

PUBLIC

AI Index: AMR 34/014/2008

21 May 2008

Further Information on UA 238/05 (AMR 34/038/2005, 14 September 2005) and follow-ups (AMR 34/001/2006, 13 January 2006; AMR 34/009/2006, 16 March 2006; AMR 34/002/2008, 7 February 2008) – Fear for safety/death threats

**GUATEMALA**     **Fredy Peccerelli (m), head of the *Fundación de Antropología Forense de Guatemala* (FAFG), Guatemalan Forensic Anthropology Foundation**  
**Bianka Peccerelli Monterroso (f), sister of Fredy Peccerelli**  
**Omar Bertoni Girón (m), FAFG Laboratory Coordinator, husband of Bianka Peccerelli Monterroso**  
**Gianni Peccerelli (m), brother of Fredy Peccerelli**  
**Other members of the FAFG**  
**New names: José Suasnavar (m), FAFG deputy director**  
**Leonel Paiz (m), head of FAFG archaeology department**

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An email was sent to Fredy Peccerelli on 19 May threatening to kill him, his sister and four leading members of the organization he heads, which exhumes bodies of people buried in secret graves during Guatemala's internal conflict. Witnesses to the Guatemalan genocide of the 1980s have recently finished giving testimony to a court in Guatemala City. This court is acting on behalf of the Spanish courts as part of a genocide case currently proceeding in Spain against former high-ranking members of the military junta of the early 1980s. It is believed that the prominence of the hearing has led to the latest threat.

Fredy Peccerelli heads the Guatemalan Forensic Anthropology Foundation (*Fundación de Antropología Forense de Guatemala*, FAFG). The death threat was also sent to his sister, Bianka Peccerelli Monterroso; and three FAFG members: Bianka's husband, Omar Bertoni Girón; José Suasnavar and Leonel Paiz.

The email read: "Well you bastards your day has come. You are being watched and we will kill you. Freddy we're going to break your arse, Omar is being watched in the university, his degree won't count for shit, his happiness at being a father won't last long, we're going to rape his wife and we'll send her in pieces to the FAFG. Bastard revolutionaries. To hell with your security, all of you are being watched Freddy your day will come soon and it will be the turn of the other members of the Institution afterwards, you'll never get the chance to testify bastard son of a bitch. The list is long but we will kill all of you your family will be first Freddy you bastard" (*Bueno malditos les ha llegado el día. Están vigilados y los mataremos. Freddy te vamos a quebrar el culo, a Omar lo tenemos vigilado en la Universidad de ni mierda le servira su título, su felicidad de padre poco le durara, a su mujer la vamos a violar y la enviaremos en pedazos a la FAFG. Malditos revolucionarios. Su seguridad a la mierda, todos están vigilados Freddy pronto te llegara tu día y a los demás miembros de la Institución les tocara después, nunca llegarás a declarar maldito hijo de puta. La lista es larga pero mataremos a todos tu familia sera la primera Freddy maldito*).

On the morning of the day the threat was sent, an article about the last day of witness testimonies appeared in one of Guatemala's main newspapers, *Prensa Libre*, together with a photo of an exhumation, where a sign bearing the name of FAFG could clearly be seen. A Spanish court is currently collecting evidence against eight men, including former military officers, on charges of genocide. The Spanish court's request for witness testimony to be heard was made in 2006, but only now, for the first time, have witnesses in this Spanish trial been able to give their testimony in a Guatemalan court.

On 20 May, the judge presiding over the hearing in Guatemala, Eduardo Cojulún, stated publicly that on the weekend of 17–18 May he had received telephone threats about his role in the hearing.

### **BACKGROUND INFORMATION**

FAFG contributes to legal action against members of Guatemala's former military government, with forensic investigations and exhumations of mass graves.

In February 2008, a threat against Fredy Peccerelli, his brother Gianni Peccerelli, his sister Bianka Peccerelli Monterroso and her husband, Omar Bertoni Girón was sent on the same day that a newspaper article was published on the testimonies due to be given in Spain by the witnesses in the genocide case, as well as a separate article on a reduction of the number of police agents assigned to personal protection duties.

In 2002 the Inter-American Commission on Human Rights asked the government to provide protection for Fredy Peccerelli, José Suasnavar, Leonel Paiz, other members of FAFG and their relatives. In 2006, the Inter-American Court of Human Rights made the same request, and called for an investigation to be carried out. The protection provided appears to have been inadequate, and to Amnesty International's knowledge, no-one has yet been brought to justice for any of the threats received by FAFG members.

### **RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in Spanish or your own language:**

- expressing grave concern for the safety of Fredy Peccerelli, José Suasnavar, Leonel Paiz, Omar Bertoni Girón and Bianka Peccerelli Monterroso, who received a death threat on 19 May;
- urging the authorities to take immediate steps to provide effective protection to FAFG members and the relatives of Fredy Peccerelli, as requested by the Inter-American Commission on Human Rights in 2002 and the Inter-American Court of Human Rights in 2006;
- calling on them to order an immediate and thorough investigation into these threats and those received on 2 February 2008, identifying those responsible and bringing them to justice without further delay;
- reminding the authorities of the right of human rights defenders to carry out their activities without any restrictions or fear of reprisals, as set out in the UN Declaration on the Rights and Responsibilities of Individuals, Groups and Institutions to Promote and Protect Universally Recognised Human Rights and Fundamental Freedoms.

### **APPEALS TO:**

#### Minister of the Interior

Carlos Vinicio Gómez Ruíz, Ministro de Gobernación

6ª Avenida 13-71, Zona 1, Palacio de la Policía Nacional Civil, Ciudad de Guatemala, Guatemala

**Fax: +502 2413 8888 (say "por favor, tono de fax" – business hours only, GMT+7)**

**Salutation: Señor Ministro/ Dear Minister**

#### Head of the Special Prosecutor's Office on Human Rights, Public Prosecutor's Office

Rosa María Salazar Marroquín

Jefa de la Sección de Derechos Humanos, Ministerio Público

10ª Calle 10-14, Zona 1, Edificio UP, 5º nivel, Ciudad de Guatemala, Guatemala

**Fax: +502 2230 6033 (say "por favor, tono de fax" – business hours only, GMT+7)**

**Salutation: Estimada Fiscal/Dear Madam**

### **COPIES TO:**

Fundación de Antropología Forense de Guatemala (FAFG)

Avenida Simeón Cañas 10-64, Zona 2, Ciudad de Guatemala, Guatemala

**Fax: +502 2288 7297**

**+502 2288 7302 (if a voice answers, say "por favor, tono de fax"; if an answering machine, press "send" after the tone)**

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 2 July 2008.