict – between 1960 and 1996 – around 200,000 people were forcibly disappeared or killed and that 669 massacres had taken place, mainly in Indigenous villages. The Commission also found the Guatemalan military and their allies had been responsible for the vast majority of abuses and that some of these cases constituted genocide.

On 5 December 1982, 250 men, women and children were killed when Guatemalan security forces entered their village in Dos Erres. Since the investigation into the massacre was formally opened in Guatemala in 1994, the defence has put in at least 30 appeals, and invoked other delaying judicial procedures on around 49 occasions.

To date, more than fourteen years later, no high-ranking officer or official has ever been brought to justice for their role in ordering, planning or carrying out the widespread and systematic human rights violations which took place in Guatemala. The few investigations that were initiated have been deplorably slow and inadequate.

“The Guatemalan authorities have the legal and moral duty to ensure that the crimes committed during the country’s internal armed conflict, many of which constitute crimes against humanity, are investigated and that those responsible are brought to justice,” said Kerrie Howard “Without justice, Guatemala will not be able to move forward from its dark past.”

Some of the key recommendations included in the Historical Clarification Commission’s report to ensure

reparations for the relatives of victims and survivors of abuses, have been implemented but in most areas progress has yet to be achieved.

Amnesty International also welcomed news that the Government's Peace Secretariat provided information to the Public Prosecutor's Office of over 3,300 cases of human rights abuses committed during Guatemala's internal armed conflict. The organization hopes this information will help renew efforts to investigate and prosecute those responsible for past abuses.

"The best way for the Guatemalan authorities to remember and honour the victims of abuses committed during the armed conflict is by ensuring that those who committed, authorized or planned those crimes are not able to evade justice," said Kerrie Howard.