

UA 100/99

Fea.

**GUATEMALA Relatives and witnesses in the trial of  
Juan Chanay Pablo**

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Twelve former members of a civil defence patrol imprisoned for the 1993 extrajudicial execution of villager Juan Chanay Pablo were freed from jail after the jail was attacked by a large group of their supporters. The escaped men are said to have fled to Mexico. Amnesty International is concerned that relatives of Juan Chanay Pablo and witnesses to his murder may now be at risk.

On 30 April 1999, a crowd of approximately 600 former civil defence patrollers and peasants marched on Huehuetenango, capital of Huehuetenango department in the northeastern highlands of Guatemala, purportedly to protest against the detention of the convicted patrol members. They broke into the jail using spades, chainsaws and machetes, attacked prison officials, stole a fire-arm, released the 12 men and then fled with them.

A few hours earlier a judge had ordered that the prisoners should be transferred to another jail in Cantel, Quetzaltenango department.

**BACKGROUND INFORMATION**

The 12 former patrolmen had been jailed for 25 years in 1998 for the extrajudicial execution of villager Juan Chanay Pablo (see UA 259/93, AMR 34/52/93 and follow-ups). Juan Chanay Pablo was killed in August 1993 when civil patrollers attacked a peaceful demonstration in the hamlet of El Naranjal, Colotenango, Huehuetenango against the abuses carried out by the local civil patrol. After the attack, witnesses and relatives of Juan Chanay Pablo and others who were injured were constantly threatened, reportedly for cooperating in the investigation. The case was brought before the Inter-American Court of Human Rights (IACHR) of the Organisation of American States (OAS) in March 1994. The Court requested "cautionary measures", calling on the Guatemalan government to protect those being threatened. Guatemala agreed to implement the requested measures in June 1994, and the witnesses and family members were offered some protection. Despite this, the harassment continued and the measures had to be renewed several times.

In 1997 the Guatemalan Government finally paid compensation for the Colotenango incident to the victims and their relatives as well as committing \$355,000 to 15 development projects in Colotenango as additional compensation for the community.

**RECOMMENDED ACTION: Please send telegrams/telexes/faxes/express/airmail letters in Spanish or your own language:**

- expressing grave concern at the escape of the 12 former members of the civil patrol;
- calling on the Guatemalan government to take immediate steps to ensure the safety of the witnesses and victims involved in the Juan Chanay Pablo trial;
- noting that Amnesty International had welcomed the decision in 1998 which brought the perpetrators to justice and awarded compensation to their families and to the community and that the organization considers that these fugitives from justice must serve their sentences to show that the government has a genuine commitment to ensuring an end to impunity in Guatemala, and as one step towards a "firm and lasting peace", as called for in the 1996 Peace Accords;

- noting reports that the fugitives may now be in Mexico, and therefore, asking the Guatemalan government to seek the assistance of the Mexican authorities, to determine if the escapees have indeed reached Mexico, and if so, that, in accordance with relevant agreements between the two countries, all possible steps be taken by both governments to return them to Guatemala to serve the sentences for the crimes of which they have been convicted;
- calling on the Mexican authorities listed below, to cooperate fully, again in accordance with the relevant agreements between the two countries, with Guatemalan efforts to return any of these convicts that may have reached Mexico, to Guatemala to serve their sentences;
- urging the Guatemalan authorities to investigate the jail break and bring those responsible to justice;

**APPEALS TO:**

**President of the Republic of Guatemala**

S.E. Álvaro Arzú Irigoyen  
Presidente de la República de Guatemala  
Palacio Nacional  
6ª Calle y 7ª Avenida, Zona 1  
Ciudad de Guatemala, GUATEMALA  
**Fax: + 502 221 4537/230 1508**  
**E-mail: alvaroarzu@guate.net**  
**alvaroarzu@guateconnect.com**

**Salutation: Excelentísimo Señor Presidente / Dear President Irigoyen**

**Minister of Foreign Relations**

Lic. Eduardo Stein  
Ministro de Relaciones Exteriores  
Ministerio de Relaciones Exteriores  
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6ª Calle y 7ª Avenida, Zona 1  
Ciudad de Guatemala, GUATEMALA  
**Fax: + 502 232 7832/ 251 8445**  
**Salutation: Señor Ministro/ Dear Minister**

**Attorney General**

Lic. Adolfo González Rodas  
Fiscal General de la República  
Ministerio Público  
6ª Avenida 3-11, Zona 4  
Ciudad de Guatemala, GUATEMALA  
**Fax: + 502 362 7223**  
**Salutation: Dear Attorney General / Señor Fiscal General**

**Departmental Governor of Huehuetenango**

Roderico Algreto Martínez  
Gobernador Departamental de Huehuetenango  
4ª Avenida y 2ª Calle, Zona 1  
Huehuetenango, Huehuetenango, Guatemala  
**Tel: + 502 764 1295**  
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**Salutation: Señor Gobernador / Dear Governor**

**President of the Republic de México**

Lic. Ernesto Zedillo Ponce de León  
Presidente de la República de México

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**Salutation: Excelentísimo Señor Presidente / Dear President Zedillo**

**Mexican Minister of Foreign Relations**

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**Salutation: Señora Secretaria / Dear Minister**

**COPIES TO:**

**National Council of Guatemalan Widows**

Coordinadora Nacional de Viudas  
de Guatemala (CONAVIGUA)  
8a. Avenida 2-29, Zona 1  
Ciudad de Guatemala, GUATEMALA

**Fax: +502 232 5642**

**Salutation: Estimadas amigas**

**Daily Newspaper**

Diario "Prensa Libre"  
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**Salutation: Estimados señores / Dear Sirs**

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 30 June 1999.