

EXTERNAL (for general distribution)

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Ill-treatment of street children and youths

11 March 1992

GUATEMALA

Moisés Rivas, 15
Marvin Antonio Mejía (alias Diego Chouza Franco), 16
Manuel López, 16
Carlos Antonio Contreras, 17
Boris Velásquez, about 17
Juan López González, "Tijuana", about 12
Erick Mendoza López, "Lepra", about 17
José R. López
Luis Antonio Roldán
and seven street youths

Amnesty International is concerned at reports of the violent arrest of 16 street children and youths by more than 35 agents of the *Policía Militar Ambulante* (PMA), Mobile Military Police, in Zone 1 of Guatemala City on 6 March 1992.

According to the reports received by Amnesty International, at about 1.30 pm on 6 March, about 35 PMA agents cordoned off four blocks of Zone 1 of Guatemala City and violently arrested 16 street children and youths. According to witnesses, some of the children were beaten by the police as they were rounded up. The majority of them were then handcuffed, and when the police run out of handcuffs, the rest had their hands tied behind their backs. A member of the staff of the street children organization *Casa Alianza* (Covenant House) who was passing by pointed out to the PMA agents that, according to the Code of the Minor (*Código del Menor*) they must not handcuff minors. The PMA agents, however, replied that these "are orders from higher up" ("*son órdenes de la superioridad*").

The minors among the group were taken to the Second Precinct *Segundo Cuerpo* of the National Police, again in contravention of the Code of the Minor, which states that when children are detained they must be sent to the Juvenile Court (*Magistratura de Menores*) or to the Justice of the Peace on duty at the time. The children were eventually taken to the Justice of the Peace on duty, who in turn sent some of them to the *Rafael Ayau* and to the *Pre-egreso* juvenile detention centres.

There is no information as to whether the children have been charged with any recognizable criminal offence. The testimony of the *Casa Alianza* staff member was reportedly not admitted by the Justice of the Peace because, it was reported, there was a "conflict of interests".

BACKGROUND INFORMATION

On 24 February 1992 Erick Mendoza López and another street child were approached by two uniformed members of the National Police and two men in civilian clothes who beat them and accused them of stealing a pair of sunglasses. The children denied stealing the sunglasses. The men then turned to Carlos Antonio Contreras, who was with the children, beat him and forced him into a car at gunpoint. He was taken to the General Cemetery in Zone 3 of Guatemala City and severely beaten again (see UA 72/92, AMR 34/10/92 of 24 February 1992. Please note his name was incorrectly reported as being Karlo Antonio Contreras).

In the past two years, Amnesty International has received an escalating number of reports of human rights violations against street children in Guatemala City, including beatings, torture, "disappearances" and extrajudicial executions, reportedly carried out by official security force agents, particularly the police, acting sometimes in plain clothes and sometimes in uniform. In other cases, abuses have been carried out by agents of private security firms.

Approximately 62 legal suits against more than 50 National Police are currently pending with the Guatemalan courts and only in isolated cases have investigations resulted in the prosecution of those responsible. Children who have witnessed or given information concerning abuses directed against other street children have been subjected to reprisals, and those working with street children have also been subjected to harassment and intimidation.

RECOMMENDED ACTION: Please send telegrams/telexes/faxes/express and airmail letters:

- expressing concern at the ill-treatment of these 16 street children and youths upon their arrest by PMA agents;
- asking that their physical security be guaranteed while in custody;
- asking for an investigation into the incident, and that those found responsible for the ill-treatment of these 16 children and youths be brought to justice.

APPEALS TO

1) President:

S.E. Jorge Serrano Elías **Excelentísimo Sr. Presidente /**
Presidente de la República de Guatemala **Dear President**
Palacio Nacional, Guatemala, Guatemala
Telegrams: Presidente Serrano, Guatemala, Guatemala
Telexes: 5331 CAPRES GU
Faxes: + 502 2 537472; + 502 2 519702

2) Minister of the Interior:

Lic. Fernando Hurtado Prem **Señor Ministro / Dear Minister**
Ministro de Gobernación
Despacho Ministerial
Oficina No. 8, Primer Nivel
Palacio Nacional, Guatemala, Guatemala
Telegrams: Ministro Gobernación, Guatemala, Guatemala
Telexes: 5085 MINGOB GU
Faxes: + 502 2 518105

3) Director of National Police:

Lic Carlos Enrique Samayoa Cifuentes **Señor Director/ Dear Director**
Director General de la Policía Nacional
6 Avenida 13-71,
Zona-1, Guatemala, Guatemala
Telegrams: Director Policía, Guatemala, Guatemala

4) Attorney General:

Señor Acisclo Valladares **Señor Procurador General /**
Procurador General de la Nación **Dear Attorney General**
Procuraduría General de la Nación
18 Calle 10-36
Zona 1, Guatemala, Guatemala
Telegrams: Procurador General, Guatemala, Guatemala

COPIES OF YOUR APPEALS TO AT LEAST ONE OF THE FOLLOWING:

1) Human Rights Procurator:
Lic. Ramiro de León Carpio
Procurador de Derechos Humanos
Avenida Simeón Cañas 10-61
Zona 2,
Guatemala, Guatemala
Faxes: +502 2 512026

3) Pro-children Commission of Congress:
Señor Presidente
Comisión Pro-Niñez
Congreso de la República
7ta Avenida y 9a Calle
Zona 1, Ciudad de Guatemala
Guatemala

2) Human Rights Procurator in charge of children:
Lic. Eunice Lima
Procuradora de Menores
Ministerio Público
18 Calle 10-36
Zona 1, Guatemala, Guatemala

4) Casa Alianza
Apartado Postal 2704
Guatemala, Guatemala

5) Newspaper:
Siglo XXI
7a Avenida 11-79
Edificio Galerias España, 6o piso
Zona 9, Guatemala, Guatemala

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 22 April 1992.