

PUBLIC

AI Index: AMR 34/044/2001

UA 292/01

Attack / Threats and intimidations

21 November 2001

GUATEMALA

Gilberto Gómez Limón

Prison inmate Gilberto Gómez Limón was a key witness for the prosecution of three high-ranking military officers, who were convicted of the 1998 murder of Bishop Juan José Gerardi. On 18 November he was reportedly attacked in prison by a man with a knife who managed to enter and leave unchallenged. The officers' appeal is due to be heard shortly, and this attack appears to have been an attempt to kill or intimidate Gómez Limón to prevent him from testifying.

Gilberto Gómez Limón is serving a prison sentence at the Granja Penal Canada in the town of Escuintla. He was convicted of a common crime unrelated to the murder of Bishop Gerardi, who was bludgeoned to death shortly after he presented a church report which blamed the army for almost all the human rights abuses committed during the country's lengthy civil conflict. Three army officers were put on trial for the murder, but one of them claimed that he had been an inmate in the Granja Penal Canada at the time. Gilberto Gómez Limón testified that he had seen the officer coming and going from the prison at will. The officers were convicted of Bishop Gerardi's murder in June 2001, and sentenced to 30 years in prison. A priest who had worked closely with the Bishop was also convicted of involvement in the murder, and sentenced to 20 years.

BACKGROUND INFORMATION

As the Coordinator of the *Oficina de Derechos Humanos del Arzobispado de Guatemala* (ODHAG), Human Rights Office of the Archbishop of Guatemala, Bishop Gerardi had been a driving force behind the church's exhaustive investigation into the atrocities carried out over more than three decades of civil conflict. In April 1998 he presided over the presentation to the Guatemalan people of the church's report on its investigation, which found that the security forces were responsible for the overwhelming majority of the tens of thousands of human rights violations suffered by non-combatants during the conflict. Bishop Gerardi was murdered two days later.

Other key witnesses in human rights cases have been threatened and attacked in prison. Gilberto Gómez Limón had already reported death threats while the trial was in progress.

For further information see UA 139/98 (AMR 34/16/98, 1 May 1998) and follow-ups (AMR 34/21/98, 15 May 1998; AMR 34/34/98, 1 December 1998; AMR 34/01/99, 7 January 1999; and UA 71/01, AMR 34/008/2001, 27 March 2001).

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in Spanish, English or your own language:

- expressing concern that lax security at the Granja Penal Canada prison has apparently allowed a man to enter, attack inmate Gilberto Gómez Limón and leave unchallenged;
- expressing concern that such a key witness in one of the most high profile cases in recent years is apparently not being properly protected, and urging the authorities to provide him with adequate protection;
- urging the authorities to carry out a full and impartial investigation, and bring anyone found responsible for carrying out or facilitating the attack to justice;
- urging the authorities to improve prison security to prevent such any such attacks taking place in future.

APPEALS TO:

Minister of the Interior

Sr. Byron Barrientos

Ministro de Gobernación

Ministerio de Gobernación, 6ª Avenida 4-64, Zona 4

Ciudad de Guatemala, GUATEMALA

Telegram: **Ministro de Gobernación, Guatemala, Guatemala**
Fax: **+ 502 362 0239/ 362 0237**
Salutation: **Dear Minister / Señor Ministro**

Attorney General

Lic. Adolfo González Rodas
 Fiscal General de la República
 Ministerio Público
 8a. Avenida 10-67
 Zona 1, Tercer nivel
 Ciudad de Guatemala, GUATEMALA

Telegram: **Fiscal General, Guatemala, Guatemala**
Fax: **+ 502 221 2718**
Salutation: **Dear Attorney General / Estimado Señor Fiscal General**

Minister of External Relations

Lic. Gabriel Orellana
 Ministro de Relaciones Exteriores
 Ministerio de Relaciones Exteriores
 Avenida Reforma 4-47, Zona 10
 Ciudad de Guatemala
 GUATEMALA

Fax: **+502 331 7938/ 331 8410**
e-mail: **mint@mieno.gt**
Salutation: **Dear Minister / Señor Ministro**

President of the Presidential Human Rights Commission

Sr. Alfonso Fuentes Soria
 Presidente de COPREDEH
 Comisión Presidencial Coordinadora
 de la Política del Ejecutivo en materia
 de Derechos Humanos
 13 Calle 15-33, Zona 13
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Human Rights Office of the Guatemalan Archbishopric

Oficina de Derechos Humanos del Arzobispado de Guatemala
 6a Calle 7-70, Zona 1
 Ciudad de Guatemala, GUATEMALA

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E-mail: **ddhh@odhag.org.gt**

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 2 January 2002.