

EXTERNAL (for general distribution)

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UA 328/94 Apparent Extrajudicial Execution/Fear for Safety 9 September 1994

**GUATEMALA** Fear for Safety: René CABRERA ESTRADA, Finance Secretary of the *Sindicato de Trabajadores de Embotelladora Central, S.A. (STECSA)*, Union of Workers at the Central Bottling Company

Apparent excessive use of force: Efraín RECINOS GÓMEZ  
Basilio GUZMÁN JUÁREZ  
Apparent extrajudicial execution: Diego OROZCO

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Amnesty International is concerned for the physical security of René Cabrera Estrada, who is in a critical condition after being stabbed repeatedly by two unknown men in Guatemala City on 31 August 1994. The organization believes he is still in danger from the two men who attacked him. Amnesty is also concerned at the apparent extrajudicial execution of Diego Orozco and the killings of Efraín Recinos Gómez and Basilio Guzmán Juárez which may have been the result of excessive use of force by Guatemalan riot police.

On 24 August 1994, 500 riot police forcibly evicted peasants occupying the Hacienda San Juan del Horizonte, in the province of Coatepeque, Quetzaltenango department. The peasants had been in a labour dispute with their employers at the Hacienda and had undertaken the occupation to press for respect for a series of labour rights guaranteed in the Guatemalan constitution. The peasants were also pressing for the standard peaceful procedures for resolution of labour disputes to be adhered to, as had also reportedly been urged by the Minister of Labour, the Attorney General and the Human Rights Procurator's office.

Despite these calls for a peaceful resolution of the labour dispute, the riot police opened fire on those occupying the Hacienda. Efraín Recinos Gómez, a member of the *Unidad Sindical de Trabajadores de Guatemala (UNSITRAGUA)*, Labour Union of Guatemalan Workers who had been bringing food to the occupiers, and Basilio Guzmán Juárez, a peasant working at the Hacienda San Juan del Horizonte, were killed. Several others were wounded, two of them seriously, and over 40 people detained. Witnesses described the actions undertaken by the police in the course of the eviction as extremely violent. According to the police version of events, the peasants were armed, an allegation denied by the workers.

Those detained in the incident were subsequently conditionally released. Shortly afterwards, however, the tortured body of Diego Orozco, a trade union leader from the Hacienda San Juan del Horizonte, was found 60 kilometres away.

On 31 August, René Cabrera Estrada, member of STECSA, a trade union affiliated to UNSITRAGUA, took part in a demonstration in Guatemala City called to protest the actions of the police at the Hacienda. Moments afterwards, as he left for home, he was attacked by two unknown man who stabbed him repeatedly. He is now in a critical condition in hospital. UNSITRAGUA believes the attack was politically motivated, as he was not robbed and because two men on a motor-cycle followed the ambulance taking him to hospital. It has also been reported that unidentified men have been asking for René Cabrera Estrada in hospital and medical centres in Guatemala City.

#### **BACKGROUND INFORMATION**

For many years Amnesty International has been concerned about human rights

violations in Guatemala. Trade unionists, peasants, student leaders, journalists and those working with non-governmental organizations have been long-term targets of abuses, including harassment, threats, torture "disappearances" and extrajudicial executions.

A human rights accord 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. Under the agreement, a final accord to bring an end to Guatemala's long internal conflict is to be reached by the end of the year after further agreements are reached on a number of topics, including indigenous rights. However, despite the March human rights accord, trade unionists and others continue to be victims of abuses carried out by the Guatemalan security forces. In a statement issued on 4 August, the URNG said that it would withdraw from negotiations unless the government complied with a number of conditions. These included protection of grassroots activists, such as Efraín Recinos Gómez, Basilio Guzmán Juárez, Diego Orozco and René Cabrera Estrada.

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

- expressing concern at the apparent excessive use of force by members of the riot police during a peaceful occupation by peasants, during which two people were shot and killed, and many others injured. Point out that under the United Nations Code of Conduct for Law Enforcement Officials, law enforcement officials may use force only when strictly necessary and to the extent required for performance of their duties. Ask that the incident be fully investigated and that any law enforcement official found to have used excessive force be brought to justice;
- expressing concern at the apparent extrajudicial execution of Diego Orozco;
- asking for a full and independent investigation into his killing and that those found to be responsible be brought to justice;
- asking for a full and impartial investigation into the attack against René Cabrera Estrada and that those found responsible be brought to justice;
- asking for guarantees for the safety of René Cabrera Estrada.

**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 21906**

**Telexes: 5361 COMGUA GU**

**Salutation: Sr. Ministro / Dear Minister**

3) Director of National Police

Lic. Mario René Cifuentes Echeverría  
Director General de la Policía Nacional  
6 Avenida 13-71, Zona 1  
Guatemala, Guatemala

**Telegrams: Director General de la Policia Nacional, Guatemala, Guatemala**

**Telephone: + 502 2 516268, 519429**

**Faxes: + 502 2 519382**

COPIES OF YOUR APPEALS TO:

Human Rights Procurator:

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

**Faxes: + 502 2 81734**

Head of the Presidential Commission Coordinating the Policies of the Executive relating to Human Rights:

Lic. Jorge Gonzalo Cabrera Hurtarte  
Presidente  
COPREDEH  
15 Avenida 18-38, Zona 13  
Guatemala, GUATEMALA

Trade Union

Unión Sindical de Trabajadores de Guatemala  
(UNSI TRAGUA)  
11 Calle 8-14, Of. 34,  
Tercer Nivel,  
Zona 1, 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 20 October 1994.