



Peace Brigades International Brigadas Internacionales de Paz

Proyecto Guatemala/ Guatemala Project

Coordinación:
Calle Mercado, 6, 4ªA
15001 A Coruña (Galiza). Estado español
Tel: (34) 881 874 772
coordinacion@pbi-guatemala.org

Equipo en Guatemala:
3ª Avenida 'A' 3-51, Zona 1
Guatemala. América Central
Tel/fax: (502) 2220 1032
equipo@pbi-guatemala.org

www.pbi-guatemala.org

ALERT ON THE SAFETY OF THOSE WHO ARE SEEKING JUSTICE FOR THE CRIMES COMMITTED DURING THE ARMED CONFLICT IN GUATEMALA

Alerta es un envío no periódico del proyecto de PBI Guatemala que pretende destacar situaciones violatorias o preocupantes sobre el respeto a los derechos humanos en Guatemala desde una visión no injerente, no violenta y no partidaria. Esta hoja informativa se distribuye a personas, organizaciones e instituciones que expresan su respaldo al proyecto de PBI en Guatemala.

Dear Sir/Madame,

Greetings from PBI Guatemala. The purpose of this "alert" is to **bring to your attention** certain information about ongoing legal cases in Guatemala and share our **concern for the safety of those who are involved in this process** by trying to put an end to the impunity for crimes and human rights violations committed during the internal armed conflict. The human rights situation in the country during this period, and the role that the State, the Army and other members of the security forces played, has been widely documented in publications such as the Report for the Recovery of Historical Memory (Informe de Recuperación de la Memoria Histórica, REMHI), by the Human Rights Office of the Guatemalan Archbishop (Oficina de Derechos Humanos del Arzobispado de Guatemala, ODHAG), and "Guatemala: Memory of Silence", ("Guatemala: Memoria del Silencio"), by the Commission for Historical Clarification (Comisión de Esclarecimiento Histórico, CEH).

Many years after the complaints that resulted in these legal processes were submitted, and after innumerable obstacles, we are seeing in the last few months some developments that represent significant historical advances in the investigation and conviction of those accused of these serious human rights violations. We highlight some of the cases being covered by the media:

- On 9 June, the authorities arrested the ex director of the former National Police (PN), Hector Bol de la Cruz, who is accused of being behind the illegal detention and enforced disappearance of student union leader Fernando García;
- On 17 June, former head of the Armed Forces Héctor López Fuentes was captured, in the first case of the arrest of an individual accused of participating in genocide, and subsequently indicted;
- On 25 July, a court indicted Pedro García Arredondo, ex leader of the "Comando Seis", a division of the former National Police, for the enforced disappearance of Edgar Sáenz Calito, a student of agricultural economics;
- On 2 August, a first instance court sentenced three former "kaibiles" (members of an elite military squad) and a former military commissioner for the assassination of 201 people and crimes against humanity in the case of the Las Dos Erres massacre, in Petén department;
- On 12 August, the authorities arrested a former military commissioner and three former members of the civil defense patrols for their role in the massacre committed in the community of Plan de Sánchez, Baja Verapaz department.

PBI Guatemala welcomes the developments in these cases, as they represent a fundamental step towards combating impunity and fostering confidence in the Guatemalan justice system.

At the same time, PBI Guatemala is extremely **concerned** about the current political climate, and feels that this poses **greater risks for the safety** of those who are fighting for justice for these serious human rights violations and crimes against humanity. We note, in particular, the following developments:

- On 22 July, the Association of Guatemalan Veterans (Asociación de Veteranos Militares de Guatemala, AVEMILGUA), took out a paid advertisement in the newspaper *Prensa Libre*, in which they uttered some strong accusations against those who are demanding or seeking justice through these legal processes. AVEMILGUA used the term "terrorism" in reference to human rights defenders and warned of its willingness to take up arms should the wheels of justice continue to turn in a manner that the association does not approve of.
- On 10 August, the Guatemalan Forensic Anthropology Foundation (Fundación de Antropología Forense de Guatemala, FAFG) denounced an attack and death threats issued against the organisation's director and four other people who have provided experts' reports to the Prosecutor's Office (Ministerio Público, MP) in connection with the Las Dos Erres massacre.

Given these circumstances, **PBI URGES THE INTERNATIONAL COMMUNITY TO PAY SPECIAL ATTENTION** to the social and political context within which these developments are taking place, vis a vis the ongoing trials for human rights violations committed during the internal armed conflict, focusing in particular on the safety of those involved in these processes who are in a more vulnerable position as a result. We refer to witnesses and those affiliated to them, the victims' family members, plaintiffs, those providing expert testimony, collectives and organisations that have been advocating for the recuperation of historical memory, lawyers and advisors assisting those who report such crimes, prosecutors and other members of the judiciary, and others linked to these cases that are currently being heard by the courts – the safety of all these individuals is very much at risk at the current time. We call on you to:

- monitor developments in the trials and the **security situation** of those who are seeking justice or supporting others in their search for justice;
- urge the Guatemalan government to ensure that these individuals are not subjected to attacks or intimidation tactics of any kind; moreover, in accordance with the state's responsibility to **safeguard and protect** its citizens, urge the government to adopt whatever measures are necessary to ensure that those who are linked to these legal processes are not perceived in a negative light by the general public;
- take the opportunity in your conversations with the relevant Guatemalan authorities to express support for the Attorney General and head of the Public Prosecutor's Office, Claudia Paz y Paz, and highlight the key role of the Human Rights Prosecutor's Office, in terms of their **support for the fight against impunity** that is being waged by those who are actively taking part in these ongoing legal cases and seeking justice.
- To the diplomatic corps in Guatemala, we kindly ask that: your representatives contact those involved in this process by fighting for justice, to express support for their work and assess if they require any protection; implement **security measures** for human rights defenders who are involved in these cases as needed; inform human rights defenders and community organisations who may be at risk of any contingency plans that you have considered and your ability to respond in cases of emergency; assist in the legal process by attending trials as International observers, voice your belief in the importance of this process and the significance of these trials.

In closing, we **urge you to use all the resources at your disposal** to ensure that these trials – which are so important in the fight against impunity – continue to go ahead and due process is followed. And, we ask you to do what you can to protect those who are leading this struggle in the search for truth and justice.

Sincerely,
The PBI Guatemala Project
PEACE BRIGADES INTERNATIONAL (PBI)