

PUBLIC

AI Index: AMR 34/051/2002

UA 266/02

Death threats/Fear for Safety

28 August 2002

GUATEMALA

Roberto Romero (m), lawyer
and other members of the Mack Foundation

Amnesty International is deeply concerned for the safety of Roberto Romero, the lawyer in the case against those who allegedly ordered the murder of anthropologist Myrna Mack Chang, killed in 1990.

On Friday 23 August, Roberto Romero received anonymous telephone death threats. The caller stated "*Verdad que vos sos el cantante del grupo*" ("Isn't it true that you are the 'mouthpiece' for the group"), referring to the fact that Romero is acting as the legal representative for the Mack Foundation, a human rights organization that was set up after the murder of Myrna Mack Chang. Very shortly afterwards a group of unknown individuals opened fire against his home in Guatemala City. There were no injuries in the attack.

On 3 September, the trial against General Edgar Augusto Godoy Gaytán, Colonel Juan Guillermo Oliva Carrera and Colonel Juan Valencia Osorio, who are accused of being behind the murder of Myrna Mack Chang, is due to begin in Guatemala City, after a series of delays resulting from appeals from the accused. The Inter-American human rights system has recommended that Roberto Romero and members of the Mack Foundation should be provided with protection by the Guatemalan state, although according to Roberto Romero, the state has not yet complied with this duty.

Since its formation, staff of the Mack Foundation have constantly been subject to threats and intimidation.

BACKGROUND INFORMATION

Anthropologist Myrna Mack Chang was stabbed to death in Guatemala City on 11 September 1990 after writing a ground-breaking study which concluded that government counter-insurgency policies had caused the internal displacement of Guatemala's indigenous peoples and their subsequent suffering (see the report "Guatemala's Lethal Legacy: Past Impunity and Renewed Human Rights Violations", AMR 34/001/2002).

The case against those who murdered Myrna Mack Chang was characterized by irregularities, incompetence and attacks against witnesses. However, a member of the *Estado Mayor Presidencial* (EMP), Presidential High Command, Sergeant Noel de Jesús Beteta Alvarez, was eventually convicted of being the actual killer of Myrna Mack and jailed for 25 years in 1993.

Helen Mack, the director of the Mack Foundation and sister of Myrna Mack Chang, and other activists have tirelessly sought to convict the higher-ranking military officials who allegedly ordered the murder of Myrna Mack. The oral hearings against these officials were scheduled to take place in October 2001, eight years after they were first requested, but have been subject to constant appeals and subsequent delays. Helen Mack has also pursued the case via the Inter-American human rights system, where the Guatemalan state eventually accepted responsibility for Myrna Mack's death and agreed to pay compensation.

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

- expressing concern for the safety of lawyer Roberto Romero, who has recently received anonymous threatening phone calls and whose house was shot at by unknown individuals;
- calling on the authorities to guarantee that he and members of the Mack Foundation, among others, involved in the present oral hearings against those who allegedly ordered the murder of Myrna Mack, receive the protection recommended by the Inter-American System;

- urging the authorities to investigate immediately the threats and intimidation against Roberto Romero, making the results public and bringing those responsible to justice;
- reminding the authorities of their obligations to fulfil the recommendations of the Historical Clarification Committee (CEH) and the Peace Accords with regard to the necessity to bring promptly to justice those responsible for abuses during the conflict.

APPEALS TO:Attorney General

Fiscal General Licenciado

Carlos David De León Argueta

Oficina de la Fiscalía General del Ministerio Público

8a Avenida, 10-67, Tercer Nivel,

Zona 1, Ciudad de Guatemala,

Guatemala

Telegram: Fiscal General, Ciudad de Guatemala, Guatemala**Fax:** + 502 221 2718**Salutation:** Dear Attorney General/Señor Fiscal GeneralSecretary of Strategic Affairs

Lic. Edgar A. Gutiérrez

Secretario de Asuntos Estratégicos

Secretaría de Asuntos Estratégicos

6a Avenida 'A' 3-53, Zona 1

Ciudad de Guatemala, Guatemala

Telegram: Secretario de Asuntos Estratégicos, Ciudad de Guatemala, Guatemala**Fax:** + 502 232 2886**Salutation:** Dear Secretary/Señor SecretarioVice President of the Republic of Guatemala

Lic. Juan Francisco Reyes López

Vicepresidente de la República de Guatemala

6a Avenida "A", 4-18, Zona 1

Ciudad de Guatemala, Guatemala

Telegram: Vicepresidente de la República de Guatemala, Ciudad de Guatemala, Guatemala**Fax:** + 502 221 4537**Salutation:** Dear Vice President/Señor Vicepresidente**COPIES TO:**Fundación Myrna Mack

6 Calle 1-36, Edificio Valsari,

Oficina 504

Zona 10

Ciudad de Guatemala, Guatemala

Fax: + 502 332 5846Newspaper

Diario Prensa Libre

13 Calle 9-31

Zona 1

Ciudad de Guatemala, Guatemala

Fax: + 502 251 8768/ 230 2193

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 9 October 2002.