

PUBLIC

AI Index: AMR 34/042/2002

UA 205/02

Possible extrajudicial killing/fear for safety

8 July 2002

GUATEMALA Members of the *Asociación de Desarrollo Integral de Creek Zarco*, the Zarco Creek Community Association
Other workers from the Lanquin II banana plantation

Killed: René Augusto Pérez Gutiérrez (m)

Amnesty International is deeply concerned for the safety of members of the *Asociación de Desarrollo Integral de Creek Zarco*, Association for the Integral Development of Zarco Creek, and workers from the Lanquin II banana plantation. This follows the killing of René Augusto Pérez Gutiérrez, treasurer of the association in Morales municipality, Department of Izabal.

René Augusto Pérez Gutiérrez was reportedly shot as he returned home on the evening of 28 June. Before dying in hospital he apparently identified his assailants to the police as owners of the banana plantation and their private security personnel.

Local land activists believe that René Augusto Pérez Gutiérrez was killed, because of his involvement in the local land conflict on the Lanquin II banana plantation.

BACKGROUND INFORMATION

The Lanquin II banana plantation is controlled by BANDEGUA, a Guatemalan subsidiary of the multinational fruit producer, Del Monte Fresh Produce. In 1998, BANDEGUA decided to sell the Lanquin II plantation to local cattle ranchers, and pay them to grow and package bananas, after the plantation was badly damaged by Hurricane Mitch.

Before BANDEGUA can definitively sell the land, it must remove the peasant farmers who claim they have the right to cultivate plots on Lanquin lands under an earlier collective agreement reached by their union SITRABI.

BANDEGUA is said to already be leasing part of the disputed lands to ranchers, including the Ponce Family in violation of an agreement signed in 2000. The Ponce Family, who are in conflict with the Zarco Creek community have recruited their own private security guards.

The murder of René Augusto Pérez Gutiérrez is the sixth killing of land activists in the last 15 months in the department of Izabal. On 8 March 2002 José Benjamín Pérez González from Lanquin II plantation (see UA 90/02, AMR 34/020/2002, 25 March 2002) was shot first by the National Civil Police and then in the head by a local ranch owner. Between 15 April 2001 and 24 June 2002 four members of the Los Cerritos Community Association (see UA 265/01, AMR 34/038/2001, 19 October 2001 and UA 200/02, AMR 34/041/2002, 2 July 2002) were apparently killed by security personnel from the *Las Quebradas* plantation. The Guatemalan authorities have failed to properly investigate the above killings. In the case of José Benjamín Pérez González, despite eye witness accounts testifying that local police and a ranch owner were responsible for the killing, a peasant farmer was charged for his murder.

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

- calling on the government to investigate the killing of René Augusto Pérez Guitiérrez, to make the results public and bring those responsible to justice;
- expressing concern for the safety of members of the *Asociación de Desarrollo Integral de Creek Zarco*, the Association for the Integral Development of Zarco Creek and workers from the Lanquin II banana plantation, and urging the authorities to take immediate measures to guarantee their safety;
- urging the government to investigate allegations that private security groups linked to the Lanquin II plantation are operating in the area and may have been responsible for René Augusto Pérez Guitiérrez's death;
- urging the authorities to take action to peacefully resolve the land disputes in the Zarco Creek and other communities, to prevent further human rights violations;
- reminding the authorities that under Guatemalan legislation private security forces are licenced by government agencies and that it is therefore the responsibility of the authorities to ensure proper and effective control over the operations of such groups.

APPEALS TO:

Minister of Agriculture, Livestock & Nutrition

Sr. Edín Barrientos

Ministro de Agricultura, Ganadería y Nutrición

Ministerio de Agricultura Ganadería y Nutrición

Edificio Monja Blanca, 7^a Avenida 12-90 Zona 13

Ciudad de Guatemala, GUATEMALA

Telegram: Minister of Agriculture, Ciudad de Guatemala, GUATEMALA

Fax: + 502 332 8302

Salutation: Dear Minister/Señor Ministro

Director of Land Trust

Lic. Sergio Funes

Fontierras

7 Avenida 8-92, Zona 9,

Ciudad de Guatemala, GUATEMALA

Telegram: Director de Fontierras, Ciudad de Guatemala, GUATEMALA

Fax: + 502 334 6373 (If someone answers say "me podría dar tono de fax por favor")

Salutation: Dear Director/Señor Director

Presidential Land Agency

Pedro Palma Lau, Director Ejecutivo

CONTIERRA, Avenida Hincapié 5-71 Zona 13,

Ciudad de Guatemala,, GUATEMALA

Telegrams: Director de CONTIERRA, Ciudad de Guatemala, GUATEMALA

Fax: + 502 3321525 (If someone answers say "me podría dar tono de fax por favor")

Salutation: Dear Director/Señor Director

Local police

Comisario de Policía

Jefe de Comisaria

Policía Nacional Civil

Avenida Simón Bolívar

Morales

Departamento de Izabal

Guatemala

Telegrams: Comisario de Policía, Morales, Departamento de Izabal, Guatemala

Saluation: **Estimado Jefe de Comisaria/Dear Chief of Police**

COPIES TO:

Peasants' Unity Committee

Comité de Unidad Campesina (CUC)

31 Avenida A 14-46 Zona 7,

Ciudad de Plata II Guatemala, GUATEMALA

Tel/Fax: + 502 434 9754

E-mail: cuc@guate.net

Press agency

Cerigua

2a calle 1-42, Zona 1

Ciudad de Guatemala, GUATEMALA

Fax: + 502 238 1456/ 221 2521/ 251 1289 (If someone answers say "me podría dar tono de fax por favor")

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 19 August 2002.