

£GUATEMALA

@Extrajudicial executions persist under government of former Human Rights Procurator

Introduction

More than a year has passed since former Human Rights Procurator, Ramiro de León Carpio, took over the presidency of Guatemala after an attempted *autogolpe* (self-imposed coup) by his predecessor, president Jorge Serrano Elías, was reversed in May 1993 by an unprecedented alliance of popular sectors, business interests and more moderate sectors of the armed forces. Initially, President de León's accession to office gave rise to hopes in both Guatemala and abroad that the human rights situation in the country would improve. Yet once in office, President de León has failed to put into practice the experience he gained as Human Rights Procurator, and human rights violations continue to occur, including extrajudicial executions, "disappearances," arbitrary arrests, torture, and an increasing incidence of harassment and death threats¹. Victims have included women and children, indigenous leaders and activists, human rights monitors, journalists, students, trade unionists, jurists and politicians. Those responsible remain largely unpunished and there has been no evidence of any genuine efforts to investigate the vast majority of violations that occurred under previous administrations.

The violations have continued despite the government's purported commitment to respect and promote human rights and to take firm action against impunity, as affirmed in a human rights accord agreed by the government and the armed opposition. The human rights accord, which was signed on 29 March 1994 in Mexico City, by representatives of the Guatemalan Government and the armed opposition coalition, the *Unidad Revolucionaria Nacional Guatemalteca* (URNG), Guatemalan National Revolutionary Unity, is to be followed by a series of talks, in which different topics are to be discussed each month, including indigenous people, a ceasefire accord, constitutional reforms and finally, in December 1994, a peace treaty. In addition, some meetings between the government and the URNG took place in Norway from 13 June until 23 June, in which human rights issues were

¹ See for example the following Urgent Actions for further information on harassment and death threats reported to AI from Guatemala during 1994: UA 215/94, AMR 34/27/94, 6 June 1994, UA 158/94, AMR 34/23/94, 20 April 1994, UA 130/94, AMR 34/17/94, 30 March 1994, UA 116/94, AMR 34/16/94, 23 March 1994, UA 98/94, AMR 34/13/94, 11 March 1994, UA 86/94, AMR 34/12/94, 4 March 1994, UA 74/94, AMR 34/11/94, 23 February 1994, UA 72/94, AMR 34/10/94, 23 February 1994, UA 37/94, AMR 34/06/94, 3 February 1994, UA 31/94, AMR 34/04/94, 31 January 1994, UA 30/94, AMR 34/03/94, 31 January 1994.

discussed. During the Norway talks an agreement was signed on the resettlement of those displaced by the armed conflict, including refugees in Mexico and internal refugees. Agreement was also reached in Norway on the formation of a Commission for the Clarification of Violations of Human Rights and Acts of Violence which Caused Suffering to the Guatemalan People during the Armed Conflict.² The Commission, which is to have three members, will have no legal authority to punish those responsible for human rights violations. It will cover the period from the beginning of the armed conflict until the signing of the final peace agreement³ and will begin operating after the signing of the planned peace treaty in December 1994⁴ and will last for an initial six months, which may be extended for a further six months if members of the Commission so decide. The Commission is to produce a report containing the results of the investigations and making specific recommendations. However, the Commission's report will not name specific individuals involved in the perpetration of human rights violations and its findings will not be considered valid as evidence in a court of law⁵.

Prior to the Norway talks Amnesty International called on both parties to put the serious investigation of past human rights violations and the punishment of those found responsible high on their agenda. The organization made clear its view that any such Commission should be given a mandate and sufficient resources to enable it to look into all reported cases of human rights violations carried out by both government forces and the armed opposition. It continues to believe that the results of the Commission's findings should be referred to the appropriate judicial bodies and those found responsible for human rights violations and abuses⁶ be brought to justice. Amnesty International also urges that such a Commission should study, report on, and make recommendations to eliminate the structures, policies or mechanisms which contributed to the persistence of human rights violations in Guatemala over a period of almost three decades. Such steps are vital, not only for the sake of the victims and their relatives, but so as to prevent the recurrence of such violations.

² *Comisión para el esclarecimiento histórico de las violaciones a los derechos humanos y los hechos de violencia que han causado sufrimientos a la población guatemalteca, vinculados con el enfrentamiento armado.*

³ *"la Comisión será a partir del inicio del enfrentamiento armado, hasta que se suscriba el acuerdo de paz firme y duradera".*

⁴ *"La Comisión se integrará, instalará y empezará a funcionar a partir del día de la firma del acuerdo de paz firme y duradera".*

⁵ *"no individualizarán responsabilidades, ni tendrán propósitos o efectos judiciales".*

⁶ The term "human rights violations" is used when referring to governments (which have formal obligations in international human rights law at all times). The term "abuses" is used for political non-governmental entities (where international standards are explicit and binding only in the context of armed conflict).

The new UN Special Expert on Guatemala, Mónica Pinto, has also made clear her view that Guatemalans are entitled to clarification of the grave human rights violations that the country has suffered in recent years. In her report, issued in January 1994, after a visit to the country from 24 November until 7 December 1993, she stated:

"Tratase de una suerte de derecho a la verdad que, a partir de reconocer y esclarecer los hechos y no de negarlos, permite recobrar la salud social para emprender la tarea de construir un presente y un futuro en democracia en el que se minimicen las posibilidades de cometer abusos en materia de derechos humanos".

"It is a question of the right to the truth, which as well as recognising and clarifying the facts and not denying them, will allow social health to be recovered in order to undertake the task of building a democratic present and future in which the possibilities of committing human rights abuses are minimised."

In his annual report, issued in January 1994, Human Rights Procurator, Jorge Mario García Laguardia, also referred to the continuing impunity in Guatemala:

"A pesar de las declaraciones de altos jefes militares, en algunas comandancias departamentales se actúa con absoluta arbitrariedad y los comisionados militares continúan cometiendo violaciones reiteradas con absoluta impunidad".

"In spite of the declarations made by high-ranking military chiefs, in some departmental military commands they act arbitrarily and the military commissioners continue committing repeated violations with total impunity."

Unresolved extrajudicial executions since President de León came to office: Some illustrative examples

This paper focuses on a number of the extrajudicial executions which have occurred since President de León came to office. Although these are no longer at the same level that they were during the late 1970s and the early 1980s when harsh counter-insurgency tactics were being used by the military, statistics prepared by the *Oficina de Derechos Humanos del Arzobispado de Guatemala* (ODHAG), Archbishop's Human Rights Office of Guatemala, in 1993, suggest that there was an increase in extrajudicial executions as of mid-December. In a later report published in mid-July 1994, ODHAG stated that over 160 people had been victims of extrajudicial executions during the first six months of 1994. The government's failure to aggressively pursue inquiries into these and other reported human rights violations which have occurred under President de León's administration, combined with increasing reports of harassment and death threats, suggests that despite initial hopes for an improvement in the human rights situation, the government's human rights performance

continues to warrant close monitoring. Continuing impunity calls into serious question the genuineness of the government's commitment to return Guatemala to the rule of law.

Since President de León came to office, Amnesty International has called on him to initiate enquiries on over 50 separate occasions involving reported or feared violations against some 300 people. Over a dozen of these appeals have dealt with cases of apparent extrajudicial executions which Amnesty International believes merit in depth inquiries to determine those responsible and bring them to justice. While Amnesty International is not able in all cases reported to attribute responsibility for such human rights violations, in a number of these there is information available which suggests official responsibility.

In all of these cases Amnesty International is calling for full and impartial investigations into the killings, that the findings be made public and that those found responsible be brought to justice. These killings are illustrative of many thousands of human rights violations that have occurred in recent years that Amnesty International believes must be resolved if the government wishes to signal that no further human rights violations will be tolerated and which it believes should be studied by the newly agreed Clarification Commission.

Eduardo Epaminondas González Dubón

Two of the most well-publicised cases of apparent extrajudicial executions since Ramiro de León took over the presidency were those of the President of the Constitutional Court, **Eduardo Epaminondas González Dubón**, and prominent politician and newspaper owner and publisher, **Jorge Carpio Nicolle**.

Just two days after the signing of the human rights accord, on the night of 1 April 1994 **Epaminondas González** was shot and killed in Guatemala City, the capital, by armed men in plain clothes, widely believed to have been acting on behalf of hard-line sectors of the military. According to reports, Epaminondas González and his family were travelling by car on their way home from a celebration, when two unidentified men drove by in a red car and shot Epaminondas González in the chest, in the presence of his wife and eight-year-old son. He was rushed to a hospital where he died shortly afterwards.

As President of the Constitutional Court, Epaminondas González's intervention in reversing the attempted *autogolpe* in May 1993, was widely seen as critical in preserving civilian rule. His one year term as President of the Constitutional Court was due to end on 12 April 1994.

Following the killing of Epaminondas González, Amnesty International wrote to President de León, urging the government to demonstrate its willingness to fulfil its obligations to the recent human rights accord by ensuring that the results of any investigation into the killing of

Epaminondas González be made public, and that those found responsible be brought to justice.

A number of common criminals and one police sergeant were subsequently arrested on 14 April 1994 in connection with his killing, but they have denied involvement, and highly placed government officials have also publicly stated that there is no concrete evidence to link them to the crime. By June 1994 only two of these remained in custody, accused of the killing. As of July 1994 there have been no convictions.

Shortly after the killing of Epaminondas González, **Obdulio Chinchilla Vega**, a Congress member for the rightist political party *Partido Revolucionario*, Revolutionary Party, accused the government and military of an attempt on his life on 6 April 1994 in which he was shot and seriously injured in Guatemala City. According to his family, he had received death threats days before the attack and accused the army Chief of Staff of a plot to kill him. This was the second attempt on the life of this controversial figure within a year, the first being during the May 1993 *autogolpe* crisis. Some sources in Guatemala believe that the killing of Epaminondas González and the attack on Obdulio Chinchilla were aimed at creating conditions which would force the government to implement a 'state of exception' or to provoke a coup and sabotage the human rights accord.

Human rights defenders in Guatemala fear that those responsible for the killing of Epaminondas González may not be brought to justice, as has been the case with respect to **Jorge Carpio Nicolle's** apparent extrajudicial execution.

Jorge Carpio Nicolle, Juan Vicente Villacorta, Alejandro Avila, and Rigoberto Rivas

Jorge Carpio Nicolle, who was owner and publisher of the major Guatemalan newspaper, *El Gráfico*, was the cousin and long-term political ally of his cousin, President de León, and was one of Guatemala's most prominent politicians. He founded the centrist political party *Unión del Centro Nacional* (UCN), Union of the National Centre, in 1983 and was a runner-up in the last two presidential elections, in 1985 and 1990. Jorge Carpio had himself reportedly played a key role in the alliance of business, social and military factions that drove former president Serrano from power in May 1993 after the attempted *autogolpe*. Just a few weeks before his death, Jorge Carpio had blocked a bill in Congress that would have given amnesty to army officers who supported the May 1993 coup and to former President Serrano.

Jorge Carpio was shot and killed along with three others in El Quiché department on 3 July 1993, when his car was reportedly followed and then stopped by a group of about two dozen heavily armed men wearing balaclavas. The other victims were named as **Juan Vicente Villacorta**, a member of UCN's political council and El Quiché departmental director for the

party; **Alejandro Avila**, UCN campaign coordinator; and **Rigoberto Rivas**, a member of Jorge Carpio's security guard. Fifteen-year-old **Sidney Shaw Díaz** was shot and wounded in the legs. The widow of Jorge Carpio, Marta Arrivillaga de Carpio, who was a witness to the events, claims that one of the men shouted "*¡Maten a Jorge, maten a Carpio!*" ("Kill Jorge, kill Carpio!")⁷. She has publicly stated that she believes the crime was a political one:

"... siempre he sostenido que la muerte de Jorge Carpio fue un crimen político, una ejecución extrajudicial y el tiempo me ha dado la razón".

"... I have always maintained that the death of Jorge Carpio was a political crime, an extrajudicial execution and time has proven me right".⁸

The area in which the attack occurred had reportedly been the scene of clashes between the army and the armed opposition in the months preceding the killings, as well as reported attacks and robberies by the army on the *Comunidades de Pueblos en Resistencia* (CPRs), Communities of Peoples in Resistance⁹.

Authorities at first claimed that the assailants were members of the armed opposition. However, the URNG immediately condemned the killings and denied responsibility for the attack.

The government then blamed common delinquents. In July 1993 13 suspects were arrested, four of whom were brought to trial, including **Tomás Pérez Pérez**¹⁰ who was allegedly tortured while in detention at the Santa Cruz prison in El Quiché, and **Jesús Cuc Churunel**, both members of the *Comité de Unidad Campesina* (CUC), Committee of Peasant Unity, a largely indigenous peasant trade union. The arrest of Tomás Pérez and Jesús Cuc was interpreted by both human rights groups in Guatemala and the family of the murdered politician as an apparent effort by the official security forces to both discredit the CUC, while at the same time covering up deficiencies in the official investigation into Jorge Carpio's killing. Following pressure from national and international human rights organizations, including Amnesty International, Tomás Pérez and Jesús Cuc were released on 21 May 1994 due to lack of evidence, while the other two detainees remained in prison facing other unrelated charges.

⁷ *El Gráfico*, 4 March 1994

⁸ *El Gráfico*, 4 March 1994

⁹ Largely indigenous communities which fled army counter-insurgency operations in the early 1980s and have since refused to return or be resettled in areas under military control.

¹⁰ See UA 231/93, AMR 34/47/93, 15 July 1993 and follow-up AMR 34/28/94, 7 June 1994.

It has been alleged that official agencies have not aggressively pursued their inquiries into the killings, while Marta Arrivillaga de Carpio, widow of the murdered politician, has identified various discrepancies in police and military statements about the case. For example, according to a statement by the Minister of the Interior which appeared in the daily newspaper *La Hora* on the 13 July 1993, "*habían principiado a montar un operativo móvil, precisamente un día antes del asesinato del líder centrista...*" ("a mobile operation had begun, exactly one day before the killing of the centrist leader"). Subsequently, on 3 August 1993, Inspector of Police Mariano Carpio Mazariegos stated "*no se destacaron retenes u operativos policíacos en lugares cercanos*" ("no police/military posts or police operations were operating in the immediate area"). In addition, the Minister of Defence reportedly claimed in an official document dated 30 July, "*no llevaron a cabo ningún patrullaje en dicho puente, ni en lugares aledaños o cercanos a ese el día 3 de julio*" ("no patrol was carried out on the said bridge, nor in neighbouring or nearby areas on 3 July").

There were also allegations that members of military intelligence were involved: in early September 1993 former military agent of G-2, Julio Cresencio Sam Batres, is reported to have stated that those responsible for the killing of Jorge Carpio were members of G-2. The Guatemalan newspaper *Siglo Veintiuno* blamed hard-line elements in the army who it claimed were trying to block the transition to democracy.

The family of Jorge Carpio have initiated their own private investigation into the killings, but have subsequently received written and telephoned threats, as have the other witnesses to the killings and those carrying out the investigation.

In May 1994 Jorge Carpio's daughter-in-law, Karen Fisher de Carpio, rejecting the government's claim that the case was closed, announced that she would present evidence that members of the *Patrullas de Auto-defensa Civil* (PAC), Civil Defence Patrols¹¹, military commissioners and G-2 intelligence agents were responsible for the killings. She successfully petitioned the courts to have the case moved from the jurisdiction of Santa Cruz del Quiché to Guatemala City because of the danger she said witnesses to the killings would face in El Quiché.

On 31 May and 1 June 1994 four men were arrested, including a former governor of El Quiché, a mayor and an ex-member of military intelligence G-2 and a PAC chief, all from

¹¹ The PACs were created as a component of the military counter-insurgency strategy in 1982. Although voluntary according to the Constitution, civil patrols are in effect compulsory. Those refusing to take part in them have been branded "guerrillas" and many have been subjected to human rights violations, including harassment and attacks, "disappearance" and extrajudicial execution. In January 1994 President de León announced that the PACs were to be called the *Comités Voluntarios de Defensa Civil* (CVDC), Voluntary Civil Defence Committees. However, they are still commonly referred to as PACs.

San Pedro Jocopilas, department of El Quiché. On 2 June 1994 the mayor was released, apparently because, as an elected official, he enjoys immunity from prosecution. On 6 June the former governor and the military intelligence agent were granted provisional freedom. However, State Prosecutor Ramses Cuestas is reported to have said that those implicated should not have been released because the Public Ministry presented strong proof against them: "*existen pruebas contundentes en contra de los implicados en el asesinato ... que fueron liberados recientemente*". According to the Guatemalan press, President Ramiro de León Carpio himself regretted the judge's decision to free the two men. As far as Amnesty International is aware, by mid-July 1994 the PAC chief remained in detention.

Following the arrests of the four men, members of the Public Ministry based in El Quiché reportedly received telephoned threats in which the caller said "*Los vamos a matar a todos*" ("We are going to kill you all"). In early June 1994 judge **Ernesto Solís Chávez**, who had ordered the arrests, was forced to move from the jurisdiction of San Pedro Jocopilas to another area due to threats and intimidation by PAC members. He made a formal complaint to the Supreme Court and the Human Rights Procurator, stating: "*Ellos dicen que ya no quieren verme y que me va a ir muy mal si regreso*" ("They say that they do not want to see me again and that if I return, things will be very bad for me"). He also reportedly stated that "*San Pedro Jocopilas es un municipio muy conflictivo, donde los patrulleros son los que tienen el poder*" ("San Pedro Jocopilas is a municipality with many conflicts, where the PAC are those who have the power").

There are reportedly arrest warrants outstanding for seven other PAC members, but they have not been arrested. Following efforts by **Karen Fisher de Carpio** to press the government to order the arrest of these PAC members, she was forced to leave the country with her children after an incident of harassment. According to reports, on 24 June 1994 the driver of Karen de Fisher de Carpio's car was followed by men in a pick-up truck in Guatemala City. The truck rammed into the car when it stopped at a traffic light, and some armed men jumped out. When they found only the driver, they threatened to kill him if he tried to get out.

Víctor Manuel Cruz, María Eugenia Muñoz de Mejía and her daughter, María Alejandra Polanco Muñoz

In addition to Jorge Carpio, other journalists victimised have included 43-year-old **Víctor Manuel Cruz**, who was a reporter for *Radio Sonora* and a journalist for *Tinamit* magazine which is critical of the present government. He was shot by unidentified armed men on 23 December 1993 and died two days later in a hospital in Guatemala City. *Radio Sonora* reportedly dismissed any suggestion that the motive was robbery, since all his money and documentation remained intact.

One month later, on 26 January 1994, the bodies of **María Eugenia Muñoz de Mejía**, the wife of **Marco Vinicio Mejía**, also a journalist for *Tinamit* magazine, and her 14-year-old daughter, **María Alejandra Polanco Muñoz**, were found on the Guatemala-Puerto Quetzal highway. Both had apparently been beaten and strangled. According to reports, they had disappeared two days earlier in unknown circumstances from Escuintla, a market town south of Guatemala City.

According to the Interior Minister, two suspects were detained in connection with the killing of María Muñoz and her daughter. However, some Guatemalan analysts doubted that the killing was perpetrated by common criminals, since robbery does not appear to have been the motive and no attempt was made to negotiate a ransom fee.

Not long before the killings of his wife and daughter, Marco Vinicio Mejía, who had also previously worked for the daily newspaper *Siglo XXI*, had apparently openly shown his opposition to a referendum on constitutional reforms proposed by President Ramiro de León. Marco Vinicio Mejía had also been a critic of the previous administration of President Serrano and had reportedly received telephoned death threats. Following the May 1993 *autogolpe*, Marco Vinicio Mejía's name appeared on a list of 11 journalists for whom arrest warrants were issued. However, due to the state of institutional confusion at the time, the arrest orders were not implemented¹².

According to the Archbishop's Human Rights Office, the death of María de Mejía and her daughter brought the figure of possible extrajudicial executions recorded during the month of January 1994 to almost 50.

Other *Tinamit* staff have been subjected to harassment and threats, including its director, **Otto Moran**. In December 1993 he was reportedly warned by an army official to stop criticising the government. Shortly afterwards he began to receive death threats. Subsequently, there was an assault on a *Tinamit* delivery truck and all the week's issues were destroyed.

Salvador Aguirre Corado

Other less publicised reported extrajudicial executions include that of farmer **Salvador Aguirre Corado**. According to reports, on the morning of 7 September 1993 Salvador Aguirre was returning to his home in the neighbourhood of San Cristóbal, municipality of Mixco, Guatemala department, when he was intercepted by four men, three of whom were wearing military uniforms. He was reportedly pushed into his own car by two of the

¹² See UA 176/93, AMR 34/34/93, 28 May 1993 and follow-up AMR 34/38/93, 7 June 1993.

uniformed men and driven away, followed by two other vehicles, one of which was a white 1993 model Mazda and the other was a Toyota pick-up truck with tinted windows. According to witnesses, the Mazda was later left near a Shell petrol station on the outskirts of the neighbourhood. The home of Salvador Aguirre was apparently watched all that night and the following morning by men in a car with tinted windows.

The body of Salvador Aguirre was found three days later on the highway leading to the Encinal neighbourhood in Zone 7 of the municipality of Mixco. He had reportedly been shot several times in the chest and abdomen.

Previously, in 1992, Salvador Aguirre suffered an attack while near the military zone of Jutiapa, in which his arms were broken and his face was wounded by a bullet. The perpetrators have not been identified.

According to reports, the case is presently before the *Juzgado de Primera Instancia de Instrucción*, a court of the first instance, in Mixco, but is to be shelved as no one has been identified as responsible for the killing.

**Andrés Godínez Díaz and María Pérez Sánchez
and Juan Pablo Chanay**¹³

On 26 September 1993 56-year-old **Andrés Godínez Díaz** and his wife **María Pérez Sánchez** were tortured and killed in circumstances suggesting that they may have been extrajudicially executed. They and their relatives, **Marcos Godínez Pérez**, **María Sales López**, **Ramiro Godínez Pérez**, **Francisca López Sanches** and **Juan Godínez Pérez**, had previously received threats from the PAC and were among the participants in a peaceful demonstration on 3 August 1993 in the village of El Naranjal, Colotenango, Huehuetenango department, in which **Juan Pablo Chanay** was killed and several others wounded, when members of the PAC reportedly fired indiscriminately into the crowd. The demonstration, which was organised by the CUC, the *Coordinadora Nacional de Viudas de Guatemala* (CONAVIGUA), National Coordinating Committee of Widows of Guatemala, and the *Consejo Nacional de Desplazados de Guatemala* (CONDEG), National Council for the Displaced in Guatemala, was to protest against alleged killings, threats and harassment of the people of Colotenango by members of the PAC¹⁴.

¹³ There appears to be clear evidence that the PACs employed excessive use of force in reacting to the demonstration, though it is not clear if Juan Pablo Chanay was the individually targeted victim of an extrajudicial execution.

¹⁴ See UA 259/93, AMR 34/52/93, 6 August 1993 and follow-ups AMR 34/60/93, 9 September 1993, AMR 34/69/93, 6 October 1993 and AMR 34/07/94, 8 February 1994 for details.

According to reports, on the morning of 26 September Andrés Godínez and María Pérez left their home to work on their maize field. On their return from the field they were detained by members of the PAC and were found dead later that day.

Andrés Godínez had reportedly been hit on the head with a stone, part of his neck slashed with a machete and his throat slit. His mouth, nose and ears had been filled with fertilizer. Finally, he had been shot in the stomach. María Pérez, his wife, had her hair pulled out and her head smashed with stones.

Regarding the killing of **Juan Pablo Chanay**, Human Rights Procurator Jorge Mario García Laguardia stated, in his report dated 26 August 1993, that members of the PAC were responsible for the killing of Juan Pablo Chanay and the wounding of three others, and requested that the Ministry of Defence carry out an immediate investigation.

In September 1993 arrest warrants were issued for 15 PAC members in connection with Juan Pablo Chanay's killing, but only three presented themselves at the local courts, in January 1994. Of these, only one was arrested while the other two were released due to lack of evidence. The arrested PAC member was subsequently released ten days before his trial. In May 1994 two other PAC members were released. According to a Guatemalan press report, a spokesperson for the Archbishop's Human Rights Office claimed there was military interference in the proceedings. As of July 1994 the remaining PAC members listed in the warrant had not been arrested.

On 22 April 1994 two witnesses to the killing were arrested by policemen in Huehuetenango, after they accused civil patrol members of killing Juan Pablo Chanay. The two men, **Arturo Federico Méndez Ortiz** and **Alfonso Morales Jiménez**, both leaders of the CUC, were provisionally released on 27 May 1994¹⁵. However, human rights groups in Guatemala are calling for their unconditional freedom and for all charges to be dropped. The lawyers of Arturo Méndez and Alfonso Morales have reportedly been threatened constantly and told to cease their work on the case.

In July 1994 Arturo Méndez and Alfonso Morales and several other witnesses to the killing of Juan Pablo Chanay were reported to have received threats in connection with their cooperation in the investigation. The other witnesses to have received threats are: **Marcos Godínez Pérez**, **María Sales López**, **Ramiro Godínez Pérez**, **Juan Godínez Pérez** (all mentioned above), **Miguel Godínez Domingo**, **Patricia Ispanel Medimilla**, **Luis Godínez Domingo**, **Alberto Sánchez Godínez**, **Natividad Godínez Pérez**, **María García Domingo**, **José Sánchez Domingo** and **Gonzálo Godínez López**.

¹⁵ See UA 173/94, AMR 34/25/94, 3 May 1994 and follow-up AMR 34/29/94, 7 June 1994.

Juan Colo Pichol, Mario Colo Martínez and Manuel Chávez Zunún

On 25 December 1993 34-year-old **Juan Colo Pichol**, who worked with the Human Rights Auxiliary (local representative of the Human Rights Procurator) of Chimaltenango, was killed in the presence of two of his children, allegedly by a member of G-2, military intelligence. Two other human rights workers in Chimaltenango, 15-year-old **Mario Colo Martínez** and 23-year-old **Manuel Chávez Zunún**, were also killed on that day.

Since Juan Colo Pichol was killed, his pregnant wife, **Estela Nimajuán**, and their four children have continued to receive death threats from the alleged perpetrator of the killing.

The Human Rights Procurator, through his Auxiliary in Chimaltenango, subsequently requested that the law courts issue an arrest warrant for the person apparently responsible for the killings. The Human Rights Auxiliary also made a denunciation before a lower court in Chimaltenango and asked that the necessary protection is granted to the surviving relatives. Amnesty International knows of no further developments as to inquiries into the case.

Felipe León Nas

On 27 December 1993 community activist **Felipe León Nas** was killed in circumstances suggesting an extrajudicial execution. Reports indicate that five armed men shot Felipe León opposite the Municipal Hall in the municipality of Chiché, El Quiché department, just yards from the police station and in front of a group of people. Witnesses were afraid to give statements for fear of reprisals. According to Felipe León's parents, two weeks after their son was killed, the local chief of the PAC said that the patrollers could take advantage of the impunity which has thus far prevailed with respect to Felipe León Nas' murder to kill other people in the village in the coming days.

There were thus fears for the safety of **Josefa Macaria Calel** as she had worked with Felipe León at *Acción Católica*, Catholic Action, in Chiché. Their work involved community development projects and religious education, and together they had organized a choir and a musical group as part of an educational project for young people. Despite threats received in 1992 because of these activities on behalf of the community, Felipe León continued his work. He formed a committee for the development of his region and organized a literacy project together with the *Comité Nacional de Alfabetización* (CONALFA), Committee for National Literacy. Josefa Macaria Calel no longer works in municipal activities but devotes her time to the Church Choir and her studies. She has reportedly been the object of repeated threats and harassment. At the beginning of December 1993, an unknown man arrived at her house and enquired after her. After the killing of Felipe León and fearing for

her life, she fled to Guatemala City, where she found employment as a domestic help and continued her studies. A few days after she left, her house in Chiché was visited by unknown men asking for her and, apparently, the house was under surveillance. On 20 January 1994, as she made her way to the Night Institute of Secondary Education, two unknown men called her by her name and told her that she was being watched. They described all her activities of the day before and, finally, they threatened her life and urged her to abandon her job or else her employers would also be in danger.