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June 14, 2002

Dear Sirs:

The Lawyers Committee for Human Rights writes to express its serious concern for the safety of a group of human rights defenders threatened recently in Guatemala. We refer to the letter received last week by a number of activists and groups in which these defenders are named and threatened as "Enemies of the Fatherland." The signers of the letter, "Guatemaltecos de Verdad" (True Guatemalans), appear to be a clandestine group with links to the army and possibly the police. We urge you to ensure that the government undertakes a thorough investigation of these threats and brings the perpetrators to justice. In addition we urge you to provide all appropriate and necessary security to the human rights defenders threatened in these communications.

These written threats occur amidst growing insecurity for those who undertake the important work of uncovering the truth of past human rights violations, denouncing current rights violations, as well as building the institutions necessary to create a culture of respect for human rights and reconciliation in Guatemala. Much of this human rights work is being conducted in order to satisfy the right of the Guatemalan people to know about violations committed during the armed conflict, a right specifically mentioned in the 1996 Peace Accords. Such exposure of the truth about human rights violations is, however, perceived as threatening to those who bear

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responsibility for their commission. It is a responsibility of the government to create an environment in which retaliation against human rights defenders is prevented and a culture of impunity not allowed to prevail. This requires that clandestine groups be dismantled and that those involved in the abuse of human rights be brought promptly to justice.

Under the International Covenant on Civil and Political Rights and the American Convention on Human Rights, to which Guatemala is a party, states are obliged to respect and ensure respect for human rights. This obligation requires that human rights defenders be enabled to perform their important function in exposing violations of 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 calls upon states to ensure that “everybody has the right...to promote and to strive for the protection and realization of human rights and fundamental freedoms....” The government’s failure to address the ongoing intimidation of, and in some cases violence against human rights defenders constitutes a failure to meet these international standards.

In addition, in her statement issued on June 12, Special Representative of the Secretary-General on Human Rights Defenders, Hina Jilani, urged the Guatemalan government to attend to the ongoing threats, applauding the creation of the special prosecutor on attacks on human rights defenders and encouraging better coordination and political and financial support for this office. (Ms. Jilani, who recently returned from a mission to Guatemala, was also mentioned in last week’s threats.) She also called for an immediate, thorough and independent investigation into the growing wave of threats against human rights defenders of the past several months. The Lawyers Committee echoes these concerns and equally implores the government to act at this critical time.

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,

Neil Hicks  
Director, Human Rights Defenders Project