

November 8, 1990

# GUATEMALA RIGHTS ABUSES ESCALATE AS ELECTIONS NEAR

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## I. INTRODUCTION

As Guatemala prepares for presidential elections scheduled for November 11, 1990, the nation is in the grips of the worst human rights crisis since the military turned over government to civilians in 1986. Targeted assassinations of political figures, human rights activists, journalists, students and trade unionists are on the rise

as are murders of individuals apparently selected at random to sow terror.<sup>1</sup> A campaign of violence against street children continues and appears increasingly to be targeting those who seek to defend them as well. The impunity of the security forces and death squads which carry out these activities remains intact, although some low-ranking members of the army and police are under arrest in connection with the killing of an American rancher and the murder of several street children and a former Covenant House worker.

In addition to the growing terror, several structural factors inhibit the exercise of basic rights in Guatemala and contribute to the restrictive climate in which the elections will be held. In rural areas, particularly in the conflictive highlands, the military effectively governs through the ubiquitous civil patrols and military commissioners -- armed civilians whose connection with the army strengthens their authority at the expense of unarmed civilian officials. Tens of thousands of Guatemalans displaced by the army's scorched earth campaigns of the early 1980s now live in heavily regimented strategic hamlets which are euphemistically called model villages. Residents of these villages are under constant surveillance and cannot leave without permission from the local civil patrol commander. In addition, tens of thousands of the internally displaced lack basic identification documents and thus cannot vote. Freedom of association is abridged both by the compulsion that indigenous men perform unpaid civil patrol duty, even though the Constitution mandates that such duty only be rendered voluntarily, and by army propaganda campaigns against human rights organizations, widows' groups, and other independent associations.<sup>2</sup>

Unfortunately none of the leading presidential candidates is addressing these fundamental issues head on, leaving little room for hope that the second election of a civilian president in twenty years will have any impact on Guatemala's deadly human rights situation.

Finally, the controversy over the legality of former General Efraín Ríos Montt's presidential candidacy has provoked fears of greater violence, as the former dictator has greeted legal obstacles to his candidacy with provocative statements which suggest a readiness to resort to violence to achieve power.<sup>3</sup> Any such move by the strongman could rupture completely the veneer of legality that has been achieved through the return to civilian government in 1986.

## II. POLITICAL VIOLENCE

### A. Violence Against Political Figures

Since July, at least nine political activists from across the ideological spectrum have been killed, while others have suffered assassination attempts or death threats. Americas Watch is aware of no progress in any investigations into these crimes.

- **Congressman Otto Rolando Ruano Reyes**, of the conservative National Union of the Center (UCN), was

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<sup>1</sup> The congressionally-appointed Human Rights Ombudsman reported on October 6, 1990, that 276 political murders and 145 disappearances had occurred in the first nine months of this year. Adjunct Ombudsman César Alvarez Guadamuz, in announcing the figures, was quoted saying that Guatemala is "returning to the dark past...when we lived amid virtual state terrorism." (DPA, October 6, 1990, reprinted in Foreign Broadcast Information Service Daily Report, Latin America [hereinafter "FBIS"], October 10, 1990, p. 12.)

<sup>2</sup> See News From Americas Watch, "Guatemala: Army Campaign Against Rights Activists Intensifies," May 1990.

<sup>3</sup> In August, Ríos Montt was quoted in the domestic press warning, "We will opt for violence if legal avenues are closed" to his candidacy (*Siglo Veintiuno*, August 27, 1990). In September, he was quoted saying "If in the end I am not allowed to participate, it will be difficult to avoid bloodshed..." (ACAN, September 26, 1990, reprinted in FBIS, October 10, 1990, p. 10). On October 12, 1990, the Supreme Court ruled that Ríos Montt could not run for president.

shot dead in his car at kilometer 91 of the Pan American Highway in San José Acatempa, Jutiapa on July 25, 1990. Ruano Reyes, who was actively campaigning for reelection from the department of Jalapa, was traveling to the capital with his bodyguard Roberto de Jesús Espinoza, who was also killed. According to one account, the victims were ambushed and shot by men armed with 9 millimeter pistols.<sup>4</sup> President Cerezo declared the murder "an isolated incident" which most likely "had its origins in local issues." Interior Minister General Carlos Morales Villatoro promised a thorough investigation with the help of the military, which he said, would conduct a national sweep to find the killers. The president of the congress, Marco Antonio Dardón Castillo, named three deputies to carry out an investigation.<sup>5</sup>

- On August 28, 1990, **Celso Girón**,<sup>6</sup> UCN candidate for mayor in San Pedro Jocopilas in the department of El Quiché, was shot dead by an unidentified gunman as he walked to a market in his home town with his three-year-old daughter. The town's previous UCN mayoral candidate, Salomón Blanco, was reportedly murdered on October 12, 1989.<sup>7</sup>

- Also in San Pedro Jocopilas, Assistant District Secretary for the Christian Democratic Party (PDC) **Sebastián Morales López** was shot dead on September 16, 1990. The chief of police in the departmental capital of Santa Cruz del Quiché told The New York Times he saw no point in investigating the killings in San Pedro Jocopilas.<sup>8</sup>

- Adding to the string of political murders in the highland town, **Humberto Pérez Cos**, 48, a Christian Democratic party leader and member of the municipal council of San Pedro Jocopilas, was reportedly shot dead by unidentified assailants as he was walking into town on October 10 or 11, 1990.<sup>9</sup>

- **Juan Francisco Flores**, an official with the Emergent Movement for Harmony (MEC), the rightwing party backing the candidacy of General Benedicto Lucas García, was reportedly shot dead in a restaurant on kilometer 65 of the road to El Salvador on September 24, 1990.<sup>10</sup>

- On the morning of October 9, 1990, the body of **Marcos Osorio Chivalán**, a leader of the far-right National Liberation Movement (MLN), was found, reportedly bearing signs of torture. More than ten armed men were said to have dragged him from his house in Santa María Chiquimula, Totonicapán department, in the presence of his family on September 27, according to the domestic press. Osorio had served as secretary for documents and

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<sup>4</sup> *Prensa Libre*, July 26, 1990.

<sup>5</sup> *Siglo Veintiuno*, July 26, 1990; *Prensa Libre*, July 26, 1990; and *La Hora*, July 25, 1990.

<sup>6</sup> *The New York Times* identified the victim as Celso Milagro.

<sup>7</sup> Lindsey Gruson, "Guatemala's Campaign Trail: Murder Shadows Candidates," *The New York Times*, October 9, 1990; and *EL Gráfico*, October 12, 1990.

<sup>8</sup> Gruson, "Guatemala's Campaign Trail."

<sup>9</sup> *Siglo Veintiuno*, October 12, 1990; *EL Gráfico*, October 12, 1990; *Prensa Libre*, October 12, 1990. Accounts vary as to the date of the assassination.

<sup>10</sup> Notimex, September 25, 1990, published in FBIS, September 26, 1990, p. 23.

agreements for the MLN in Santa María Chiquimula.<sup>11</sup>

- MLN leaders **Raymundo Boteo** and **Salvador González** were murdered as they returned to their homes in Santa María Ixhuitán, in the department of Santa Rosa in early October 1990, according to a press release by the MLN. The communiqué said the victims had been accompanying the town's mayoral candidate, Mardoqueo Espinoza González, just before they were killed. Another MLN activist, Azael Ramos, reportedly was with the victims at the time of the attack, but was unharmed.<sup>12</sup>

- On October 15, 1990, unknown assailants gunned down **Humberto González Gamarra**, leader of the newly formed Revolutionary Democratic Union (DRU), in Guatemala City's Zone 11. The victim was apparently driving on Roosevelt Avenue with one or two of his children when he was sprayed with bullets. He died shortly after admission at a nearby hospital. The DRU, a social democratic party, had not registered to participate in this year's elections. A journalist and owner of several radio stations, González Gamarra had been active in the United Revolutionary Front (FUR) of Manuel Colom Argueta until the latter was murdered in 1979. His father, Humberto González Juárez, a journalist and press secretary in the democratic government of Jacobo Arbenz in the early 1950s, was murdered in 1970.<sup>13</sup>

- Also on October 15, unidentified gunmen shot dead **Carlos Osmín Ramírez Cruz**, an official with the Social Democratic Party (PSD) for the department of Santa Rosa. Osmín Ramírez was reportedly shot at the entrance to the village of Villa Graciela, Cuilapa, Santa Rosa, as he was walking to work at the National Electricity Institute. He was said to have been shot with 9 millimeter bullets.<sup>14</sup>

- On October 5, 1990, gunmen traveling in three cars reportedly ambushed UCN congressional candidate Juan José Rodil, surrounding and opening fire on his armoured car near his residence in Guatemala City. Rodil served as Interior Minister in the Cerezo government until being forced out in 1988 by military displeasure with his plans to bring the police under civilian control. He was not harmed in the incident. He was said to have been returning from a campaign tour in the countryside when the attack occurred.<sup>15</sup> Several other politicians have come under attack as well, including UCN congressman Oliverio García Rodas, who was reportedly shot at while traveling on the highway between Escuintla and Guatemala City, also on October 5.<sup>16</sup>

- Many others politicians have reported receiving death threats, including Congressman **José García Bauer**, who received an anonymous call on July 31 from an individual who vowed that García Bauer and eight other congressmen would be killed if they did not leave the country within 48 hours, according to the Legal Office of the

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<sup>11</sup> *Siglo Veintiuno*, October 10, 1990, reprinted in FBIS, October 15, 1990, p. 22; and EFE, October 10, 1990, reprinted in FBIS, October 15, 1990, p. 23.

<sup>12</sup> *Prensa Libre*, October 12, 1990.

<sup>13</sup> Amnesty International Urgent Action 422/90, October 17, 1990.

<sup>14</sup> Guatemala Human Rights Commission USA, Human Rights Update #40, October 23, 1990, p. 2.

<sup>15</sup> Amnesty International Urgent Action 406/90, October 9, 1990.

<sup>16</sup> Guatemala Human Rights Commission USA, Human Rights Update #39, October 17, 1990, p. 4.

Archbishopric of Guatemala. García Bauer had publicly opposed the candidacy of Ríos Montt on legal grounds and had organized a meeting of authors of the Guatemalan Constitution earlier in the year which concluded that the ex-dictator could not legally run for president, the Legal Office said.

- Among other political figures who have reported receiving death threats in the months preceding the elections are UCN Congressman **Edmond Mulet**<sup>17</sup> and **Gustavo Adolfo Espina Salguero**, the vice presidential candidate of the Solidarity Action Movement (MAS).<sup>18</sup>

## **B. Violence Against Human Rights Activists**

The tremendous upsurge in violence against human rights activists this year is a telling comment on the civilian government's failure to establish the rule of law, as these groups are targeted precisely because of their advocacy of respect for rights established by Guatemalan and international law. Although at least five new human rights groups have been established during President Cerezo's administration, a tremendous price has been paid for their efforts. Since Cerezo took office in 1986, eight human rights activists have been killed and eight more have disappeared under circumstances suggesting official involvement. (The circumstances surrounding a ninth killing, the October 29, 1990 murder of Mateo Sarat Ixcoy, are unknown at the time of this writing.)

The groups targeted have primarily been the Mutual Support Group (GAM), a group of relatives of the disappeared which seeks to determine the fate of tens of thousands of Guatemalans disappeared in the last two decades, and the Council of Ethnic Communities "Runujel Junam" (We Are All Equal), known by the Spanish acronym CERJ, a rural human rights and legal assistance group.

The CERJ has been in the forefront of the struggle to achieve respect for Article 34 of the new Constitution which came into effect in 1986. Article 34 prohibits compulsory participation in civil patrols, a massive counterinsurgency scheme established in the early 1980s whereby highland men perform as much as 24 hours a week of unpaid vigilante duty for the army. Although the patrols are by law voluntary, the army continues to mete out punishment, sometimes severe, to those who resist. Most CERJ members have resigned from patrol duty, which has prompted the army and its agents to label them guerrilla sympathizers. Repression of the CERJ has, as a consequence, been fierce since its founding in July 1988.<sup>19</sup>

The following cases have occurred since our May 1990 report on the persecution of human rights activists in Guatemala. (An appendix to this report lists the known cases in which human rights monitors have been killed or disappeared since 1974.)

- **Murder of José María Ixcaya, Threats Against His Relatives and CERJ Members in La Fe, Sololá:** On May 1, 1990, at about 5:00 a.m., three gunmen shot and killed José María Ixcaya, a founding member of the CERJ, shortly after he left his home in the La Fe community of the village of Pujujil, department of Sololá.<sup>20</sup> Ixcaya was on his way to a May Day demonstration in the capital when he was gunned down.

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<sup>17</sup> Washington Office on Latin America, "The Guatemalan Elections in Context," September 24, 1990, p. 8.

<sup>18</sup> *Siglo Veintiuno*, September 9, 1990.

<sup>19</sup> See Americas Watch, [Persecuting Human Rights Monitors: The CERJ in Guatemala](#), May 1989; and [News From Americas Watch](#), "Guatemala: Army Campaign Against Rights Activists Intensifies."

<sup>20</sup> Our account is based on interviews with relatives of the victim, humanitarian workers, members of the CERJ, and a review of the court record in Sololá.

Ixcaya's widow was walking some fifty meters in front of him at the time of the shooting. She saw three men in civilian clothing behind her husband and heard shots. An autopsy found gunshot wounds in the head, face, neck, chest, thorax, abdomen, and right leg. According to a National Police response to an inquiry by Judge Roberto Arturo Lemus Garza of the First Instance Court in Sololá, the weapon utilized is prohibited for use by private individuals.

Prime suspects in the case are the civil patrol chief and military commissioner from a nearby community, both of whom were enraged by Ixcaya's participation in the CERJ and his refusal to patrol. Family members told Americas Watch of four incidents, including one as recent as February 1990, in which Jesús Chupín Coc, chief of civil patrols in the nearby hamlet of Adelante, allegedly threatened to kill Ixcaya. Bernardino Samines Yac, military commissioner in Adelante, had also threatened the victim, according to these sources.

On three occasions in June 1990, Judge Lemus asked the auxiliary mayor of La Fe to cite Chupín, the patrol chief, to come to the court for an interview. Chupín did not respond to the requests. Judge Lemus subsequently ordered the patrol chief's detention for failing to respond to the subpoenas. As of July 1990, the police had not arrested Chupín.

Members of Ixcaya's family and other CERJ members in the area continued to suffer persecution after Ixcaya's murder.

About a month after the slaying, a neighbor told Ixcaya's widow, Marsela Guarcas Morales, that Chupín had vowed to kill her and Pedro Ixcaya Coc, her slain husband's cousin.

At about 7:00 a.m. on June 13, two patrollers from Pujujil came to Pedro Ixcaya's house saying that Chupín and military commissioner Samines "are going to get all the people to come to your house with soldiers and chop you into pieces." After this warning, Pedro, a CERJ member who gave up patrolling earlier this year, fled his community and took refuge in the CERJ office in Santa Cruz del Quiché.

On June 15, a meeting was held in La Fe including Chupín, a lieutenant, four soldiers and many residents of La Fe. Also present was the secretary to the auxiliary human rights ombudsman of Sololá.<sup>21</sup> When the meeting started, Chupín sent a group of individuals to look for Pedro Ixcaya. According to Pedro's wife, two groups came looking for her husband, one in the morning and one in the afternoon. In both cases, the men came to the house in a beige pickup which had been used in the past by individuals who threatened other La Fe residents. At the meeting, Chupín demanded to know who the CERJ members in the village were; a patroller responded by reading off a list of the members of the rights group. Six CERJ members were summoned in front of the meeting.<sup>22</sup> Chupín assured them that a military government would come to power after the November elections, at which point they and all other leaders of popular organizations would be killed. On June 26, patrollers sent one of the CERJ members to Santa Cruz del Quiché to bring Pedro Ixcaya back to La Fe. Pedro declined to return.

● **Disappearance of Luis Miguel Solís Pajarito:** Solís Pajarito, 25, is one of the leaders of the National Council for the Displaced of Guatemala (CONDEG), an organization defending the rights of Guatemala's disenfranchised and marginalized displaced population formed in September 1989. On May 3, 1990, Solís Pajarito disappeared after leaving the CONDEG office. Days before, he had suffered an abduction attempt and reported being followed subsequently. Although a writ of *habeas corpus* has been filed on his behalf, Solís Pajarito remains disappeared. During a meeting between the GAM and Vice President Roberto Carpio, the vice president indicated that the police had information about Solís Pajarito's whereabouts, GAM members have said. However, Carpio has not provided

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<sup>21</sup> The Human Rights Ombudsman is an official appointed by the Congress to investigate and report on human rights abuses and recommend actions for their redress. The Ombudsman has auxiliary offices in several departments, including Sololá.

<sup>22</sup> Those singled out by Chupín were Mariano Picher Tzorín, Vicente Ixcaya Tuy, José Picher Ixcaya, Lorenzo Picher Panjoj, Marcelino Picher Tzorín and María Xep.

further information.

Solis Pajarito's wife, Rosa Pu Gómez, is a member of the GAM whose first husband also disappeared. After Solis Pajarito's disappearance, his wife reported that she was being followed by unknown men. Her mother reportedly received threats as well. Other CONDEG members have reportedly received threats and one suffered an apparent abduction attempt on May 23, 1990, in Guatemala City.<sup>23</sup>

● **Disappearance of Samuel de la Cruz Gómez:** At about 3:00 a.m. on July 12, 1990, a group of about fifteen armed men kidnapped Samuel de la Cruz Gómez, 31, and his 16-year-old brother, Genaro, from their home in the village of Chimatzatz, Zacualpa, in the department of El Quiché, and took them away on foot with their hands tied behind their backs.<sup>24</sup> When Genaro yelled in protest, the men tied a rope around his neck and pulled it tight to cut off his breath and hit his head with rifle butts. The kidnappers also struck the men's sister, Ignacia, when she screamed, giving her a bloody nose. The kidnappers were said to have a variety of weapons, including Galil rifles.

After about twenty minutes, the men freed Genaro without explanation. A group of several dozen neighbors pursued the kidnappers, picking up residents of neighboring communities as they proceeded. At about 7:00 a.m., according to one of the neighbors, the group saw Samuel and his captors, two of whom were dressed like soldiers. Catching sight of the neighbors, four of the kidnappers -- one in soldiers' gear -- then fled with Samuel and were not seen again. When one of the neighbors shouted out to the remaining armed men, "Why are you taking Samuel?" some of the men responded "We're guerrillas; we're of the people." The men then opened fire on the neighbors, wounding Celestina de León García and Ciriaco García de la Cruz. Some of the neighbors took the wounded to the hospital, while others continued to pursue the armed men.

Those heading for the hospital met up with a group of about 22 heavily armed soldiers in camouflage fatigues, whom they alerted to the kidnapping and asked for help. The soldiers promised to go after the kidnappers and set off in the direction indicated by the neighbors. Yet the neighbors began to doubt the soldiers' sincerity when they apparently staged a mock shoot out shortly after leaving. Those neighbors who had continued in pursuit of the kidnappers eventually saw the soldiers meet up with the kidnappers. Soldiers and kidnappers alike went behind a depression in the landscape where they were protected from view. After about an hour they emerged together, all dressed in military attire.

One of the alleged kidnappers, Ernesto Eduardo Arévalo,<sup>25</sup> was subsequently detained by the police and charged with wounding the neighbors and with participation in the kidnapping of Samuel. After a police-administered paraffin test indicated he had not fired his weapon, Arévalo was provisionally released.

Samuel's relatives and neighbors know of one incident which may have provoked his kidnapping: On June 27, 1990, a group of about 45 soldiers came to his house and stole some food. Approaching Samuel, who was working in a nearby field, they asked him to accompany them as a guide to a nearby road, indicating that refusal to do so would mean he was a subversive. Samuel refused, as the road was so close that he distrusted the soldiers' motives. Angered by his refusal, the soldiers reportedly vowed to return and, they intimated, kill him.

A writ of *habeas corpus* has been filed, but Samuel de la Cruz Gómez remains disappeared.

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<sup>23</sup> Amnesty International Urgent Action 182/90, July 2, 1990.

<sup>24</sup> Our account is based on testimony of witnesses and human rights workers.

<sup>25</sup> Although several neighbors described Arévalo as a military commissioner, he has denied it. In an interview with Harvard Law student Lee Tucker, he also denied involvement in the abduction, and asserted he didn't even know where Chimatzatz is. Other sources allege that in addition to serving as a military commissioner, Arévalo is employed by army intelligence (G-2) and owns land in Chimatzatz.

● **Murder of Pedro Tiu Cac and his son:** a CERJ member from the Chajab area of the hamlet of Racaná, Santa María Chiquimula, in the department of Totonicapán, Pedro Tiu Cac was kidnapped by a group of about ten armed plainclothesmen, who according to witnesses, identified themselves as investigations police (*judiciales*). The kidnapping took place at about 8:00 a.m. on July 2, 1990. The men took Tiu Cac from his house and got into two pickup trucks, one grey and the other red. On July 4, Tiu Cac was found dead, reportedly with signs of blows and bullet wounds, in the hamlet Chicox, San Francisco El Alto, Totonicapán.

On October 2, 1990, a group of plainclothesmen abducted **José Pedro Tiu Chivalán**, son of Pedro Tiu Cac, from his home in Chajab as he was eating dinner with his wife and four young children. His body was found on October 5, 1990. Weeks before he was slain, Tiu Chivalán had allowed his house to be used for a meeting of a widows' rights group, CONAVIGUA. Shortly thereafter, local military commissioners reportedly came to the house and interrogated family members about the meeting. In both the case of Pedro Tiu Cac and José Pedro Tiu Chivalán, writs of *habeas corpus* were filed after their kidnappings to no avail.

● **Murder of Myrna Mack:** On September 11, 1990, anthropologist Myrna Mack Chang was stabbed to death upon leaving the office of the Association for the Advance of the Social Sciences in Guatemala (AVANCSO). Two men were said to have been waiting for her near her office in Guatemala City's Zone 1 and fell upon her at about 7:00 p.m., stabbing her sixteen times. Mack was one of the founders of AVANCSO, Guatemala's foremost social science think tank, as well as a consultant to the Inter-American Institute for Human Rights in San José, Costa Rica. She was perhaps the principal Guatemalan academic authority on the conditions of the internally displaced population in the departments of El Quiché and Alta Verapaz, and was a committed advocate of the rights of this marginalized population.

● **Sebastián Velásquez Mejía Murdered, Human Rights Official and CERJ Members Attacked:** On October 6, the CERJ delegate in the village of Chunimá, Chichicastenango, in the department of El Quiché, was kidnapped from kilometer 110 of the Pan American Highway, near the turnoff to Chupol, by a group of men driving a grey pickup truck. Witnesses say the kidnappers exchanged greetings with Manuel Perebal Ajtzalám, the civil patrol chief in Chunimá, before forcing Velásquez into the pickup truck, according to the GAM, to which Velásquez also belonged.

In early November, Velásquez's relatives learned that his body had been found on October 8 in Zone 9 of Guatemala City and buried two days later in La Verbena cemetery. The body was found with identifying documents. Velásquez's widow and a friend identified the body from photographs, which they believe indicate he was tortured. The postmortem signed by a justice of the peace reportedly described the cause of death as blows to the thorax and abdomen.

Velásquez, who in 1989 guided Americas Watch to several villages where human rights abuses had taken place, had been threatened repeatedly over the last two years because of his participation in the CERJ and his resignation from the civil patrols.

Following the kidnapping of Velásquez, five other CERJ members from Chunimá sought refuge in the CERJ office in Santa Cruz del Quiché, fearing for their lives. The Adjunct Human Rights Ombudsman from Guatemala City, César Alvarez Guadamuz, agreed to escort the five back to Chunimá and to address the residents and explain that the five had a right to participate in the CERJ and live in their village. However, the return voyage was marred by the belligerent reception by members of the local civil patrol. As Alvarez attempted to convene a village meeting, a hostile crowd of about 75 armed civil patrollers amassed. A weapon was fired and the patrollers began shouting "Open fire!" and "War!", provoking panic among the adjunct ombudsman's party, according to a witness. Although the patrollers were restrained from further violence by the soldiers accompanying the adjunct ombudsman, their evident hostility towards the five CERJ members prompted them to again seek protection in the CERJ office in Santa Cruz del Quiché. This attack marks the second time this year that the adjunct ombudsman has been attacked

by patrollers as he sought to reintegrate CERJ members driven out of their homes.<sup>26</sup>

- **Mateo Sarat Ixcoy**, a CERJ member from the hamlet of San Pedro, in the municipality of San Pedro Jocopilas, El Quiché, was murdered on October 29, 1990, by unknown assailants. His body presented several knife wounds and was practically decapitated. At the time of this writing, neither the motive, circumstances, nor responsibility for his murder are apparent.

- **Death Threats Against CERJ Leaders:** Activists in the CERJ have received numerous death threats since the group's founding in 1988. Several threats have been issued in recent months. On July 30, 1990, CERJ leader Amílcar Méndez Urizar received a handwritten note threatening that he would be killed if he did not leave the country within 72 hours. Méndez did not leave. The letter bore the name Antonio followed by undecipherable family names.

On three subsequent occasions, most recently on November 3, flyers were distributed in Santa Cruz del Quiché calling on "the honorable people of the Quiché" to exact "revolutionary punishment" on the leaders of the CERJ, whom the flyers assert, have been enriching themselves at the expense of the rest of the population. On November 6, Amílcar Méndez, the CERJ leader, and his wife each received envelopes stuffed with a fourth version of the flyer in the mail. The threats have all been signed "Indigenous Movement Umatlán." The most recent flyers also threaten members of CONAVIGUA, the widows' group, and the GAM. (An example of one of these threats may be found in Appendix II of this newsletter.)

### C. Violence Against Journalists

As noted above, journalist Humberto González Gamarra, also a leader of the social democratic DRU, was murdered by unknown assailants on October 15, 1990. That same day, veteran sports writer **Miguel Angel Cospín**, 70, was killed under unclear circumstances in Guatemala City. Cospín was a founder of both the Association of Journalists of Guatemala (APG) and the Association of Sports Writers of Guatemala (ACD).<sup>27</sup>

- On October 26, 1990, two men on a motorcycle shot journalist **Byron Barrera Ortiz**, his wife, **Refugio Araceli Villanueva de Barrera**, and an unidentified friend as their car was stopped at a traffic light at the corner of 35th Street and the *Calzada* Aguilar Batres in Zone 11 of Guatemala City. Barrera's wife died immediately, and Barrera and his friend were hospitalized for their injuries. Barrera, the director of the Central American News Agency (ACEN-SIAG), had returned to Guatemala from exile in 1985. Until June 1988, Barrera was editor of the liberal weekly newspaper *La Epoca*, which had begun publication earlier that year. The paper closed down after its offices were severely damaged in a firebomb attack mostly likely perpetrated by the security forces. Barrera and others associated with *La Epoca* received death threats and fled the country. However, Barrera returned several months later.

The day before the attack which killed his wife and left him seriously injured, Barrera became aware that he was being followed by two men on a motorcycle. He reportedly informed President Cerezo's Public Relations Secretary Claudia Arenas about the surveillance and gave her the license plates of the motorcycle.<sup>28</sup>

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<sup>26</sup> The first attack occurred in Parraxtut in March and is described in *News From Americas Watch*, "Guatemala: Army Campaign Against Rights Activists Intensifies."

<sup>27</sup> *La Hora*, October 16, 1990; *EL Gráfico*, October 16, 1990; *Prensa Libre*, October 16, 1990; and *Siglo Veintiuno*, October 16, 1990.

<sup>28</sup> Amnesty International Urgent Action 434/90, October 28, 1990.

## D. Violence Against Unionists

- On July 1, 1990, unidentified gunmen shot dead **Petronilo Hernández Vasilo** in front of his house in Jutiapa. Hernández Vasilo was secretary of a union affiliated with the Guatemalan Confederation of Labor Unity (CUSG).<sup>29</sup>

- On July 19, 1990, **Oscar Humberto Portillo y Portillo**, a member of the CUSG-affiliated Public Workers Union of Jalapa, was murdered by unknown assailants in the village of Asunción Grande, municipality of Asunción Mita, department of Jutiapa.<sup>30</sup>

## E. Violence Against Others

- **Disappearances in San Lucas Tolimán:** At about 1:00 p.m. on June 11, 1990, three residents of San Lucas Tolimán, in the province of Sololá, headed out of town to an area known as Palo Colorado in the foothills of the Volcán de Fuego to see if any traps they had laid had caught any game.<sup>31</sup> The three men -- **Ronald Omero Motta**, 42, **Julio de Jesús Maldonado**, 60, and **José Felipe Alvarez Andrés**, 24 -- have never been seen since.

The morning after their disappearance, a woman who makes tortillas in the town's central park told relatives of the victims that two or three National Policemen had told her that morning, while breakfasting on her tortillas, that they had captured the three men and imprisoned them in the provincial capital of Sololá.

Relatives filed a *habeas corpus* petition with the justice of the peace in San Lucas Tolimán on behalf of the three victims, but they have not been located. The relatives believe the men were targeted by the military out of suspicion that the families were providing food for the guerrillas.

- **Patrollers Attempt to Murder Youths, Xemal, Colotenango, Huehuetenango:** **Remigio Domingo Morales**, 18, and his cousin **Rafael Sánchez Morales**, 15, were born and raised in the community of Platanar, in the hamlet of Xemal, municipality of Colotenango, Huehuetenango province.<sup>32</sup> The father of each boy was killed by the guerrillas in the early 1980s. Like nearly all adults in the community, Remigio was a member of the civil patrol. The victims have no explanation for the brutal assault they suffered at the hands of civil patrollers from their own community.

Early in the evening of June 27, 1990, the boys went to visit a friend of Remigio's in the nearby community of Tuizquan. While Remigio chatted with his friend inside, Rafael waited outside. At about 7:00 p.m., four machete-wielding civil patrollers -- Daniel Domingo López, Méndez Méndez Domingo, Luciano Domingo Domingo, and Santiago Salas -- came to the house. Seeing them approach, Rafael ran to his house on the other side of the Pan American Highway. The patrollers grabbed Remigio, accused him of being a guerrilla, and tied his hands behind his back. They punched Remigio in the nose, mouth, and chest, and threatened to beat his friend when she objected.

They took Remigio outside and called aloud for other patrollers to assemble. As some fifty patrollers gathered, the group proceeded to capture Rafael, who was sleeping at his house. Accusing him too of being a guerrilla, the

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<sup>29</sup> Washington Office on Latin America, "The Guatemalan Elections in Context," p. 7.

<sup>30</sup> *EL Gráfico*, July 28, 1990.

<sup>31</sup> Our account is based on interviews with relatives of the disappeared men and examination of the court record in Sololá.

<sup>32</sup> Our account is based on interviews with the victims and other relatives. Americas Watch investigated this case jointly with the Legal Office of the Archbishopric of Guatemala.

patrollers bound his hands behind his back, and one struck him in the mouth and left eye with a flashlight. Eventually some 400 patrollers, including patrol chief Alberto Godínez Sánchez, convened at the civil patrol headquarters in Xemal, where the victims were taken. They accused Rafael and Remigio of destroying bridges and electric posts and of being guerrillas. Patrol chief Godínez ordered the assembled group to kill the captives.

As the patrol chief and another patroller held the rope around Remigio's hands and waist, several patrollers knifed him repeatedly on the backs of his shoulders, the ears, the top of the head, and a finger on the left hand. Others beat him with sticks on the legs and left hand. In all, about twenty patrollers participated in the frenzy of violence against Remigio.

Apparently believing Remigio was dead, the patrollers turned their attention to Rafael, attacking him with knives and sticks. When the violence stopped, both boys were lying on the ground, bleeding and barely conscious. Several patrollers grabbed them and dragged them down and up a hillside, apparently to inflict further punishment. After this, both were unconscious. Remigio would not regain consciousness until June 29. Rafael was unconscious until June 30.

According to Remigio's brother, Efraín Domingo Morales, 24, the patrol chief ordered five patrollers to bury the victims, who by this time were presumed dead. Efraín ran down the highway to seek help from the Colotenango patrol chief, Pascual Díaz. Accompanied by about ten patrollers from Colotenango armed with Mauser rifles, Díaz arrived at the scene and scolded Godínez for presumably having killed the youths. The patrol chiefs went to army base 19 just outside Huehuetenango at about 6:00 a.m. and informed the military of the incident. At about 10:00 a.m., four plainclothes soldiers arrived at the scene and criticized the patrollers for the attack. By this time, it had become apparent that the two boys were not dead. The soldiers directed that the boys be taken to the hospital, but refused to allow their pickup to be used to transport them. In addition, they instructed the patrollers not to tell the hospital officials how the boys had been hurt, but to state that they had attacked each other. Patrollers carried Remigio and Rafael to the highway, where they got a ride to the hospital from a passing pickup truck.

That morning, patrol chief Godínez threatened Remigio's brother Efraín with death if he told anyone what happened. Nonetheless, on July 2, Efraín presented a complaint in the Second Court of First Instance in Huehuetenango about the incident. However, at the time of our interview more than one month later, no action had been taken.

### III. VIOLENCE AGAINST STREET CHILDREN AND THEIR ADVOCATES

An estimated 5,000 children live on the streets in Guatemala City.<sup>33</sup> Their lives are precarious and dangerous. Many of them sniff glue to alleviate their hunger. Many of their families live on the streets -- their parents may peddle goods in the Central Market, for example -- while others survive alone. Petty street crime is often their only source of food or money. These children suffer from an inadequate diet, lack of access to education and basic health care, and lack of protection afforded by shelter and a stable family situation.

These children have also been the victims of horrific abuses including kidnappings, beatings, torture and assassinations by on- and off-duty police officers. In recent months, witnesses to these crimes and children's advocates have increasingly become the targets of abuse.

Covenant House, a U.S.-based child advocacy agency which operates several shelters for street children, has made an aggressive effort to seek legal redress for violent abuses against children. As of this writing, Covenant House has launched 18 legal proceedings against 34 National Policemen, one Treasury Policeman and three civilians for violent abuses against street children. Three cases that we are aware of have resulted in arrests of police agents, but none have yet been tried. The remaining cases have been frustrated by the inaction of government officials.

The following cases of abuses against street children and those working with them have been reported to Americas Watch by Covenant House:

- On October 4, 1989, eighteen-year-old **René Geovanni Soto García** and 22-year-old **Edgar René Patzán** were found dead near the National University in Guatemala City. Their bodies showed blows to the head, cigarette burns on the backs and gunshot wounds in the foreheads. Witnesses believe their abductors were off-duty policemen. Although the National Police has promised an investigation, there is no indication that one has been initiated. Furthermore, the police have declined to provide Covenant House with photographs of the boys' bodies that it requested to verify the manner of death. Nor has the police informed Covenant House as to which justice of the peace collected the bodies, making it difficult for the group to learn which court now has the case.

- On January 17, 1990, two Covenant House "street educators" (of U.S. and Guatemalan citizenship) were in a Guatemala City park when armed plainclothesmen accosted them and tried to force them into their car. When the workers wrestled their way free, the armed men grabbed a street child. The street workers managed to pull him free also, as other street children sought help from a police patrol car. Yet when the police men discovered that one of the armed assailants was an army colonel, they turned their ire on the street educators. The policemen frisked them, beat them on the heads as they tried to take down the number of the police car, and took them to police headquarters for interrogation. Covenant House reported the incident to Commissioner Mario René Cifuentes Echeverría, then-Deputy Director of the National Police, and to U.S. diplomatic personnel, but has received no information concerning a police or other investigation.

- On March 4, 1990, four policemen found nine street children who had been sniffing glue in front of the "Electronics Xtra" store at the corner of 12th Street and 6th Avenue, in Zone 1 of Guatemala City. They beat them, kicked them, and poured glue over some of them. The officers beat 13-year-old **Nahamán Carmona López** so severely that he died ten days later. His injuries included a ruptured liver, severe bruising to the membrane enclosing the abdominal and pelvic cavities, six fractured ribs, two broken fingers and severe bruising to seventy

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<sup>33</sup> Figure according to street educators for Covenant House (known in Guatemala as Asociación Casa Alianza), a private, non-profit child advocacy and service agency.

percent of his body. While in the hospital, he was denied basic emergency care for two days until a Covenant House worker, who learned of Nahamán's presence there by accident, intervened. On June 13, 1990, National Police agents Rolando Aguilar Dueñas, Silvestre Cu Itzep, Modesto Hernández Sirín and Marco Tulio Gudiel were arrested and charged in the case.

- **Francisco Síac**, 14, Nahamán's best friend and witness to the police assault which caused his death, has been pursued, threatened and beaten repeatedly by the police since his friend's death. On May 10, 1990, two policemen struck Francisco near the Cine Ideal in Guatemala City. On May 14, two agents singled him out of a group of street children and asked him where he was living and if he had been to the Covenant House facility for street children. On May 16, he was beaten in the legs by two plainclothes policemen; he has had problems walking as a result. Francisco left Covenant House out of fear that association with the agency would bring police reprisals. On July 1, 1990, two plainclothes policemen and one woman again picked Francisco out of a group of children and verbally abused him. On July 4, 1990, two police officers in civilian dress asked street children where they could find Francisco. On July 14, 1990, after asking Francisco his name and finding it in their notebook, two uniformed policemen beat him severely. Francisco subsequently went into hiding.

In August, plainclothes police visited a Covenant House crisis center looking for Francisco. The agents said they had been sent to "protect" the boy. Two of these same police agents also stopped other street children and claimed to be relatives of Francisco's who needed to find him to give him an inheritance.

- On April 13, 1990, a police officer forced a thirteen-year-old child to swallow the glue he had been inhaling; he suffered bronchial problems and burns to the stomach and intestines as a result.

- On April 9, 1990, a group of security force officials forced two fourteen-year-old boys to swallow the plastic bags containing glue they had been sniffing and then beat them. The boys were left vomiting and choking on the bags.

- On April 10, Covenant House and the child victims lodged a formal complaint concerning this incident to the Public Ministry and to Lica. María Eugenia Villaseñor Velarde of the First Court of the First Instance of Penal Instruction. Meanwhile, one of the young victims has disappeared. According to other street children, he was picked up by the police on June 15, 1990, and has not been seen since. Covenant House has not been able to locate him in any of the facilities where children are normally detained.

- On May 22, 1990, policeman Gregorio Erasmo Bonilla allegedly shot and killed 12-year-old **Marvin Oswaldo de la Cruz Almengor** after he stole a pair of sunglasses from a passing driver.<sup>34</sup> According to Guatemalan law, Victor Manuel Led González, a police officer in the patrol car in which Bonilla was traveling, could be considered an accomplice for having failed to report the crime. Both men have been arrested.

- On June 6, 1990, a former Covenant House worker was shot to death by a Treasury Police agent identified as Luis Ernesto Pérez Cancinos.<sup>35</sup> **Daniel Sequén Sinay**, 29, was sitting on a ledge near a bus stop with his friend **Carmela Machan Esquil** in Zone 11 of Guatemala City when Pérez and a cousin of his named Fernando Cancinos

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<sup>34</sup> *EL Gráfico*, May 22, 1990.

<sup>35</sup> This account is based on Americas Watch interviews with Carmela Machan Esquil, a friend of the victim who was shot and injured in the same incident, relatives of the victim, an official with the Seventh Court of Instruction in Guatemala City, and Bruce Harris of Covenant House.

allegedly approached them, saying "your money or your life." After Sequén and the would-be robbers recognized each other as acquaintances from the village of San Jacinto, in the municipality of Chimaltenango, Pérez apologized. He said that a couple had just robbed them, and they thought it might be Sequén and Machan. Pérez and Cancinos then walked away.

About 15 minutes later, the two armed men returned and one of them asked Sequén to come and talk. Sequén told Machan not to worry, since he knew the two men. He gave her their names. After about five minutes, Sequén returned and sat down next to his friend again. Pérez and Cancinos remained hovering about five feet away. Frightened by the men, Machan stood up and said to Sequén, "Let's go." At that moment, Pérez raised his pistol and allegedly shot Sequén twice in the head, killing him. As Machan screamed, he shot her in the left cheek and left shoulder. When she got up, the men were gone. The motive for this killing is unknown.

According to Gerardo Recinos, eight official at the Seventh Court of Instruction in Guatemala City, Pérez was ordered detained on July 24 and is being held in the Men's Center of Preventive Detention in Zone 18. An arrest warrant was issued for Cancinos as well, but he had not been detained as of early September 1990. The two men are reportedly charged with one count of murder and one count of attempted murder.

Sequén's brother, **Concepción**, who brought the case against the Treasury Police Agent to court, has been subject to threats and harassment since the killing. On several occasions people have knocked on his front door at night and thrown rocks at his house. On August 24, 1990, at about 7:40 a.m., an unknown assailant threw a hand grenade in front of his motorcycle as he was leaving San Jacinto to go to work in Chimaltenango, according to Covenant House. Concepción threw himself off his bike, avoiding injury when the grenade exploded. When he reported the incident at a nearby army base, he was warned to "take care of his family or else something could happen tonight." He then went to the National Police, whose Homicide Division initiated an investigation into the case. The police collected the pin from the grenade at the sight of the explosion.

- On June 23, 1990, at about midnight in "Las Casetas" an area of small stalls where food and clothing are sold in Zone 1 of Guatemala City, three uniformed policemen beckoned 17-year-old **Anstram Amán Villagrán Morales** to talk with them. Approximately ten minutes later, the boy ran out of the area, was shot twice by the two policemen, and died soon after. The day after the burial, a man robbed and threatened Anstram's mother, warning her not to denounce her son's murder. She has since moved to another part of Guatemala City. Covenant House has lodged a complaint with the Second Court of First Instance in Guatemala City.

- Several street children were kidnapped in two incidents in early June. On June 5, four armed men driving a black pickup truck with smoked glass windows whose license plates were noted seized four young boys and one girl from the Las Casetas area in Zone 1 of the capital. Those seized have been identified as **Gudiel Lizadro Melgar**, alias "Capitol", 17; **Jóvito Josué Castellanos**, alias "Canario", 17; **Eduardo Salvador Sandoval**, "Catrachito", 17; a boy known only as "**Gigio**"; and **María Eugenia Rodríguez**, 14.

María Eugenia escaped and provided information about the incident. According to her account, the kidnappers were dressed in cowboy attire -- all four wore blue jeans; three wore cowboy shirts and another wore a light green shirt. All except the green-shirted man wore sunglasses. (Several months later, on September 6, María Eugenia reportedly saw the green-shirted man inside the headquarters of the National Police in Guatemala City in the company of a uniformed police man.)

After forcing the children inside their vehicle, the men hit them on the heads with their guns and tied their hands behind their backs. A liquid was squirted in their faces and they fell asleep. When María Eugenia awoke, they were still inside the moving vehicle. The car stopped alongside a gorge near the morgue of the General Cemetery in Zone 3. The men took "Capitol" out, tied him to a tree, and beat him, saying "tell us the truth." They burned some papers inside a wooden tool shed in the cemetery. While the men weren't looking, María Eugenia ran from the car and escaped.

María Eugenia also reported seeing a second kidnapping incident on June 7, in the same location. Details of this case remain somewhat murky. According to her account, four men using the same vehicle that she was abducted in kidnapped **Henry Geovanni Contreras**, alias "Soruyo", 17, and two boys known only as "**Catracho**" and "**Catrachito**".<sup>36</sup> (Catracho and Catrachito are nicknames for Hondurans. The three individuals known by these nicknames are all Honduran.)

On July 11, 1990, Covenant House workers identified photographs of the bodies of two of the youths, Eduardo Salvador Sandoval and Jóvito Josué Castellanos, from among hundreds of photographs of unidentified bodies in police files. Their bodies had been found along with that of Henry Geovanni Contreras and another teenager identified as Luis Estuardo Piri Monterrozo, 17, in a vacant lot called Bosques de San Nicolás in Zone 4 of Mixco. The police photographs show signs of severe torture or mutilation on the bodies of Sandoval, Castellanos, and Piri Monterrozo, although the police report ignores these wounds, mentioning only that each body bore several gunshot wounds.

The fate of the others reportedly kidnapped, "Capitol", "Gigio", "Catracho" and "Catrachito" remains unknown. A writ of *habeas corpus* has been filed on behalf of "Capitol", with no results.

- On July 5, 1990, two uniformed policemen beat 14-year-old **Jonathan Ortíz** with a heavy electric cable in Zone 1 of Guatemala City. By coincidence, Covenant House outreach workers witnessed the last part of this attack. Jonathan stated that while the police were beating him they asked him for the names of all the friends of Nahamán Carmona because they wanted to talk with them. They also told Jonathan that if he talked to the street educators from Covenant House about what happened, they would kill him.

- On October 25, 1990, eight-year-old **Hugo René López Rivera** was found dead under the Olympic Bridge in Zone 5 of the capital. The body was reportedly found with signs of blows and strangulation. The victim is believed to have been a member of a gang of children known as "Los Cochinitos" which was near the scene of the beating which resulted in the death of Nahamán Carmona López. According to Covenant House, the "Cochinitos" have been looked for on several occasions by the police in connection with Nahamán's murder.

- On October 26, 1990, a 17-year-old street boy who participates in Covenant House programs was picked up by undercover police agents in an unmarked police car and taken to the National Police headquarters in Guatemala City. There he was reportedly beaten and given one electrical shock. He was asked for the names of Covenant House street educators.

- On October 19, 1990, a Covenant House street educator was reportedly beaten by one uniformed and one plainclothes police agent at the corner of 4th Avenue and 18th Street in Zone one of Guatemala City.

- Americas Watch is troubled by reports that the director of the National Police, Colonel Julio Caballeros, has ordered the chief of the juvenile section of the National Police, Officer Marroquín Urbina, not to participate in any investigations where police officers have been involved in any wrongdoing. Previously this responsibility fell to Officer Urbina and he was known to have followed up on cases of abuse against children. After ordering Urbina to take the paid vacation he had accumulated, Colonel Caballeros reportedly took away the investigative section of the juvenile division's only two vehicles and reduced their staff from 20 to 18 policemen.

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<sup>36</sup> Henry's mother, however, told Covenant House that he disappeared on June 15, not June 7.

#### IV. FORCED RELOCATION BY THE ARMY

In previous reports, we have described the army's campaign to forcibly relocate into model villages thousands of peasants who have for many years hid in the mountains from the military.<sup>37</sup> In many cases, these peasants have been living in close proximity with the guerrillas. Although the number of civilians being relocated in this manner appears to have dropped off considerably from its peak during the army's "Year-End Offensive" of 1987-88, we continue to receive reports of civilians being captured in the Amachel area of El Quiché and subjected to weeks or months of interrogation and indoctrination. These civilians are expected to eventually be transferred to model villages.

One such incident occurred around December 1989, according to a witness interviewed by Americas Watch.<sup>38</sup> The witness, 18-year-old Jacinto, was born in Amachel, but moved into the mountains with his family to escape army violence. There they lived for eight years with the guerrillas.

Jacinto and 55 other civilians were captured by soldiers who entered the area on foot around December 1989. The soldiers fought with the guerrillas and then captured the civilians who did not manage to flee. These were then transported by helicopter to Nebaj, and kept in a reindoctrination center known as Xematatze, on the outskirts of Nebaj.

Americas Watch learned of an additional capture of civilians from the Amachel area by the army on August 29, 1990. According to the CERJ, 86 civilians were captured and taken to the La Brial, Chajul army garrison where they were held for about one week and interrogated. The group was then transferred to Xematatze, for questioning and reeducation.

● **Disappearance of María Tiu Tojín and her infant daughter Josefa:** María Tiu Tojín, originally from the hamlet of Parraxtut in El Quiché, was among the group captured near Amachel in August 1990. She and her newborn baby, Josefa, appear to have been disappeared by the army. Having learned of Tiu Tojin's capture, members of her family traveled to Nebaj in late September or early October to find her. The relatives were told by a woman in the Xematatze camp that soldiers took Tiu Tojín and her baby away for questioning the first night after the group arrived in the camp. Although they brought her back later, the soldiers again took the mother and child away the next night. They have not been seen since. When the family inquired at the army base in Nebaj about Tiu Tojín and her baby, they were told that she was not there. However, the relatives recognized soldiers from Parraxtut stationed in Nebaj who told them that Tiu Tojín and her baby were indeed being held in the army base. A *habeas corpus* was filed on behalf of the woman and child with the justice of the peace in Santa Cruz del Quiché on October 14, 1990, but they remain disappeared.

#### V. VIOLATIONS BY GUERRILLAS

Jacinto, the 18-year-old Amachel resident forcibly relocated by the army in December 1989, told Americas Watch of guerrilla violations against the civilian population he learned of while living with them. The guerrillas did not permit the civilians to leave the area of guerrilla control, Jacobo said. Some people left by sneaking out at night.

The guerrillas threatened to kill those who left, according to this account. Jacobo recalled that in or around August 1989, the guerrillas killed two young men named Pedro and José for having left the area. These men had snuck out and then returned to take their families out. The guerrillas subsequently announced that they had killed the two

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<sup>37</sup> See, for example, Americas Watch, *Closing the Space: Human Rights in Guatemala May 1987 - October 1988*, November 1988, pp. 81-100.

<sup>38</sup> See also Brook Larmer, "Guatemala's Indians Become the Battlefield," *The Christian Science Monitor*, September 4, 1990.

because they did not like people coming back and "spreading lies," Jacobo said.

## **APPENDIX I**

### **DEATH THREAT AGAINST HUMAN RIGHTS WORKERS**

On four occasions since September 1990, a group calling itself the Indigenous Umatlán Movement has distributed public death threats against human rights groups. Although the principal target has been the CERJ, subsequent threats attacked the GAM and CONAVIGUA as well. The following are a copy and translation of the first of the four flyers:

#### WE INFORM THE HONORABLE PEOPLE OF THE QUICHE

- ONE: THE GROUP OF ETHNIC COMMUNITIES RUNUJEL JUNAM HAS FUNCTIONED FOR TWO YEARS IN THE DEPARTMENT OF THE QUICHE AND, UPON REVIEWING ITS ACTIONS, WE SEE THAT THE MOST SIGNIFICANT AND THE GREATEST ACHIEVEMENT HAS BEEN THE DIVISION AND THE INTRIGUE THAT IT HAS SOWN AMONG THE POOREST AND MOST HUMBLE PEOPLE...REFLECT ON THIS AND YOU WILL SEE THAT IT IS TRUE WHAT WE SAY.
- TWO: THOSE WHO HAVE BENEFITTED THE MOST ARE ITS PRESIDENT, TREASURER AND THEIR BROTHERS, WHO HAVE ENOUGH MONEY IN THE BANK AND HAVE FOUND A WAY TO LIVE AT THE EXPENSE OF OUR POOREST PEOPLE.
- THREE: WE HAVE A LIST OF THE PRINCIPAL COLLABORATORS OF THESE HENCHMEN [*esbirros*], AS WELL AS PERSONAL DETAILS AND MOVEMENTS...PREPARE YOURSELVES FOR THE WORKING PEOPLE WILL EXACT JUSTICE!...ALL THAT IS NEEDED IS FOR THE LEADERSHIP TO DECIDE THE OPPORTUNE MOMENT. WE ARE NOT NAMING THEM SO THAT THE WORKING PEOPLE CAN PUNISH THEM REVOLUTIONARILY!
- FOUR: WE DECLARE THE FIRST OF AUGUST AS THE BEGINNING OF OUR ACTIVITIES..."OF JUSTICE"!
- FIVE: WE ARE A REVOLUTIONARY ORGANIZATION WHICH BINDS PROFESSIONALS, WORKERS AND INDIGENOUS PEASANTS, WHICH GIVES US THE ABILITY TO CARRY OUT BOTH POLITICAL AND MILITARY ACTIONS.
- SIX: WE ARE NOT TIED TO ANY INSTITUTION, POLITICAL PARTY, GOVERNMENT, ETC...BUT ARE BORN OF THE NEED TO UNITE OUR INDIGENOUS PEOPLE, FOR THAT REASON WE DON'T CARE ABOUT THE NATIONAL OR INTERNATIONAL CONSEQUENCES OF OUR ACTIONS, WE ARE ONLY INTERESTED IN UNITING OUR PEOPLE... THE END JUSTIFIES THE MEANS!

FOR THE UNITY OF OUR INDIGENOUS PEOPLE AND BECAUSE OUR PEOPLE  
EXPECTS MUCH FROM US..... WE WILL EXACT JUSTICE!  
"INDIGENOUS MOVEMENT UTATLAN"

## APPENDIX II

### HUMAN RIGHTS ACTIVISTS KILLED OR DISAPPEARED IN GUATEMALA 1974 - 1990

**Edmundo Guerra Theilheimer:** organizer of the Committee of Relatives of the Disappeared of the University Students Association (AEU) at the University of San Carlos, shot dead at the university legal aid center by plainclothesmen on March 10, 1974.

**Irma Flaquer:** founder of the National Commission for Human Rights, abducted and disappeared by security forces in Guatemala City on October 16, 1980. Her 23-year-old son Fernando was killed by the security forces in the incident.

**Héctor Gómez Calito:** a founding member of the Mutual Support Group (GAM), abducted, tortured, and murdered on March 30, 1985.

**Rosario Godoy de Cuevas:** also a founding member of the GAM, Godoy was killed with her 21-year-old brother and two year old son on April 4, 1985. The victims were found dead inside their car at the bottom of a ravine known as a body dump near Amatitlán. Evidence, including signs that Godoy had been raped and molested and Augusto tortured before death, strongly discredited the official story that the death was accidental.

**Valerio Chijal:** a member of the rural Council on Ethnic Communities "We Are All Equal" (CERJ), Chijal was shot dead in the hamlet of Agostadero in the municipality of San Andrés Sajcabajá, Quiché, on September 2, 1988. Shortly before his death, Chijal received a warning from the local civil patrol commander and military commissioners against participating in groups like the CERJ.

**Pedro Cumes Pérez:** a CERJ member seeking to organize a local chapter in Suchitepéquez, Cumes was abducted by soldiers on the San Julián plantation and taken to the military garrison at Patulul on September 11, 1988. A writ of *habeas corpus* was filed on behalf of Pérez, but he remains disappeared.

**Luis Ruiz Luis:** a CERJ member who had recently participated in a CERJ rally, Ruiz was abducted with Macario Pu Chivalán from the Trinidad Miramar plantation near Patulul, Suchitepéquez, by soldiers on April 1, 1989. Several writs of *habeas corpus* were filed on his behalf, but he remains disappeared.

**Macario Pu Chivalán:** a CERJ member who had recently participated in a CERJ rally, Pu was abducted with Luis Ruiz Luis from the Trinidad Miramar plantation near Patulul, Suchitepéquez, by soldiers on April 1, 1989. Several writs of *habeas corpus* were filed on his behalf, but he remains disappeared.

**Nicolás Mateo:** a CERJ member who had recently participated in a CERJ rally, Mateo was abducted with Agapito Pérez López from the Trinidad Miramar plantation near Patulul, Suchitepéquez, by soldiers on April 7, 1989. Several writs of *habeas corpus* were filed on his behalf, but he remains disappeared.

**Agapito Pérez López:** a CERJ member who had recently participated in a CERJ rally, Pérez was abducted with Nicolás Mateo from the Trinidad Miramar plantation near Patulul, Suchitepéquez, by soldiers on April 7, 1989. Several writs of *habeas corpus* were filed on his behalf, but he remains disappeared.

**Aurelio Lorenzo Xicay:** a GAM member kidnapped in Guatemala City on July 22, 1989, by four armed plainclothesmen with closely cropped hair, Xicay's body was found on July 24.

**María Rumalda Camey:** a GAM member, Camey was kidnapped by armed plainclothesmen at 5:10 a.m. on August 15, 1989. Although writs of *habeas corpus* were filed on her behalf, she remains disappeared. Later on the day that Camey was kidnapped, the Guatemala City headquarters of the GAM, where her children had sought refuge, was severely damaged by an explosive device thrown inside.

**María Mejía:** a member of the CERJ and the National Coordination of Guatemalan Widows (CONAVIGUA), Mejía was murdered in her home in Parraxtut, Quiché, by men her husband recognized as local military commissioners on March 17, 1990. Her husband, **Pedro Castro Tojín**, was also shot and left for dead.

**José Vicente García:** the CERJ representative from Chuisalic, San Pedro Jocopilas, Quiché, García was shot dead by two armed men as he walked to the hamlet La Montaña with his wife, infant son, and mother-in-law on April 10, 1990. García had been threatened by a local military commissioner because of his participation in the CERJ.

**José María Ixcaya:** a founding member of the CERJ, Ixcaya was shot dead by three men in civilian clothes believed to be civil patrollers as he left the hamlet of La Fe, in the village of Pujujíl, Sololá, to attend a May Day demonstration in Guatemala City. The perpetrators are believed to have acted at the behest of the civil patrol chief in a nearby hamlet, who had threatened to kill him on several occasions.

**Luis Miguel Solís Pajarito:** a leader of the Consejo Nacional de Desplazados (CONDEG), disappeared on May 3, 1990, after leaving the CONDEG office. Days before, he had suffered an apparent abduction attempt and had subsequently been followed. CONDEG was formed in 1989 to defend the rights of Guatemala's internally displaced population. Solís Pajarito's wife, Rosa Pu Gómez, is a member of the Mutual Support Group.

**Pedro Tiu Cac:** a CERJ member from the Chajab area of the hamlet of Racaná, Santa María Chiquimula, in the department of Totonicapán, Tiu Cac was kidnapped by a group of about ten armed plainclothesmen, who according to witnesses, identified themselves as investigations police (*judiciales*), at about 8:00 a.m. on July 2, 1990. The men took Tiu Cac from his house and got into two pickup trucks, one grey and the other red. On July 4, Pedro Tiu Cac was found dead, reportedly with signs of blows and bullet wounds, in the hamlet Chicox, San Francisco El Alto, Totonicapán. On October 2, 1990, a group of plainclothesmen abducted **José Pedro Tiu Chivalán**, son of Pedro Tiu Cac, from his home in Chajab as he was eating dinner with his wife and four young children. His body was found on October 5, 1990. Weeks before he was slain, Tiu Chivalán had allowed his house to be used for a meeting of a widows' rights group, CONAVIGUA. Shortly thereafter, local military commissioners came to the house and interrogated family members about the meeting. In both the case of Pedro Tiu Cac and José Pedro Tiu Chivalán, writs of *habeas corpus* were filed after their kidnappings to no avail.

**Samuel de la Cruz Gómez:** At about 3:00 a.m. on July 12, 1990, armed men kidnapped Samuel and his younger brother Genaro from their home in the village of Chimatatz, Zacualpa, in the department of El Quiché, and took them away on foot. After about twenty minutes, the men freed Genaro. A group of neighbors chased the kidnappers until they fired on the neighbors, wounding two. Some of the neighbors took the wounded to the hospital, while others continued to pursue the kidnappers. Eventually, the kidnappers were seen meeting up with army soldiers. One of the kidnappers, military commissioner Ernesto Eduardo Arévalo, was detained by the police and charged in connection with the incident, but he has been provisionally released for lack of evidence. A writ of *habeas corpus* has been filed, but Samuel de la Cruz Gómez remains disappeared.

**Myrna Mack:** an anthropologist, founding member of the Asociación Para el Avance de las Ciencias Sociales de

Guatemala (AVANCSO), and consultant for the Inter-American Institute of Human Rights, Myrna Mack was stabbed to death upon leaving the AVANCSO office in Guatemala City on September 11, 1990. Mack was Guatemala's foremost researcher on the condition of the internally displaced population in the departments of El Quiché and Alta Verapaz, and a tireless advocate of the rights of this marginalized population.

**Sebastián Velásquez Mejía:** On October 6, the CERJ delegate in the village of Chunimá, Chichicastenango, in the department of El Quiché, was kidnapped from kilometer 110 of the Pan American Highway, near the turnoff to Chupol, by a group of men driving a grey pickup truck. Velásquez was also a member of the GAM. Writs of *habeas corpus* were filed to no avail. In November, 1990, relatives of Velásquez learned that a body with an identification document bearing his name had been found in Guatemala city October 8, 1990, and buried in La Verbena cemetery October 10. Velásquez's widow identified her husband's body from police photographs.

**Mateo Sarat Ixcoy,** a CERJ member from the hamlet of San Pedro, in the municipality of San Pedro Jocopilas, El Quiché, was murdered on October 29, 1990, by unknown assailants. His body presented several knife wounds and was practically decapitated. At the time of this writing, neither the motive, circumstances, nor responsibility for his murder are apparent.

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*For more information, contact Anne Manuel at (202) 371-6592  
or Susan Osnos at (212) 972-8400*

*Americas Watch* is a non-governmental organization that was created in 1981 to monitor human rights practices in Latin America and the Caribbean and to promote respect for internationally recognized human rights standards. The Chairman is Adrian DeWind; Vice-chairmen, Peter Bell and Stephen Kass. Its Executive Director is Juan E. Méndez; Associate Directors, Cynthia Arnson and Anne Manuel.

*Americas Watch* is part of *Human Rights Watch*, an organization that also consists of Africa Watch, Asia Watch, Helsinki Watch and Middle East Watch. The Chairman of Human Rights Watch is Robert L. Bernstein; Vice-Chairman, Adrian DeWind. Aryeh Neier is Executive Director; Deputy Director, Kenneth Roth; Washington Director, Holly J. Burkhalter; California Director, Ellen Lutz; Press Director, Susan Osnos; Counsel, Jemera Rone.