
amnesty international

£GUATEMALA

@Apparent Extrajudicial Execution of Lucas Pérez Tadeo

OCTOBER 1992

AI INDEX: AMR 34/47/92

DISTR: SC/CO/GR

Amnesty International has learned of the apparent extrajudicial execution of indigenous peasant Lucas Pérez Tadeo, aged 35, of Chuj origin, carried out on 31 August 1992 by members of the armed forces in the village of Guaxacaná, municipality of Nentón, Huehuetenango department.

The killing of Lucas Pérez Tadeo

According to testimony given to human rights activists in Guatemala, villagers from Guaxacaná stated that on the evening on 31 August Lucas Pérez Tadeo attended a meeting of the Patrullas de Autodefensa Civil (PAC), Civil Defence Patrols, held at the office of the village auxiliary mayor. His common-law-wife reported that he returned from the meeting and left to work on his plot of land located outside the entrance to the village. After this she did not see him again. On 1 September villagers went in search of Lucas Pérez but were unable to find him. On 2 September they went to the military detachment in the neighbouring village of Las Palmas to enquire into his whereabouts.

An army captain at the base at first denied all knowledge of his whereabouts, but after the villagers insisted, the captain told them that they should go to the road leading to Trinidad, a nearby village, and they would find Lucas Pérez there. On 3 September, approximately 1.5 km from the village on the road to Trinidad, villagers located the body of Lucas Pérez Tadeo buried under a mound of earth. On top of the mound of earth villagers reported finding a lasso of the type normally used by the military, as well as

empty food tins, and a make-shift shelter made from branches (the villagers reported that it was raining on evening of 31 August), all indicating that Lucas Pérez may have been held prisoner and interrogated by the armed forces before being killed. The villagers also saw footprints which they believe were made by men wearing army issue boots.

Alleged involvement of the armed forces

On the night that Lucas Pérez went missing, villagers from Guaxacaná and the neighbouring villages of Trinidad and Las Palmas reported observing troops from the Las Palmas military detachment under the command of a sergeant major patrolling in the area at approximately 5.30pm. At approximately 6.00pm the patrol was seen approximately three kilometres from the entrance to Guaxacaná village. At about 7.00pm villagers heard two shots, which led them to believe that the military were in the area.

According to a local teacher, a member of the army command from the Las Palmas military detachment visited him days after the killing of Lucas Pérez and reportedly stated that if the local people accused the army of the murder, they would not be perturbed because they would have at their disposal the best legal representation. The officer also reportedly stated that anyone coming forward with information on the army's involvement in the killing would be required to appear in court and give evidence against the army. The army reportedly called a meeting of the local people at approximately 3.00pm on 7 September, but nobody from the village attended. The local teacher reported that he called a meeting for 5.00pm on the same day to hold a memorial service for Lucas Pérez and to present to the Auxiliary Human Rights Procurator and the authorities a formal complaint implicating the armed forces directly in the killing. The meeting did not take place, however, because members of the armed forces from the military detachment were present.

Following these incidents, members of the armed forces reportedly visited relatives of Lucas Pérez and gave presents, including Q100.00 to his brother and a large quantity of rice, beans, corn and sugar to his wife. On 14 September all military personnel from the detachment of Las Palmas and from the detachment of Catarina, also located in the municipality of Nentón, were removed.

Official investigation

An exhumation on the remains of Lucas Pérez Tadeo was carried out by the local Justice of the Peace from the municipality of Jacaltenango on 4 September. Villagers were interviewed and notes were taken of the evidence left around the grave. Those who witnessed the exhumation stated that the upper lip of Lucas Pérez had been cut off, he had marks of beatings all over his body, he had marks on his hands indicating that they had been tied, and his neck bore the marks of strangulation. Six days later, on 10 September, the Auxiliary Human Rights Procurator for Huehuetenango went to Guaxacaná to carry out an investigation into the killing and reportedly collected the pieces of evidence that had been left around the area containing the body of Lucas Pérez. The case is currently being investigated by the *Juzgado Segundo de Primera Instancia* (Second Court of the First Instance) in Huehuetenango. No results of these investigations have yet been made public.

BACKGROUND

Tens of thousands of indigenous peoples were killed or "disappeared" in the late 1970's and early 1980's as a result of army counter-insurgency operations in the highland rural areas of Guatemala, including Huehuetenango. Thousands of others were displaced or forced into exile as successive military governments sought to eliminate any potential source of political sympathy or logistical support for the armed opposition. Many were targets of widespread human rights violations, including extrajudicial execution, "disappearance" and torture. During this period many indigenous people in the municipality of Nentón, including villagers from Trinidad and Las Palmas, were forced to abandon their villages. In 1982 the armed forces organized the PACs in the village of Guaxacaná. The villagers state that since then the PACs have cooperated with the armed forces. They state that during 1990 the PAC saved members of the armed forces on two occasions when they were surrounded by members of the armed opposition. In spite of that, during 1990 a high level official from the army who had left the Las Palmas military detachment threatened to raze the village to the ground if guerrilla activity continued in the area.

The area of the municipality of Nentón has been designated for the resettlement of part of the 5,000 Guatemalan refugees due to be repatriated from Mexico before the end of 1992. Many of these refugees were among those who fled the counter-insurgency campaigns of the late 1970s and early 1980s. Sectors within the armed forces have linked the refugees with the armed opposition. Amnesty International has received reports that those working with refugees have been singled out for human rights abuses by members of the security forces. In May 1992 a group working with refugees received written death threats warning them that unless they stopped working with refugees, they would be killed.

Guaxacaná villagers believe there may be a connection between the killing of Lucas Pérez and the forthcoming repatriation of the refugees from Mexico and have stated that if there are any more incidents by the armed forces like that of the killing of Lucas Pérez, they would seek refuge in Mexico.

President Jorge Serrano Elías came to power in January 1991 and pledged to ensure protection of human rights. However, Amnesty International remains seriously concerned at continuing human rights violations in Guatemala, including extrajudicial executions, death threats, torture and "disappearance". Even in cases where the identity of the perpetrators is unclear, the choice of victim and the manner in which the abuses have been carried out frequently suggest the involvement of members of the official security forces.

<p>KEYWORDS: EXTRAJUDICIAL EXECUTION1 / INDIGENOUS PEOPLES / PEASANTS / CIVIL DEFENCE AS VICTIMS / MILITARY / INVESTIGATION OF ABUSES / EXHUMATION / TORTURE/ILL-TREATMENT / POLITICAL VIOLENCE / REFUGEES /</p>

INTERNATIONAL SECRETARIAT, 1 EASTON STREET, LONDON WC1X 8DJ, UNITED KINGDOM