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## **Guatemala: former minister accused over killings must be brought to justice**

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Amnesty International urges the Guatemalan authorities to ensure that a former Interior Minister allegedly involved in the extrajudicial execution of prisoners is brought to justice, Amnesty International said following his release in Spain.

Carlos Vielman was released by the Spanish authorities on 23 November, after Guatemala failed to meet a deadline for filing the proper documentation for his extradition.

“The Guatemalan state has a duty to follow-through and make a formal request for an extradition so the former minister can be investigated in his country” said Sebastian Elgueta, researcher on Central America for Amnesty International.

“It is very disappointing that a deadline to submit a request for the extradition of former minister Vielman came and went without the Guatemala state acting on such an important matter”

The former minister was arrested on 13 October in Madrid following a judicial request by the Guatemalan Public Prosecutor's Office, supported by the UN-sponsored International Commission Against Impunity in Guatemala (CICIG). His final extradition depends on a formal request by Guatemala.

Guatemala had until 23 November to present its extradition request while Carlos Vielman was detained. Now that he has been released Guatemala has until 13 December to formalize its extradition request. “It is imperative that Guatemala follows through with the extradition request” said Sebastian Elgueta.

On 18 November the Guatemalan Constitutional Court ruled to temporarily suspend the extradition on the grounds that Carlos Vielman had been denied appropriate legal representation, something strongly contested by the Public Prosecutor's Office and CICIG. According to reports, the Constitutional Court did not hear arguments from the Public Prosecutor's Office and ruled only on the basis of the written submission of Carlos Vielman's lawyers. The Public Prosecutor's Office has requested an annulment of the Court's decision.

“A group of suspects is already in custody in Guatemala, pending their trial for the same crimes, and former Minister Carlos Vielman cannot be the exception” said Sebastian Elgueta.

“As part of its international obligations, Spain has the responsibility to either grant the extradition request of Carlos Vielman to Guatemala, once all the procedures have been followed, or to investigate and, if there is sufficient admissible evidence, prosecute him in Spain - if for any reason the extradition request may not be granted”.

## **Background information**

The Guatemalan Public Prosecutor's Office brought charges against the former minister and 19 individuals, some of whom are in custody, for their alleged participation in the extrajudicial execution of prisoners in several Guatemalan jails. These actions have the support of the CICIG.

Former National Director of Police Erwin Sperisen, currently resident in Switzerland, and other former officials are being investigated over the killings of prisoners held at two prisons in Guatemala in 2005 and 2006.

Amnesty International takes no position on whether the suspects are responsible for these crimes and they are entitled to the presumption of innocence until and unless they have been proved guilty beyond a reasonable doubt.