

EXTERNAL

AI Index: AMR 34/20/96

8 July 1996

Further information on UA 160/96 (AMR 34/17/96, 28 June 1996) - Fear for safety

**GUATEMALA**

**Otto Leonel Hernández**

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Amnesty International remains seriously concerned for the safety of Otto Leonel Hernández. On 3 July 1996 he was transferred from the *Hospital Regional de Occidente* (Western Regional Hospital) in Quezaltenango City, where he was recovering from the injuries he had sustained when he was tortured during his abduction between 21 and 26 June, and taken to Totonicapán Prison, Totonicapán department.

Also on 3 July, the investigating judge of the *Segundo de Primera Instancia de Quezaltenango*, (Second Court of the First Instance) ordered that Otto Leonel Hernández' bail be revoked and that he be re-imprisoned. The judge also imposed a condition that he should be held separately from other inmates, for safety reasons. However, Amnesty International has learned that the judge's order has not been complied with and that Otto Leonel Hernández is being confined along with other inmates.

Amnesty International fears that an attempt may be made on the life of Otto Leonel Hernández inside the prison. During his abduction, when his captors were deciding whether or not to release him, they reportedly said: "*No lo matemos, ya se encargarán de él los de la cárcel o los de afuera*" ("We won't kill him, those from the prison, or those outside will take care of him").

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

- whilst explaining that AI does not take any position on the involvement or otherwise of Otto Leonel Hernández in the killing of Lucina Cárdenas, expressing concern for his safety as a key witness in the case:

- calling for immediate and adequate measures to guarantee his safety while he is in prison, including fulfilling the order on 3 July of the judge in charge of the case of keeping him separated from other inmates;

**also reiterate calls for:**

- an immediate and thorough investigation on the kidnapping and torture of Otto Leonel Hernández, and for those responsible to be brought to justice;
- an immediate and thorough investigation into allegations that members of the security forces have been involved in kidnapping, torture and possible extrajudicial executions in the departments of Quezaltenango, Retalhuleu and San Marcos, and urging that relatives, officials and witnesses be protected during the investigations.

**APPEALS TO:**

Appeals on first two recommended actions only:

1) Director de Presidio (Director of Totonicapán Prison)

Presidio de hombres

Jefatura departamental de la Policía Nacional

Totonicapán

Totonicapán

GUATEMALA

**Telegrams: Director, Presidio de hombres, Totonicapan, Guatemala**

**Salutation: Sr Director / Dear Director**

appeals on all recommended actions:

2) President of the Republic

S.E. Alvaro Arzú Irigoyen  
 Presidente de la República de Guatemala  
 Palacio Nacional, Guatemala, GUATEMALA  
**Faxes: +502 287 4537**  
**Telegrams: Presidente, Guatemala, GUATEMALA**  
**Salutation: Sr. Presidente/Dear President**

3) Minister of Interior

Excmo. Sr. Rodolfo Mendoza  
 Ministro de Gobernación,  
 Ministerio de Gobernación  
 Palacio Nacional, Guatemala, GUATEMALA  
**Faxes: + 502 251 5368**  
**Telegrams: Ministro de Gobernación, Guatemala, GUATEMALA.**  
**Salutation: Sr. Ministro/Dear Minister**

4) Quetzaltenango Public Attorney

Lic. Patrocinio Bartolomé Díaz Arrivillaga  
 Fiscal Quetzaltenango  
 Ministerio Público  
 Fiscalía Distrital  
 3 Calle 6-51, Zona 2  
 Quetzaltenango, GUATEMALA  
**Tel/fax: +502 9 616140 ("me puede dar tono de fax, por favor")**  
**Telegrams: Fiscal Quetzaltenango, Guatemala**  
**Salutation: Sr Fiscal / Dear Attorney of Quetzaltenango**

**COPIES TO**

Attorney General

Hector Hugo Pérez Aguilar  
 Fiscal General de la Nación  
 Ministerio Público  
 18 Calle 10-36 Zona 1  
 Guatemala, GUATEMALA  
**Telefax: + 502 2 317 066**

Human Rights Procurator

Lic. Jorge García Laguardia  
 Procurador de los Derechos Humanos  
 12 Avenida 12-72  
 Zona 1, Guatemala, GUATEMALA  
**Faxes: +502 2 81734**

Human Rights Procurator-Quetzaltenango

Lic. Patricia Rodríguez de Laívez  
 Procuraduría Auxiliar de Quetzaltenango  
 Procuraduría Auxiliar de Derechos Humanos  
 12 Av. 1-05, Zona 3  
 Quetzaltenango, 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 30 August 1996.