

EXTERNAL

AI Index: AMR 34/26/95

UA 234/95

Extrajudicial Executions/Fear for Safety 10 October 1995

GUATEMALA

Killed: Abel RAMÍREZ PÉREZ, 36
Manuela MATEO PASCUAL, 20 (f)
Maurilia COC MACS, 7 (f)
Pedro MEDINA SÁNCHEZ, 42
Santiago COC POP, 8
Paulo COC COC, 35
Juana Jacinto FELIPE, 39 (f)
Hilaria MORENTE DE LA CRUZ, 48 (f)
Pedro Diego ANDRES, 34
Andrés Miguel MATEO, 60
Fernando CHOC CHIC, 17 (died in hospital in Salamá, 6 October)

Injured include: Efraín GRAVE MORENTE, 17
Juana Felipe VELÁSQUEZ, 55
Carlos Fernando CHOC, 17
Pedro MATEO, 33
José PASCUAL, 39
Francisco HERNÁNDEZ, 57
Santos CHOC MAC, 45
Santiago MAQUIN, 66
Martín QUIP MUCU, 30
Víctor CARRILLO, 40
Rosenda SALES ORTIZ, 30 (f)
Ricardo POP CAAL, 25
Marcos JOLOM NAYAC, 27
Rosendo MORALES ORTIZ, 54

Eleven indigenous peasants, including two children, have been killed as a result of an attack by uniformed members of the Guatemalan armed forces against the community of *Aurora 8 de Octubre*, also known as Xamán, of Chisec Municipality, Baja Verapaz Department. Amnesty International is seeking immediate clarification of measures promised by the government to bring those responsible to justice and is urging that the safety of witnesses to the attack and those injured in it be guaranteed as a matter of urgency.

The community of *Aurora 8 de Octubre* consisted of a group of 441 refugees, predominantly of Kekchi indigenous origin, who were resettled in the Chisec area after their repatriation from Mexico on 14 October 1994. According to witness statements, on 5 October 1995, as the community was making preparations to celebrate the first anniversary of their return, an army patrol entered the community after having been encountered by villagers in the surrounding area. When challenged, the patrol stated that they wished to discuss army participation in the forthcoming celebrations. An argument ensued, with villagers objecting to the presence of the patrol, which they argued was in violation of government resettlement agreements. The officer in charge of the patrol then reportedly made a radio communication, after which he gave the order to open fire. Witnesses state that the soldiers fired indiscriminately, and exploded several grenades, as a result of which three soldiers were among those wounded. The returnees reported that as the the soldiers retreated, they fired again at some of the wounded, and shot and killed an eight-year-old boy fishing in a nearby stream.

The attack left a total of 10 peasants dead and 15 others seriously wounded, one of whom died on 6 October. Also on 6 October several seriously wounded peasants were taken to San Juan de Dios Hospital in Guatemala City. At least 15 others suffered less serious injuries.

After initially denying army involvement, the Minister of Defence confirmed the killings had been carried out by members of the armed forces, but stated that his troops were attacked by members of the community when they entered the village at the villagers' invitation. President Ramiro de León Carpio has appointed a government commission to bring to justice those responsible.

Amnesty International's concern for the witnesses is heightened by the fact that in the past it has documented cases where survivors of human rights violations, attributed to the security forces, have themselves become the victims of extrajudicial executions, as well as acts of intimidation and harassment. Wounded survivors have also reported having been visited in hospital by men in plain clothes, whom they believe were members of the security forces, or those working with them (see Amnesty International Annual Report 1995, AI Index: POL/10/01/95).

BACKGROUND INFORMATION

Few, if any, of these killings have been investigated by the Guatemalan government, and abuses continue, directed against those who have joined the call for inquiries into past abuses.

The late 1970s and early 1980s also saw a mass exodus from the area of Alta Verapaz, which was a frequent target of the Guatemalan military's counter-insurgency campaign. Many inhabitants were extrajudicially executed by the army and the civilian defence squads formed by the army and acting under its command. Indigenous people fled to seek refuge abroad or became displaced elsewhere in Guatemala. Some refugees and displaced persons are now returning under plans agreed by refugee representatives, the Guatemalan government, representatives of the armed opposition and of the United Nations in the context of ongoing peace negotiations. The agreements specified that the safety of all returned refugees and displaced communities was to be assured.

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

- expressing concern at the killings in *Aurora 8 de Octubre* on 5 October 1995; urging the immediate publication of the terms of reference of the body investigating the events be made immediately public and that its findings be made known as soon as they are available;
- urging that any criminal acts found to have been committed be referred to the courts;
- asking for assurances that all those injured in the attack will receive adequate medical care;
- seeking guarantees for the physical integrity of all witnesses to the incident.

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 537472/515667
Salutation: Excelentísimo Sr. Presidente / Dear President

2) Minister of Defence

Gral. Mario René Enríquez Morales
 Ministro de Defensa
 Ministerio de Defensa
 Palacio Nacional, Guatemala, GUATEMALA
Telegrams: Ministro de Defensa, Guatemala, Guatemala
Faxes: + 502 2 537472
Salutation: Sr. Ministro / Dear Minister

3) Attorney General

Lic. Ramses Cuestas Gómez
 Fiscal General de la Nación
 Ministerio Público
 18 Calle 10-36, Zona 1
 Guatemala, GUATEMALA
Faxes: + 502 2 537554; + 502 2 530482
Telegrams: Fiscal General, Guatemala, Guatemala
Salutation: Señor Fiscal General / Dear Attorney General

COPIES TO:

Human Rights Procurator

Lic. Jorge García Laguardia
 Procurador de los Derechos Humanos
 12 Avenida 12-72
 Zona 1, Ciudad de Guatemala, GUATEMALA

Commander of the Military Base, Cobán

Col. Samy Noé Vásquez Benavente
 Base Militar No. 21
 Cobán,
 Alta Verapaz, GUATEMALA

Newspaper

Diario El Gráfico
 14 Ave., 4-33, Zona 1
 Ciudad de Guatemala, GUATEMALA

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 21 November 1995.