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Guatemala: Legitimacy on the line: human rights and the 2003 elections

In an open letter sent today, Amnesty International's Secretary General, Irene Khan, urged all presidential and vice-presidential candidates to place human rights at the core of their political agendas and to publicly condemn any acts of violence committed by their supporters in the lead-up of the national elections -- planned to take place next November 9th.

"Human rights are central to Guatemala's future political, economic and social development." Amnesty International said "Key issues, such as the commitments made in the peace accords, the strengthening of the justice system, plans to end human rights violations against activists and other groups such as women as well as plans to reform the military, should be at the top of the candidates' agenda if the country is to fulfil its national and international human rights obligations".

"A major challenge for all Guatemalan candidates is to tell their own electorate and the international community exactly how they intend to achieve these essential goals" Amnesty International stressed.

In an accompanying report also made public today, "Legitimacy on the line: Human Rights and the 2003 Guatemalan elections", Amnesty International outlines its concerns regarding patterns of violence in the run up to the elections. Main concerns include extrajudicial executions related to the elections and intimidation and threats directed at opposition party leaders, journalists, and human rights defenders. The organization also calls on the international community to do all that it can to draw attention and put a halt to the human rights violations which threaten the Presidential and Congressional elections in Guatemala.

Irregularities and electorally-related violence have traditionally been a feature of Guatemalan political contest. This time, tensions related to the presidential candidacy of General Efraín Ríos Montt -- who stands accused of genocide and crimes against humanity -- have set the scene for a head-on clash between his supporters and his opponents.

"The political, electoral and judicial crisis that is brewing could test the strength of many Guatemalan institutions and call into question the very credibility of the elections themselves," Amnesty International added " We are calling on governments, intergovernmental organisations and ordinary citizens around the world to take a number of actions which we hope will put a brake on this violence and

allow the Guatemalan electorate to go freely to the polls and elect the candidate of their choice."

"The role of foreign delegations who will observe the elections to determine their degree of legitimacy is particularly crucial. We are calling upon them to look at issues such as intimidation and violence, eligibility of voters, fraud in both the polling process and the final results." Amnesty International concluded.

Amnesty International's letter and recommendations to the Guatemalan presidential candidates urge them to make known their positions and take actions on the following areas if elected:

- reactivation of the 1996 Peace Accords and the recommendations of the CEH;
- strengthening the justice system and ending impunity;
- reforms to the armed forces and the national security system as called for in the Peace Accords;
- supporting and assuring the security of human rights defenders;
- combating violence and discrimination against women;
- improving the conditions of the rural and indigenous sectors in Guatemala;
- ratifying and implementing relevant international instruments and the recommendations of the international community, as made for example by the series of UN special rapporteurs who have visited Guatemala in recent years;
- and complying with principles, decisions and rulings of the inter-American system of human rights protection.

Background Information

General Ríos Montt ruled Guatemala from March 1982 until August 1983 during the most repressive period of the army's counter-insurgency campaign of the late 1970s and early 1980s. For his part in the army-led massacres which the country's United Nations (UN) - sponsored Historical Clarification Commission (CEH) judged to have constituted genocide in four specific areas of the country, the General faces law suits both at home and abroad for genocide and crimes against humanity.

General Ríos Montt's role in the massive human rights violations of the conflict years was extensively documented by the CEH. Amnesty International considers that the Commission's findings are reason enough to make him ineligible for high public office. Ríos Montt is also constitutionally banned from standing for president, under Guatemala's 1985 Constitution which specifically states that anyone who participated in a coup, or their relatives, may not contest the presidency. Even so, the Constitutional Court allowed the General's candidacy on the grounds that the 1982 coup which brought him to power preceded the current 1985 Constitution.

For a full copy of the open letter and recommendations to the Guatemalan authorities, please see: <http://web.amnesty.org/library/index/engamr340522003>

For a full copy of the report: "Legitimacy on the line. Human rights and the 2003 Guatemalan elections", please see: <http://web.amnesty.org/library/index/engamr340512003>

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