

EXTERNAL (for general distribution)

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UA 145/94 Torture/Fear of torture

13 April 1994

**GUATEMALA: Jorge Alberto CAAL
 Gilberto MORAL CAAL**

Amnesty International is concerned for the safety of a number of people, including Jorge Alberto Caal and Gilberto Moral Caal following their arrest by the police and army in San Cristóbal Verapaz, Alta Verapaz department. At least 150 people, many of them Pokomhi Mayans, were arrested after the Guatemalan army moved into San Cristóbal Verapaz following the beating of a foreign tourist on 28 March. Townspeople attacked the woman after it was suggested that she was involved in the kidnapping and export of Guatemalan children for adoption and the organ trade. Reportedly, the attack was in fact instigated by people working closely with the Guatemalan army, who then provided the army of lists of people to arrest who in fact had nothing to do with the incident. Amnesty International is concerned at reports that a number of those detained have been subjected to beatings and torture, including Jorge Alberto Caal, who reportedly was left with bruises all over his body and was urinating blood.

On 5 April, the army took control of the town centre and reportedly carried out another wave of arrests, including that of Gilberto Moral Caal, a member of the road workers union. Sources in Guatemala report that Gilberto Moral's arrest is related to his union membership and that he has been taken to the Zone 21 military base in the area, where it is feared he could be maltreated.

BACKGROUND INFORMATION

Rumours have been rife in Guatemala for some time that Guatemalan children are being kidnapped for adoption and for organ transplants abroad, and that US citizens are involved. The attack on the woman tourist in San Cristóbal Verapaz is one of several assaults that have recently taken place against foreign women, whom townspeople or villagers came or were led to believe were involved in the "*baby exporting racket*". Some sources have suggested that such rumours are intentionally being fanned by sectors who wish to de-stabilise the government of President Ramiro de León Carpio and reassert the army's influence.

Residents of San Cristóbal Verapaz believe that the attack on the tourist there is being used by the army as an excuse to militarise their town. San Cristóbal Verapaz was the site of a number of large-scale killings by the military during the army counter-insurgency campaign of the 1980s.

Other recent incidents in Guatemala have included the reported kidnapping on 11 April of a seven-year-old American girl on her way to school and the apparently politically-motivated shooting on 1 April of Eduardo Epaminondas González Dubón, President of the Constitutional Court. Epaminondas González' intervention in reversing the attempted "*self-coup*" by President de León's predecessor, Jorge Serrano in May 1993, was widely seen as critical to preserving civilian rule in Guatemala.

In the wake of these recent incidents of violence, President Ramiro de León announced on 11 April that the Guatemalan military would take charge of internal security in order to combat violence and growing unrest.

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

- expressing concern at the reported large-scale arrests in San Cristóbal Verapaz of people who were allegedly not involved in the 28 March attack on a foreign tourist and the reported maltreatment and torture of some of those detained, including Jorge Alberto Caal;
- asking for information as to the current status of both Jorge Alberto Caal and Gilberto Moral Caal, and that if detained they be given access to their families and a lawyer, and that they be charged with a legally recognised offence or released;
- urging that Jorge Alberto Caal be given proper medical treatment for injuries that he allegedly sustained while in police custody;
- urging that the attack on the foreign tourist and the alleged maltreatment and torture of Jorge Alberto Caal and others be properly investigated, and those responsible brought to justice;
- expressing concern at the control over internal security matters, normally considered police responsibility, apparently being given to the Guatemalan military. Note that in view of the military's past record of gross human rights abuses, it is vital that all military assigned to such duties be given strict instructions as to their responsibilities to respect human rights as set out for example in the United Nations (UN) Code of Conduct for Law Enforcement Officials (1979) and essential that procedures are implemented to ensure that they respect these obligations.

APPEALS TO:

1) President of the Republic:

S.E. Ramiro de León Carpio
 Presidente de la República de Guatemala
 Palacio Nacional, Guatemala, GUATEMALA

Telegrams: Presidente de León Carpio, Guatemala, Guatemala

Faxes: + 502 2 347 364

Telexes: 5331 CAPRES GU

Salutation: Excelentísimo Sr. Presidente /Dear President

2) Minister of Defence:

Gral. Mario Enríquez Morales
 Ministro de Defensa
 Ministerio de Defensa
 Palacio Nacional, Guatemala, GUATEMALA

Telegrams: Ministro de Defensa, Guatemala, Guatemala

Faxes: + 502 2 515 252 + 502 2 21906

Telexes: 5361 COMGUA GU

Salutation: Sr. Ministro / Dear Minister

3) Commander of Military Base

Cnel Raúl Dehesa Oliva Méndez
 Comandante

Base Militar Cobán
 Alta Verapaz, GUATEMALA

Salutation: Sr. Comandante

COPIES OF YOUR APPEALS TO:

Indigenous Rights Group

Defensoría Maya

32 av. 1-56

Zona 7

Guatemala, GUATEMALA

Human Rights Procurator

Lic. Jorge García Laguardia

Procurador de los Derechos Humanos

12 Avenida 12-71, Zona 1, Guatemala, GUATEMALA

and to diplomatic representatives of accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 25 May 1994.