

PUBLIC

AI Index: AMR 34/14/00

16 May 2000

Further information on UA 93/00 (AMR 34/13/00, 25 April 2000) - Fear for safety/Possible "disappearance"

GUATEMALA Mayra Angelina Gutiérrez Hernández

It is now known that Mayra Angelina Gutiérrez Hernández, who has not been seen since 7 April, was listed on a military intelligence database. Amnesty International believes that this strengthens fears that she has gone missing in a politically motivated "disappearance".

The database, apparently compiled by military intelligence during the 1980s, was made public by the *Secretario de Asuntos Estratégicos de la Presidencia* (SAE), Secretary of Strategic Affairs of the Presidency, on 7 May 2000. It contains a list of 650,428 people, more than 6% of the population. Each name on the list has a code number, which sources in Guatemala believe may contain crucial information on the fate of those listed.

Lists like this were reportedly to have been destroyed under agreements made during the negotiations which formally ended Guatemala's long-running civil war in 1996, but this list was stored in military intelligence computer files. There are conflicting accounts of why it has now been made public. Anyone who wishes to can find out if a particular name is on the list simply by applying to the *Procuraduría de Derechos Humanos*, Human Rights Procurator.

The authorities continue to deny that Mayra's "disappearance" could be a politically motivated crime, and have recently claimed that their inquiries have led them to believe that she could be in Mexico with a former boyfriend, a suggestion which her family flatly reject. No one has yet been charged with the crime and any supposed investigations have failed to establish Mayra's current whereabouts.

FURTHER RECOMMENDED ACTION: Please send telegrams/e-mails/faxes/express/ airmail letters in Spanish or your own language:

- requesting a prompt and independent investigation into the "disappearance" of Mayra Angelina Gutiérrez Hernández, with the findings made public and those responsible brought to justice;
- asking that if detained, her safety is guaranteed, that she is granted access to a lawyer, medical attention and her family and that she be promptly brought before a competent court or else released;
- urging the authorities to clarify, in this case and others, the coded information contained in the database, apparently compiled by military intelligence, made public on 7 May 2000;
- call on the government to present a bill of law to Congress implementing the right of *habeas data*, thereby activating the rights recognised in Article 31 of the Constitution: "Everyone has the right to know any information held about them by any state entity, and the reason for holding this information, and to correct, change or update any such information. Lists or archives of political affiliations are prohibited, except as regards official electoral authorities and political parties."

APPEALS TO:

Public Ministry

Dr. Marco Aurelio Pineda Colón
Dirección de Investigaciones Criminalísticas
Ministerio Público, 6a Avenida 5-66 Ofic. 605, Zona 1
Guatemala, GUATEMALA

Telegrams: Director Investigaciones Criminalísticas, Ministerio Público, Guatemala, Guatemala.

Faxes: + 502 253 4287

Salutation: Dear Director/ Estimado Señor Director

Strategic Affairs Secretary

Lic. Edgar A. Gutiérrez, Secretario de Asuntos Estratégicos
Secretaría de Asuntos Estratégicos, 6a Avenida "A" 3-53, Zona 1
Guatemala, GUATEMALA

Telegrams: Secretario Asuntos Estratégicos, Guatemala, Guatemala.

Fax: + 502 2322886

Salutation: Dear Secretary/ Estimado Señor Secretario

Human Rights Procurator

Lic. Julio Eduardo Arango Escobar, Procurador de Derechos Humanos
Procuraduría de los Derechos Humanos, 12 Avenida 12-72, Zona 1
Guatemala 01001, GUATEMALA

Telegrams: Procurador Derechos Humanos, Guatemala, Guatemala

Fax: + 502 238 1734 / 2535712

E-mail: opdhg@guatenet.net.gt

Salutation: Dear Procurator/ Estimado Señor Procurador

Minister of the Interior

Lic. Guillermo Ruíz Wong, Ministro de Gobernación
Ministerio de Gobernación, 6ª Avenida 4-64, Zona 4
Guatemala, GUATEMALA

Telegrams: Ministro Interior, Guatemala, Guatemala

Tel: + 502 362 0240/ 361 5604

Fax: + 502 362 0239/ 362 0237

Salutation: Dear Minister/ Estimado Señor Ministro

COPIES TO:

Rector of San Carlos University (USAC)

Ing. Efraín Medina, Rector de la Universidad de San Carlos
Ciudad Universitaria, Zona 12
Guatemala, GUATEMALA

Fax: + 502 476 7221

Salutation: Dear Rector/ Estimado Señor Rector

USAC School of Psychology

Lic. Sonia Toledo, Escuela de Psicología de la USAC
Ciudad Universitaria, Zona 12
Guatemala, GUATEMALA

Fax: + 502 476 9914

Human Rights Organization

Grupo de Apoyo Mutuo por el Aparecimiento
con Vida de Nuestros Familiares (GAM)
8a. Calle 7-46, Zona 1, Pasaje Fénix
Apartamento 15, Ofic. 5
Guatemala, GUATEMALA

Fax: + 502 238 4134

E-mail: gam@concyt.gob.gt

Newspaper

Diario "Prensa Libre"

13 Calle 9-31, Zona 1,
Guatemala, GUATEMALA

Fax: + 502 251 8768/ 2302257

E-mail: medios electronicos@prensalibre.com.gt

Salutation: Dear Sirs/ Estimados Señores

and to diplomatic representatives of Guatemala accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 27 June 2000.