

EXTERNAL

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Fear for safety

30 January 1997

GUATEMALA Peasant farmers from the El Sauce community

Rosa Pec Chub (f), aged 57

Juan Rax Chub, her son

Amnesty International is seriously concerned for the safety of 15 families from the El Sauce community, El Estor, in the department of Izabal, following a violent attack against them on 24 January 1997 which resulted in the death of Rosa Pec Chub, and the wounding of her son, Juan Rax Chub.

According to eye-witnesses, about 100 heavily armed individuals, some of them private security guards and other employees, led by a local landowner, entered the community at 5am on 24 January firing shots. Several women were already preparing food when the landowner, shouting and swearing, allegedly shot at them, killing Rosa Pec Chub. When her son protested, the landowner allegedly shouted "shut up, son of a bitch, get out of here, this is my land" ["*calla, hijo de puta, fuera de aquí que estas son mis tierras*"]. He reportedly shot Juan Rax Chub in the right side of his waist. The assailants then began to destroy homes, crops and the community chapel.

Amnesty International has reason to believe that the landowner was acting with the complicity of local authorities who failed to take adequate steps to prevent the incident and to guarantee the safety of the peasants. Furthermore, the organization is alarmed at the apparent lack of state control over the private security guards¹ recruited by the landowner to carry out the attack. Such guards, frequently ex-members of the security forces, are employed by landowners and often operate with the cooperation and acquiescence of the local official security forces.

Members of the El Sauce community are staying on land allegedly owned by the *Asociación de Educación y Asistencias Sociales* (EDUCASISTA), Education and Social Assistance Association. The landowner in question contests the peasants right to be on this land. While Amnesty International takes no position on competing claims for land ownership, or on questions relating to judicial decisions relating to land tenure, the organization believes that the attack on the El Sauce community represents a deliberate attempt to intimidate the peasants into leaving the land and giving up their legitimate right to campaign to be on the land.

To Amnesty International's knowledge, no arrest warrants have been issued against suspects involved in the attack on the El Sauce community.

BACKGROUND INFORMATION

Amnesty International is seriously concerned about reports suggesting a pattern of intimidation against land activists in El Estor, department of Izabal. On 12 June 1995, a community activist from Rubelpec, El Estor, Carlos Lee Juc,

¹Private security guards fall "under the jurisdiction of the Ministry of the Interior, through the National Police General Management", article 8, Private Policing Law, Decree 73-70, October 1970. According to article 14 of the same law, "in cases involving the application of Public Security Law, private security guards cooperate directly with the National Police General Management".

was knifed to death during a demonstration for land by members of the El Estor community. A military commissioner allegedly wounded another peasant participating in the protest and threatened to kill three members of the community's human rights committee. Father Daniel Joseph Vogt, who supports the community in their efforts, was the victim of persistent death threats throughout 1996. Other members of the parish were also threatened and accused of being "guerrillas".

Land activists and members of the church assisting them are frequently the victims of death threats and harassment by members of the security forces or private security guards. During 1996 Amnesty International received reports indicating that more than 10 people were killed in circumstances which remain unclear in the context of violent land disputes in Guatemala.

RECOMMENDED ACTION: Please send telegrams/telexes/faxes/express/airmail letters in English or Spanish or your own language:

- calling for a full, prompt and impartial investigation into the attack on El Sauce, El Estor, Izabal, on 24 January 1997, especially into reports that private security guards, acting with the complicity of local authorities and local members of the security forces, were involved;
- calling for all those responsible for the attack, which resulted in the killing of Rosa Pec Chub, and the wounding of Juan Rax Chub, to be brought to justice and the victims and the victims' relatives compensated;
- calling for all "death squads", private armies, criminal gangs and paramilitary forces operating outside the chain of command but with some sort of official support or acquiescence to be prohibited and disbanded;
- calling for the adoption and implementation of a code of conduct for private security guards operating under the licence of the National Police. Such a code of conduct should be based on United Nation's Basic Principles on the Use of Force and Firearms by Law Enforcement Officials.

APPEALS TO:

Minister of the Interior

Sr. Ministro de Gobernación
 Lic. Rodolfo Mendoza
 Ministerio de Gobernación
 Despacho Ministerial, Of. No. 8
 Palacio Nacional, 6ª Calle y 7ª Avda, Zona 1
 Ciudad de Guatemala, Guatemala
Fax: +502 251 5368
Telegrams: Ministro de Gobernacion, Guatemala, Guatemala
Salutation: Sr. Ministro / Dear Minister

Attorney General

Sr. Fiscal General de la Nación
 Lic. Héctor Hugo Perez Aguilera
 Ministerio Público, 18 Calle 10-36, Zona 1
 Guatemala City, Guatemala
Telefax: +502 231 7066
Telegrams: Fiscal General, Guatemala, Guatemala
Salutation: Sr. Fiscal General / Dear Attorney General

Governor of the Department of Izabal

Gobernador Departamental de Izabal
 7 Calle y 1 Avenida

Puerto Barrios, Izabal, Guatemala

Telefax: +502 948 0175

Telegrams: Gobernador, Puerto Barrios, Izabal, Guatemala

Salutation: Sr. Gobernador / Dear Governor

Izabal District Attorney

lic. Ramón García Stany

Fiscal Distrital

Ministerio Público

Puerto Barrios, Izabal, Guatemala

Telefax: + 502 948 1193

Telegrams: Fiscal Distrital, Puerto Barrios, Izabal, Guatemala

Salutation: Sr. Fiscal Distrital

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Ciudad de Guatemala, Guatemala

Non-governmental Organization

José Cajbon

Presidente del Comité Pro-Adquisición de Tierra

Parroquia San Pedro

18003 El Estor, Izabal, Guatemala

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 20 March 1997.