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## **Guatemala: Peace prize winners Arzú And Morán yet to demonstrate their full commitment to the peace agreement**

President Álvaro Arzú of Guatemala and Rolando Morán, a leader of the former Guatemalan guerrilla group *Unidad Revolucionaria Nacional Guatemalteca* (URNG), Guatemalan National Revolutionary Unity, are yet to ensure that the Guatemalan peace agreement goes beyond the mere formal signing of an accord, Amnesty International said on the occasion of the awarding of UNESCO's Houphouet Boigny Peace Prize to the Guatemalan leaders in Paris.

"In the resolution which established the award, UNESCO quoted former Côte d'Ivoire President Félix Houphouet-Boigny that 'Peace is not merely an empty word, but [requires] ongoing commitment'," Amnesty International said. "Arzú and Morán should consequently take concrete steps to ensure that perpetrators of past abuses are brought to justice, so that continuing impunity does not open the way for future abuses, undercutting national and international hopes that Guatemala is finally on the road to a firm and lasting peace."

Amnesty International welcomed the formal ending of the Guatemalan conflict, during which tens of thousands of persons were subjected to a pattern of gross human rights violations by official government forces -- including torture, "disappearance," and large-scale extrajudicial executions -- and others suffered ill-treatment and political murder at the hands of the armed opposition. However, the organization believes that a truly firm and lasting peace must be based on justice and genuine protection for the human rights of all Guatemalans.

Several components of the peace accords -- particularly the Accord on the Establishment of the Commission for Historical Clarification, and the Bases for the Reincorporation of the URNG, as well as the Law of National Reconciliation -- dilute, contradict or weaken elements of the Global Accord on Human Rights signed in March 1994. Thus far, the peace process has not resulted in progress in the investigations into past or new human rights violations.

"This, and the failure to rescind past amnesties which absolved perpetrators of responsibility for violations carried out over the last three decades, could mean that those responsible for gross human rights abuses would escape accountability," Amnesty International said. "The surviving victims, their families and Guatemalan society would then be deprived of their right to know the truth, and to be free from fear of further human rights violations."

Reports of continuing abuses suggest that failure to carry out judicial investigations of abuses and bring those responsible to justice could itself impose a threat to peace. This is reinforced by an alarming incidence of threats and harassment against people working to clarify past violations and identify those responsible.

In May and June 1997, for instance, relatives of indigenous victims of possible extrajudicial executions by the army between 1980 and 1982 in the San Andrés Sajcabajá, department of El Quiché, reported that they have received death threats to dissuade them from pressing for the exhumation of the remains of victims of army massacres said to be buried in clandestine mass graves in the area.

In another recent incident, a former military commissioner (civilian agents of the army who served under army discipline in rural areas of the country during Guatemala's armed conflict) was absolved of responsibility, despite substantial evidence linking him to 97 separate incidents of gross human rights violations against non-combatant civilians in the community of Tululché, department of El Quiché, in the early 1980s. The alleged violations included 35 killings, 44 kidnappings, and 14 rapes, as well as threats, illegal detentions and maltreatment.

Local observers of the proceedings against the alleged perpetrator have objected to shortcomings in the way in which they were conducted, and fear that their outcome has not only made a mockery of the efforts of the people of Tululché to seek justice for past violations suffered by themselves and their families, but leaves them in danger of further abuses from the alleged perpetrators. They have already received a series of death threats from the accused man's relatives, warning them to drop their efforts to bring him to justice.

The failure of the Guatemalan authorities to initiate a timely investigation into the fate of missing URNG member, Juan José Cabrera ("Mincho") -- and the position maintained until recently by them and by the URNG leadership that the man did not exist -- has renewed international concern that the peace agreement will not necessarily serve to ensure that Guatemala adheres to its international human rights obligations.

### **Background information**

"Mincho" was allegedly involved in the August 1996 kidnapping for ransom of an elderly Guatemalan woman. She was later exchanged for another guerrilla arrested in connection with the incident in a deal brokered by the United Nations, but "Mincho" reportedly "disappeared" after his abduction by members of the Guatemalan security forces, and was allegedly tortured to death. The Guatemalan government and the URNG leadership denied his existence until recently, allegedly so as not to derail the peace process.

The UNESCO peace prize, named in honour of former Ivory Coast president, Félix Houphouët-Boigny, was created in 1989 and has since been awarded yearly to a person, institution or organism deemed to have made a significant contribution to the search for, preservation or maintenance of peace. The Guatemalan leaders are being awarded for their role in signing the final Guatemalan peace accord last December, the culmination of more than 15 years of negotiations and a series of previous agreements on subjects such as indigenous and social and economic rights.

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**For further information or to arrange an interview (in English or Spanish), please contact Soraya Bermejo, Amnesty International Press Office, on +44 171 4135562**