

£GUATEMALA

@Targeting displaced people

Amnesty International is concerned at the reported incidents of intimidation and harassment of the leadership of Consejo Nacional de Desplazados de Guatemala (CONDEG), National Council for the Displaced of Guatemala carried out in Guatemala City in March and April 1992. The organization is also concerned at the reported death threats made in February 1992 against José Jiménez, a local leader of CONDEG also from San Idelfonso Ixtahuacán, by the leader of the Civil Defence Patrols in the area as well as the killing in January 1992 reportedly by the same civil patrol leader of three CONDEG members from the village of San Miguel, municipality of Ixtahuacán, in circumstances suggesting their extrajudicial execution. In Guatemala City, another member of CONDEG was abducted in May 1991 and released two days later. In December 1991 a further attempt was made to abduct him and in February 1992, armed men came to his home looking for him.

INTRODUCTION

The displaced population in Guatemala numbers in the hundreds of thousands according to the *Consejo Nacional de Desplazados de Guatemala* (CONDEG), National Council for the Displaced of Guatemala, which was formed in September 1989 to defend the rights of the displaced population. Most of those displaced, many of whom are indigenous peasants, originate primarily from the departments of El Petén, Izábal, Alta Verapaz and Baja Verapaz, Sololá, Totonicapán, Huehuetenango, San Marcos, Suchitepéquez, Quetzaltenango, Retalhuleu, and El Quiché, from where many thousands fled areas of conflict mostly during the counter-insurgency campaigns of the early 1980s. Others left the area later, as a result of ongoing repression. Many of those displaced have been considered by the Guatemalan security forces or those working with them as subversives, and have been targeted for human rights violations including, intimidation, threats, torture, "disappearance" and extrajudicial execution.

Shortly after its creation, CONDEG itself became a target of human rights violations. On 3 May 1990 a leader of CONDEG, Luis Miguel Solís Pajarito, aged 25, himself a displaced person from the village of Río Blanco, Sacapulas, department of El Quiché, "disappeared", after leaving the CONDEG office in Guatemala City. He had been a CONDEG representative at the government instigated National Dialogue.¹ On 27 April 1990 Luis Miguel Solís had been the victim of an abduction attempt by a group of men in civilian clothes on in the *colonia* Ciudad Real in Zone 12 of Guatemala City. In the writ of *habeas corpus* filed on his behalf, his wife stated that unknown men had been following her

¹ The National Dialogue, a series of talks between the government and various sectors of the population initiated in February 1989 was set up under the terms of the 1987 Central American Peace Agreement, for the purposes of achieving national reconciliation.

husband during the May-day march in Guatemala City. The authorities, however, denied holding him and he remains "disappeared".

Shortly after his "disappearance", his wife, Rosa Pu Gómez became the object of intimidation. Rosa Pu Gómez was at the time a member of the *Grupo de Apoyo Mutuo* (GAM), Mutual Support Group of Relatives of the "Disappeared", and is now active in

the Coordinadora Nacional de Viudas de Guatemala (CONAVIGUA), National

Luis Miguel Solís Pajarito

Council of Guatemalan Widows. More recently, on 31 January 1992, Rosa Pu Gómez was held at gunpoint by a man who asked her if she knew members of CONAVIGUA. Rosa Pu Gómez was on her way to attend a march to commemorate the 12th anniversary of the Spanish Embassy siege, in which at least 37 people were burned to death when security forces attacked the building in 1980. The assailant accused Rosa Pu Gómez of belonging to the armed opposition in Guatemala. He also asked her about her "disappeared" husband, Luis Miguel Solís Pajarito. Rosa Pu reported that she started walking away from the assailant and sought help from a passing policeman, who told the man to leave her alone as she "*anda con un montón de gente*" ("was with too many people"), but made no attempt to arrest the assailant.

Recent incidents against displaced people and members of CONDEG

1. *Threats and Intimidation against Lorenzo Pérez Mendoza*

Lorenzo Pérez Mendoza is a leader of CONDEG and works at their headquarters in Guatemala City. He told Amnesty International that on 19 April 1992 five armed men in civilian clothes grabbed him as he was walking through the San Juan Gardens in Zone 19 of Guatemala City. Two men grabbed his arms, while a third pulled him by the hair. A fourth man hit him in the stomach and asked him to hand over his money. Without further ado, one of the men gave the order to kill him and he was then grabbed from behind by his neck in an armlock until he lost consciousness. Lorenzo Pérez said that was unconscious for approximately 45 minutes and was assisted by someone in the gardens to take a taxi to his home. CONDEG denounced the incident to the Human Rights Procurator, because they believe the attack may have been carried out by the security forces in an effort to intimidate the leadership of CONDEG. Amnesty International has learned of several cases of incidents similar to those described above where armed men in plain clothes carry out acts of violence, which are made to look like common crimes, against people considered as political opponents of the government.

The leadership of CONDEG have also reported that their offices have been under persistent surveillance by men whom they believe may be members of the security forces. In a previous incident on 22 March, as Lorenzo Pérez was leaving the CONDEG offices, two men in a red car, whose licence-plates, CONDEG believe may belong to the security forces, began to follow him. Lorenzo Pérez, who was in the company of another member of CONDEG, managed to escape. During the month of April, men in plain clothes have been seen standing outside the offices of CONDEG noting those entering and leaving the offices.

2. *Threats against José Jiménez*

José Jiménez, a local leader of CONDEG in the municipality of San Idelfonso Ixtahuacán, Huehuetenango department, reported receiving threats from the leader of the *Patrullas de Autodefensa Civil* (PAC), Civil Defence Patrols² in February 1992. José Jiménez reported that the head of the PAC accused him of being a guerrilla, and threatened to detain him and take him to the local military base in Huehuetenango. José Jiménez believes he received threats because of his local leadership in CONDEG. CONDEG have been organizing workshops in the area of San Idelfonso Ixtahuacán, on subjects such as human

² The Civil Defence Patrols are civilian auxiliaries of the Guatemalan armed forces. They were formed in the early 1980s as part of the counter-insurgency strategy then being pursued by the army. Amnesty International has learned of numerous cases of human rights violations being carried out by leaders of the civil patrols with the connivance or at the behest of the armed forces. In very few cases have these human rights violations, including, torture "disappearance" and extrajudicial execution, been investigated and those found responsible brought to justice.

rights, law and on the question of ethnic, cultural and religious identity. A writ of *habeas corpus* was filed on his behalf with the Supreme Court of Justice of Guatemala on 25 February 1992, which according to the Guatemalan Constitution, can be filed on behalf of anyone whose constitutional guarantees are suspended or under threat³. However, there has been no response from the authorities, to the writ which was issued on 25 February 1992.

Previously three members of CONDEG had been killed in the same municipality of Ixtahuacán in circumstances suggesting their extrajudicial execution. On 15 January 1992, Juan López was reportedly shot dead in the village of San Miguel, in the municipality of Ixtahuacán. On the following day Juan Domingo and Juana López were also reportedly killed. The bodies of all three were found in a clandestine grave near their home. According to local residents, all three were shot by the same PAC leader who threatened José Jiménez. Witnesses to the killings have reportedly not come forward to give further details because of fear of reprisal against them.

3. *Santos Benito Baradona*

According to information received by Amnesty International, on the night of 19 February 1992 two unidentified men came to the home of Santos Benito Baradona, a member of CONDEG, in the Villa Lobos II Project, in Zone 12 of Guatemala City. They asked for Santos Baradona, and tried to force their way into the house. Santos Baradona's wife told the men her husband was not at home. However, the men reportedly waited outside until 1.00 am and then left. They reportedly returned around 3.00am and communicated over a radio-controlled receiver, and were heard to mention the name of Baradona in their conversation.

Santos Benito Baradona is also a member of the *Comité de la Coordinadora de Asentamientos Humanos* (Committee for the Coordination of Human Settlements), and has

³ Article 263 of the Guatemalan Constitution states:

"Quien se encuentre ilegalmente preso, detenido o cohibido de cualquier otro modo del goce de su libertad individual; amenazado de la pérdida de ella, o sufre vejámenes, aun cuando su prisión o detención fuere fundada en ley, tiene derecho a pedir su inmediata exhibición ante los tribunales de justicia, ya sea con el fin de que se le restituya o garantice su libertad, se hagan cesar los vejámenes o termine la coacción a que estuviere sujeto."

"Any person who finds himself illegally imprisoned, detained or restrained in any other way in the enjoyment of his individual liberty, who is threatened by the loss of it, or suffers grievances even when his imprisonment or detention is based on law, has the right to request an immediate hearing before the courts of justice, whether for the purpose of obtaining the restitution of his liberty, for bringing the grievances to an end, or for terminating the constraint to which he is subject."

been involved in negotiations with the *Banco Nacional de Vivienda* (BANVI), National Housing Bank to purchase land for displaced persons in the Villa Lobos II Project in Zone 12 of Guatemala City. According to the Committee for the Coordination of Human Settlements, over 800 families from the Mezquital land site, also in Zone 12 and which cannot accommodate any more people, reportedly procured an agreement with BANVI for the purchase of the Villa Lobos II plot and paid a deposit for the land. Negotiations have since broken down with BANVI, who the Committee alleges are now asking for a higher purchase price for the land. The 800 families, however, have already occupied the land and built settlements, but do not have access to water or electricity. The community accuses BANVI of being in breach of their original agreement with them. Santos Baradona believes the threats against him are related to the conflict over the purchase of the land, and may be perpetrated by members of the security forces or those working with them. He has also reported several previous attempts to abduct him because of his leadership role in the community.

On 15 May 1991 several unidentified armed men reportedly abducted Santos Benito Baradona, as he was leaving the *Comité Nacional de Reconstrucción* (National Committee for Reconstruction) in Guatemala City. According to information received by Amnesty International four armed men driving a brown coloured Chevrolet-type vehicle called out to him by his nick-name, and thinking that he knew the men he went over to the vehicle. The men forced him inside and put a blindfold over his eyes. Santos Baradona was held for two days, during which he was continually blindfolded and given no food. His captors warned him to stop participating in any kind of organization. They also said that he should not involve himself in matters that were not his concern. They said that if he did not do as they said, he would be killed. Santos Baradona was also questioned about the activities of the then President of the Human Rights Commission of Congress, the Roman Catholic priest, Fr. Andrés Girón.⁴ Santos Baradona was freed on 17 May 1991 by his captors who told him that if he denounced what had happened to him to the police or any judicial tribunal, his life would be in danger.

⁴ Fr. Andrés Girón in the past played a leading role in Guatemala's largest peasant movement, the *Asociación Nacional de Campesinos Pro Tierra* (ANC), National Association of Peasants for Land, formed after he organized a peasant march into Guatemala in mid-1986 to advocate land distribution to landless peasants. His activities in support of this call, however, led to the "death squad" *Ejército Secreto Anti-comunista* (ESA), Anti-communist Secret Army, to brand him a "communist" on a number of occasions, and to accuse him of encouraging people to join the guerrillas. In June 1988, he received death threats and several people associated with his organization were reportedly killed. (See *Guatemala: Human Rights Violations under the Civilian Government*, AMR 34/07/89, 14 June 1989).

More recently, at approximately 2.00 am on the morning of 1 March 1992, the home of Fr. Andrés Girón in Nueva Concepción, Escuintla was reportedly attacked with firearms and explosives. No one was reportedly hurt in the attack. The motive for the attack, however, is still unclear.

On 23 December 1991, members of the Villa Lobos Project held a demonstration outside the offices of BANVI in Zone 12 of Guatemala City, asking for an adjudication on their petition to purchase the plots promised by the bank. Following the demonstration, three armed men in civilian clothes approached Santos Baradona and reportedly said that he should keep quiet or they would "*callarían para siempre*" ("shut him up for ever"). On 31 December at approximately 7.00 pm five men driving a black pick-up with stripes attempted to abduct Santos Baradona in the El Trébol area of Guatemala City, between Zone 7 and Zone 11, but this time he managed to escape.

BACKGROUND

President Jorge Serrano Elías came to power in January 1991. During his presidential campaign he pledged to ensure protection of human rights. However, Amnesty International remains seriously concerned at continuing human rights violations in Guatemala, including extrajudicial executions, death threats, torture and "disappearances". As in past years, the choice of victim and the manner in which the abuses have been carried out suggest the involvement of members of the official security forces.

Abuses against CONDEG members are taking place in the context of human rights violations directed at members and leaders of trade unions and popular movements, journalists, politicians, students, lawyers, judges, street children, human rights activists and others who pressed for inquiries into past human rights violations, by the security forces and their civilian agents, including civil patrollers and military commissioners (*comisionados militares*). Other victims included villagers who refused to serve in the ostensibly voluntary civil patrols, and even police and military officers. As in previous years, some victims were shot outright in "death-squad" style operations, while others were forcibly seized and their bodies, many bearing signs of torture, were later found. Some remained "disappeared", and others were seized for interrogation, threatened, tortured and later released.