

# AMNESTY INTERNATIONAL PRESS RELEASE

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## **Guatemala: Justice without fear**

Seeking justice for human rights abuses can be a life-threatening pursuit in Guatemala, Amnesty International said today, as the organization's International Legal Network, made up of approximately 5000 lawyers and other legal professionals from over 40 countries began a long term action in support of members of Guatemala's legal community.

"It is all too common for Guatemalan judges, lawyers and prosecutors to face threats, intimidation and attacks," the organization added. "Those engaged in investigating and prosecuting cases of human rights violations or supporting those who are pressing for implementation of the Peace Accords are at particular risk."

In recent years, numerous legal professionals working on human rights cases have been killed, while others have been forced to flee the country in fear for their lives.

For example, efforts to bring to justice those responsible for the 1998 killing of Bishop Juan José Gerardi have resulted in a number of those associated with the case, including a judge and three state prosecutors being forced to seek refuge abroad with their families. Dozens of others involved in the case reported serious intimidation and another dozen also fled the country. Several witnesses who stayed paid with their lives.

Harassment can also take the form of legal action and short-term imprisonment, as experienced by Luz Margoth Tuy, from the Auxiliary Human Rights Procurator's Office in Sololá, who had legal proceedings initiated against her in an apparent reprisal for her role in the investigation of the October 2000 killing of a land rights demonstrator and her involvement in efforts to mediate in local land disputes.

"It is unacceptable that members of the Guatemalan legal community should have to work in fear. Such a situation is not only a threat to those professionals but to the whole rule of law in Guatemala," a representative of the International Legal Network said. "We hope that by showing support for our fellow professionals in Guatemala and by exerting international pressure we can contribute to ensuring greater protection and respect for them, so that they can work effectively and safely, including to promote human rights."

The International Legal Network will be contacting members of the legal community in all regions of Guatemala to develop contacts and to determine their needs and concerns. The Network will gather information about the existing system for the protection of members of the legal community at risk -- including

the work of the new Special Prosecutor for crimes against justice operators and the Supreme Court Committee for threats against the judiciary -- and will make recommendations for a more effective system, including ensuring that adequate resources are provided to protection and investigation mechanisms.

Improving the protection provided to judges, prosecutors and lawyers -- including by ensuring that personnel allocated to the task are adequately trained and paid -- is an immediate necessity. However, this is not enough in itself.

"Ensuring that all incidents are investigated thoroughly and that those responsible are brought to justice is the one critical measure that will put an end to this climate of intimidation," Amnesty International said.

"For too long the gross human rights violations committed in Guatemala -- including genocide, mass unlawful killings and 'disappearances'-- have been shrouded in impunity. This has sent a message to those responsible that they are effectively untouchable and can get away with silencing anyone trying to shed light on past abuses," the organization added, stressing that the widespread impunity for past abuses has been a major factor in the wave of new abuses currently sweeping Guatemala.

"Truth, justice and accountability are the cornerstones on which Guatemalan society can be rebuilt after the horrors of the conflict, and those working to achieve these goals must be allowed to do so without fear," Amnesty International concluded.

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