

President of the Republic of Guatemala
Lic. Alfonso Portillo Cabrera
6a. Avenida 'A' 4-41 Zona 1
Ciudad de Guatemala, Guatemala

Minister of the Interior
Eduardo Arevalo Lacs
Ministerio de Gobernación
6a. Avenida 'A' 4-64 Zona 4
Ciudad de Guatemala, Guatemala

Peace Secretary
Sr. Gabriel Aguilera
5a Calle 4-33, Zona 1
Edificio Rabi, 4 Nivel
Ciudad de Guatemala, Guatemala

March 28, 2002

Dear Sirs:

The Lawyers Committee for Human Rights is deeply disturbed by the increasing insecurity of human rights defenders in Guatemala. Those at risk include forensic experts involved in investigations of massacres committed during the civil conflict. The ability of many organizations to carry on their important human rights work is being seriously undermined by threats against a number of their members and a recent attack on one of their offices. The government of Guatemala must ensure that such threats and attacks are immediately ended, that they are fully investigated and the perpetrators brought to justice.

As well as themselves constituting serious human rights violations, threats and attacks upon human rights defenders have an extremely detrimental effect upon the creation of a culture of respect for human rights and the promotion of reconciliation and democratization. The government should comply with all of its obligations under international human rights law, and should implement the commitments contained in the 1996 Peace Accords. These agreements specifically mention that the Guatemalan people have a right to know the truth about human rights violations committed during the armed conflict. Human rights defenders, including forensic and other scientific experts, play a crucial role in uncovering this information. They

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therefore merit special protection and the creation of an enabling environment to allow them to carry out their work.

Several Guatemalan and international human rights groups have documented a recent wave of threats and intimidation targeted against human rights defenders, since late February 2002. Among the incidents that have given us cause for concern are the following:

1. Eleven forensic scientists working on exhumations relating to massacres committed by the armed forces during the civil war, some of whom had testified against government officials accused of human rights violations, received anonymous letters threatening them with death if they continued their work. Those threatened are affiliated with the Fundación de Antropología Forense de Guatemala (Guatemalan Forensic Anthropology Foundation, FAFG), the Centro de Antropología Forense y Ciencias Aplicadas (Center for Forensic Anthropology and Applied Sciences, CAFCA) and the Oficina de Derechos Humanos del Arzobispado de Guatemala (Human Rights Office of the Archbishop of Guatemala, ODHAG).
2. Several of these same scientists have also been threatened by telephone, after a mobile phone belonging to one of them, containing the telephone numbers of the others, was stolen at gunpoint.
3. A church used by a forensic team to collect evidence for their investigations was destroyed in a fire in Nebaj, El Quiche.
4. On March 20, gunmen broke into the offices of the Asociación para el Avance de las Ciencias Sociales de Guatemala (the Association for the Advancement of Social Sciences of Guatemala, AVANCSO), assaulting the security guard on duty and breaking down the doors of several of the interior rooms.

This intimidation appears to be the work of individuals and groups connected to the armed forces involved in the civil war and seems intended to halt the work of human rights activists. In particular, forensic experts carrying out exhumations throughout Guatemala have been a main target. Some of these experts have recently testified, and others are scheduled to testify in proceedings against several former generals accused of human rights violations. The failure of the Guatemalan government to address the ongoing intimidation of these human rights defenders constitutes a serious violation of internationally recognized human rights standards, including its obligations under the International Covenant on Civil and Political Rights and the American Convention on Human Rights. In addition, the Guatemalan government should act in accordance with the UN Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms of 1998, which obliges states to ensure that “everybody has the right...to promote and to strive for the protection and realization of human rights and fundamental freedoms....”

It is vital that the process to uncover the truth of what occurred during Guatemala’s civil conflict not be compromised by further violence and destruction of evidence. Moreover, it is imperative

that human rights defenders are able to work in an atmosphere free from fear and intimidation. The Lawyers Committee therefore calls on the Guatemalan government to act urgently to investigate and bring to justice those responsible for acts of violence, harassment and intimidation. We also urge the government to ensure that individuals and groups who seek to sabotage the uncovering of truth and progress towards reconciliation are unable to fulfil their aims. Such urgent action is required if the government is to comply with the Comprehensive Agreement on Human Rights of 1994, and the Agreement on a Firm and Lasting Peace.

The Lawyers Committee will continue to monitor the situation of human rights defenders working in Guatemala and would appreciate any information that you can provide concerning steps taken to end threats and attacks upon them, and to pursue the perpetrators.

Sincerely,

A handwritten signature in cursive script, appearing to read "Neil Hicks".

Neil Hicks
Director, Human Rights Defenders Initiative