

EXTERNAL (for general distribution)

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Further information on UA 418/90 (AMR 34/62/90, 15 October 1990) - Fear of "Disappearance"

**GUATEMALA:María TIU TOJÍN  
+ her one-month-old baby daughter María Josefa TIU TOJÍN**

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Amnesty International continues to be concerned that one-month old María Josefa Tiu Tojín and her mother María Tiu Tojín were detained by the army in the Amacchel area of El Quiché department in mid-September 1990, together with a group of 85 peasants, including women and children, belonging to a Comunidade de Poblaciones en Resistencia (CPR), Communities of Peoples in Resistance, and subsequently "disappeared". CPR members live in the mountains in areas where the armed opposition has been strong, having fled their villages during the army counter-insurgency campaigns of the early 1980s and not wishing to return to areas under army control.

The military accuses them of being guerrilla sympathizers if not collaborators, and they, as well as those who have tried to publicize their plight, have been targeted for human rights abuses. An internationally known anthropologist, Myrna Mack, died in a particularly brutal "death-squad"-style killing in September 1990. She had been researching the Poblaciones and their often desperate economic and health conditions. (See "Guatemala: Killing of Myrna Elizabeth Mack Chang" AI Index: AMR 34/55/90 of September 1990).

María Tiu Tojín and the others were forced to walk for nine hours, from 8pm until 5am, till they reached Amacchel. They were taken to the village school house and held there for nine days. The only time they left the school was to undergo interrogation at the local military garrison. María Tiu Tojín, whom the authorities had accused of belonging to an armed opposition group, was reportedly subjected to prolonged interrogations during the time the group was detained at the school, and she often would not return there until the early evening. On the morning of 8 or 9 September the group was taken to La Pista, a village near Amacchel, from where they were taken by army vehicles to the military garrison in central Nebaj. They reportedly arrived there in the early afternoon and were given lunch there.

Although there appears to be some confusion as to the exact moment when María Tiu Tojín and her daughter were separated from the group, eyewitnesses reported that as they were having lunch, a soldier came and took them away. María Tiu Tojín was reportedly crying. Neither the baby nor her mother were ever seen again. The rest of the group was eventually transferred to a refugee and displaced persons' reception centre nearby run by the Comisión Especial de Atención de Refugiados (CEAR), Special Commission for the Care of Refugees, a government refugee organization.

At some point the army prepared a list of all the detainees' names. This list then served as the basis for a list prepared by CEAR of those transferred to its refugee centre. The name "María Tojín García" and, immediately underneath, that of "María Josefa", listed as aged one month, appeared on both lists, representing a misrecording of María Tiu Tojín's name on the original army list, which was then automatically reproduced on the CEAR list. It is clear, however, that María Tiu Tojín never reached there. Instead, the mother and baby were apparently taken to a military base outside Nebaj. Soldiers reportedly told her relatives that they were held there, and at the time of the two "disappearances" it is known that soldiers in the area had a baby in their possession. However, when family members and others approached the military authorities to inquire about María Josefa Tiu Tojín and

her mother the army denied holding either of them, and said they knew nothing of a baby. Two writs of habeas corpus were filed on María Josefa and her mother's behalf, but they remained "disappeared".

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

- expressing continued concern at the apparent "disappearance" of María and her one-month-old daughter María Josefa;
- urging the authorities to establish their whereabouts;
- asking that if detained, María Tiu Tojín, be either charged with a legally recognized offence or released;
- asking that adequate arrangements for the care of María Josefa Tiu be made in conformity with the wishes of her mother and other relatives.

**APPEALS TO:**

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 Palacio Nacional  
 Guatemala, Guatemala

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**Telegrams: Presidente Cerezo, Guatemala, Guatemala**

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**Telegrams: Ministro Defensa Bolanos, Guatemala, Guatemala**

Commander of Nebaj Military Base,  
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**Telegrams: Nebaj Military Base Commander, Nebaj, El Quiche, Guatemala**

Lic. Mario Roberto Yllescas Aguirre  
 Procurador General de la Nación  
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**Telegrams: Procurador General, Guatemala, Guatemala**

**COPIES TO:**

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and to diplomatic representatives of Guatemala in your country.

**PLEASE SEND APPEALS IMMEDIATELY.** Check with the International Secretariat, or your section office, if sending appeals after 10 January 1991.