

EXTERNAL (for general distribution)

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Further information on 294/90 (AMR 34/43/90, 10 July 1990, and follow-ups AMR-34/45/90, 26 July 1990 and AMR 34/12/91, 27 March 1991) - Beatings and threats against street children

GUATEMALA: Two street children

Thirteen-year-old Nahamán Carmona López was attacked by four policemen on 4 March 1990 and died as a result.

In March 1991 four Guatemalan police officers who were accused of killing Nahamán Carmona López were brought to trial and sentenced to prison terms of between 10 and 15 years. However, on 19 July 1991, the sentences were overturned by the Third Chamber of the Appeals Court (*Sala Tercera de la Corte de Apelaciones*) on technical grounds.

A transcript of the sentence made available to Amnesty International indicates that the annulment of the sentences was due to "the violation of ... essential formalities in the proceedings" ("*la violación de ... formalidades esenciales del proceso*") which, in the Court's view, gave grounds for the annulment of the sentences. The transcript states that in the order initiating criminal procedures, the hour indicated for the killing of Nahamán was 2.30 a.m., while it had been established that the killing had taken place at 0.20 a.m. on 4 March 1990. A fine of 20 Quetzales (US\$4.00) was imposed on the sentencing judge. According to the information made available to Amnesty International, the charges against the policemen still apply, and a retrial has been ordered by the Appeals Court. The policemen remain in jail, pending the re-trial.

FURTHER RECOMMENDED ACTION: telexes/faxes/express and airmail letters:

- noting the recent annulment of the sentences imposed on the four policemen found guilty of the murder of Nahamán due apparently to a procedural error, and that the Court of Appeal has ordered a re-trial;
- stating that Amnesty International is continuing to monitor closely the case;
- urging that those responsible for the murder of Nahamán Carmona López be brought to justice.

APPEALS TO:

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Presidente de la República de Guatemala

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PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat,
or your section office, if sending appeals after 6 October 1991.