

EXTERNAL (for general distribution)

AI Index: AMR 34/07/91
Distr: UA/SC

UA 61/91

Possible Extrajudicial Executions

18 February 1991

GUATEMALA : Juan PEREBAL MORALES, aged 26
Juan PEREBAL XIRUM, aged 60 (father of above)
Diego PEREBAL LEON (wounded)

Amnesty International is concerned at the killing of two members of the Consejo de Comunidades Etnicas "Runujel Junam" (CERJ), Council of Ethnic Communities "We are all Equal". The two men, Juan Perebal Morales and his father Juan Perebal Xirum, were killed at 05.30am 17 February 1991 in Chepol, municipality of Chichicastenango, El Quiché department, in circumstances suggesting they were extrajudicially executed. A third person, Diego Perebal Leon (no relation to the father and son) was wounded in the attack.

According to relatives who witnessed the attack, they were shot by known members of the Patrullas de Autodefensa Civil (PAC), Civil Defence Patrols, from Chunimá, municipality of Chichicastenango; all three men are from Chunimá.

Juan Perebal Morales was reportedly shot through the head and his father through the heart and lungs. The third man, who was seriously wounded in the attack, is now undergoing medical treatment at the Sololá Hospital, Sololá department.

Sources in Guatemala have expressed concern for his safety, because he is a key witness to the attack.

Both Juan Perebal Morales and his father Juan Perebal Xirum had been repeatedly threatened since 1989 for their participation in the CERJ and their resignation from the Civil Patrols. The death threats reportedly came from the same members of PAC from Chunimá who witnesses report were responsible for their murder. The PAC had accused both men of being "guerrillas". In November 1990 the Procurador de los Derechos Humanos (Human Rights Procurator) in Santa Cruz del Quiché, El Quiché department, had received denunciations from the CERJ of the death threats the two had received.

BACKGROUND INFORMATION

CERJ was formed in July 1988 to protect indigenous people's rights. It has been particularly active in protesting at peasants being forced to join in the ostensibly voluntary Civil Defence Patrols. Article 34 of the Guatemalan Constitution, which recognizes the right to freedom of association, states that no-one may be forced to serve in self-defence groups. The authorities maintain the patrols are voluntary, but Amnesty International knows of scores of cases where peasants who have not wished to do patrol service or have tried to withdraw from them, have been labelled "subversives" by the army and subjected to harassment, death threats and extrajudicial execution, sometimes by men in civilian clothes believed to be members or acting on behalf of the security forces. CERJ has, since its foundation, been the target of a wide range of human rights violations. Since March 1990, at least seven CERJ members are known to have been killed in circumstances suggesting official involvement (for information on previous attacks against CERJ members.

Chunimá residents have been consistently targetted by the security forces and those working with them during the past two years. On 6 October 1990 Sebastián Velásquez Mejía, a member of CERJ in Chunimá, was abducted by the same PAC members from Chunimá witnesses accuse of killing Juan Perebal Morales and his father Juan Perebal Xirum. Sebastián Velásquez was later found dead.

His abduction followed a series of death threats believed to have come from the PAC Commander of Chunimá (see UA 404/90, AMR 34/57/90, 9 October, and

follow-up AMR 34/68,90, 7 November 1990). Another CERJ delegate from Chunimá, who was threatened in May 1989 along with Sebastián Velásquez Mejía, met with Guatemala's new President Jorge Serrano Elías along with a delegation from Chunimá in the last week of January 1991. President Serrano promised to look into the delegation's request to issue an arrest warrant for the PAC Commander of Chunimá. For further information on human rights violations against CERJ members see UA 171/90, AMR 34/31/90, 3 May; UA 289/90, AMR 34/42/90, 9 July, and follow-ups AMR 34/49/90, 13 August and AMR 34/53/90, 2 August.

The Guatemalan government changed hands on 14 January 1991, after elections in November 1990 and run-offs in January 1991. The newly elected president, Jorge Serrano Elías in his inaugural speech promised to "cumplir y a hacer que se cumpla la ley sin discriminaciones" (comply with and see that the rule of law is complied with without discrimination) and stated that "quien viole la ley será castigado, sin importar su jerarquía, su fuero o el monto de su riqueza" ("those who break the law would be sanctioned irrespective of their rank or wealth").

RECOMMENDED ACTION: Telegrams/telexes/faxes/express and airmail letters:

- expressing concern at the killing of Juan Perebal Morales and his father Juan Perebal Xirum, reportedly by known members of the PAC from Chunimá;
- urging the authorities to open an immediate full and independent inquiry into their killing and that the results be made public;
- asking for guarantees for the safety of Diego Perebal, wounded in the attack.

APPEALS TO:

S.E. Jorge Serrano Elías
 Presidente de la República de Guatemala
 Palacio Nacional
 Guatemala, Guatemala
Tel: +502 2 21212, +502 2 22266
Fax: +502 2 537472; +502 2 519702
Telex: 5331 CAPRES GU
Telegrams: Presidente Serrano, Guatemala, Guatemala

Gral. Luis Francisco Mendoza García
 Ministro de Defensa
 Ministerio de Defensa
 Palacio Nacional
 Guatemala, Guatemala
Tel: +502 2 21212, ext 2226
Fax: +502 2 537472
Telex: 5361 COMGUA GU
Telegrams: Ministro Defensa Mendoza, Guatemala, Guatemala

Coronel Julio F Otzoy
 Comandante
 Base Militar No. 20
 Santa Cruz del Quiché
 El Quiché, Guatemala
Telegrams: Comandante Base Militar Santa Cruz, Quiche, Guatemala

Procurador General de la Nación
 Procuraduría General de la Nación
 18 Calle 10-36

Zona 1, Guatemala
Guatemala

Telephone: +502 2 511113, +502 2 537154 or +502 2 537173

COPIES TO:

- Consejo de Comunidades Etnicas "Runujel Junam" (CERJ), 5a Avenida 3-13, Zona 5, Santa Cruz del Quiché, Guatemala
- Procurador de Derechos Humanos, Avenida Simeón Cañas 10-61, Zona 2, Guatemala, Guatemala
- Diario Siglo XXI, 7a Avenida 11-79, Edificio Galerias España, 6o piso, Zona 9, Guatemala, Guatemala

and to diplomatic representatives of Guatemala in your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 1 April 1991.