

# AMNESTY INTERNATIONAL PRESS RELEASE

AI Index: AMR 34/043/2003 (Public)  
News Service No: 172  
16 July 2003

## Guatemala: Steps further towards its dark past

"Guatemala's government appears condemned to repeat the mistakes of the past, instead of seeking to confront the structures and individuals responsible for gross human rights violations carried out during the armed conflict." Amnesty International stated following the Constitutional Court's decision allowing General Efraín Ríos Montt to contest the presidential election.

General Ríos Montt presided over one of the bloodiest periods of Guatemala's armed conflict and, along with other former members of his military high command and those of former President Romeo Lucas García (1978-1982), is subject to a domestic legal suit for war crimes and crimes against humanity, including genocide.

"Ríos Montt is implicated in thousands of killings, 'disappearances' and cases of torture committed during his term as President. The approval of his candidacy is an insult to the victims and augurs badly for Guatemala's post-conflict transition," the organization stated.

As the country prepares for general elections this November, political violence has cranked into overdrive. In recent weeks, human rights groups have denounced a systematic campaign of death threats and acts of intimidation against party activists and independent journalists. Growing numbers of witnesses, lawyers, journalists and human rights advocates are being forced into hiding and exile.

"These patterns of violence are disturbingly reminiscent of the repression of Guatemala's bloody and brutal past," the organization stated.

In a further backwards step, the process of intelligence reform in Guatemala is also being hampered by a lack of will to break with the past. The Guatemalan government is at present considering legislation that sets in place the parameters under which the *Secretaría de Asuntos Administrativos y de Seguridad* (Secretariat of Administrative Affairs and Security of the Presidency, SAAS), will function. The SAAS is the civilian body that will replace one of the Guatemala's most infamous military intelligence units the *Estado Mayor Presidencial* (Presidential High Command, EMP).

"We are seriously concerned that the proposed reforms to the legislation may have in place a framework that, whilst civilian in theory, retains characteristics that resemble the military intelligence structures of the past. Such window dressing is unacceptable," Amnesty International stated.

Amnesty International reiterated its concerns that any replacement of the EMP should ensure the subordination of all military intelligence structures to civilian oversight and introduce a process to identify

EMP officers implicated in human right abuses, purge them from state employment and bring them to justice in accordance with Guatemalan and international law.

"Without such measures, the replacement of the EMP risks merely 'recycling' its repression into a new unit, perpetuating the cycle of violence and impunity," Amnesty International reiterated.

Furthermore, last week, the day after repeating his pledge to abolish the EMP to the United Nations Special Envoy in Guatemala, it was made public that in June 2003 President Portillo approved a further behind-the-scenes transfer of 14 million Quetzales (approximately \$2 million US) to the EMP from other government dependencies.

"The fact that President Portillo continues to funnel additional moneys to the EMP, despite his promises to do away with this unit, reveals a truly spectacular dissonance between words and deeds," Amnesty International said today.

The Guatemalan government also appears to be taking advantage of the climate of violence in Guatemala to justify further militarization measures. Since 11 July, in a further contravention of the 1996 Peace Accords, more than 300 troops have been involved in combined operations, or *fuerzas combinadas*, with the Policía Nacional Civil, National Civil Police (PNC), to carry out law enforcement functions in the capital Guatemala City.

"Amnesty International calls on the candidates in this year's election to commit themselves to addressing the disastrous direction the country has taken on human rights matters and reversing the pernicious steps toward re-militarization" the organization emphasized.

"Without clear and courageous action from the country's political leadership, Guatemalans will continue to suffer from the country's bloody legacy".

## **Background**

Despite in theory being constitutionally prohibited from running for presidential office due to his participation in a 1982 *coup d'etat*, Guatemala's Constitutional Court ruled on 14 July that former military head of state General Efraín Ríos Montt, was eligible to run as presidential candidate in the November 2003 elections. This ruling overturned those previously made by other courts in Guatemala, including the Supreme Court.

Officially tasked with providing security to the President and Vice-President, the EMP, often in collaboration with common criminals and clandestine security groups, has conducted surveillance, harassment and extrajudicial executions of key human rights leaders, including Bishop Gerardi and anthropologist Myrna Mack. The 1996 Peace Accords called for the EMP's abolition, but more than six years later, President Portillo has repeatedly augmented its budget. President Portillo has repeatedly promised that the EMP will be replaced by a new unit by October 31st of this year.

## **Public Document**

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