



human rights *first*

30th
ANNIVERSARY
CELEBRATE
ADVOCATE
PARTICIPATE

August 20, 2008

Sr. Francisco Jiménez
Ministro de Gobernación
6^a Avenida 13-71, Zona 1,
Ciudad de Guatemala, Guatemala.

CC

José Amílcar Velásquez Zárate
Fiscal General de la Republica y Jefe del Ministerio Publico

Carlos Rodas, Vice Minister of the Justice Sector,
Ministro de Gobernación

Aura Marina Mancilla
Jefa de la Seccion de Derechos Humanos, Ministerio Publico
GUATEMALA

Lic. Orlando Blanco
Secretaria Presidencial para los Derechos Humanos y la Paz

Sergio Fernando Morales Alvarado
Procuraduría de los Derechos Humanos (PDH)

Dear Mr. Jimenez,

We, the below-signed 1,439 individuals, join Human Rights First in writing to express my concern about the recent attack against Amilcar de Jesus Pop Ac. Just after 12:00 a.m. on August 2, 2008, Pop was driving home from the Roosevelt area in zone 11 of Guatemala City when he noticed he was being followed by three men in a white dual-cabin pick up truck, with tinted windows and no number plates. The vehicle swerved in front of Pop, forcing him to break suddenly and causing him to collide with the steering wheel which produced various injuries including lacerations to his tongue. Two masked men approached Pop on either side of his car. With guns drawn they beat on the windows of Pop's car, tried to open the doors, and shouted that they would kill him. Pop escaped by quickly reversing, and then driving for 45 minutes at high speeds to escape the perpetrators, who continued to follow him for most of that time.

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After evading his pursuers, and given considerable bleeding from his tongue, he went to *Sanatoria Cedros de Libano* hospital in Guatemala City where he received treatment for his wounds and stitches to his tongue. While waiting for treatment at the hospital he noticed that the white pick-up truck was parked behind his car on the second level of the car park. When he was discharged at 6:00 a.m. the white truck had disappeared.

Pop is a renowned indigenous lawyer and President of the Association of Mayan Lawyers and Notaries. He works in defense of indigenous rights and against discrimination and racism. The Association is a non-government organization that rejects all forms of violence. Since 2006 Pop and the Association have represented the largely indigenous communities of San Juan Sacatepéquez in their opposition to a cement factory. They have also represented more than 20 community members accused of various offences in connection to their opposition of the factory. They also represent approximately 40 people detained in June 2008 in San Juan Sacatepéquez around the time that martial law was declared.

We fear that the recent attack against Pop is part of a pattern of intimidation intended to deter him from his advocacy. In the final week of May 2008 he received threatening phone calls at his house. Between October 2007 and January 2008 the Association received telephone threats and between May 2007 and January 2008 the Association also received anonymous letters and pamphlets with death threats.¹ These various communications had a common message: stop providing legal representation to indigenous communities opposing the cement factory. Finally, despite a lack of evidence, local authorities have accused Pop of threatening local community members and others have falsely accused him of being the intellectual author of the June 2008 murder of Francisco Tepeu Piri in San Juan Sacatepéquez.

Article 16 of the U.N. Basic Principles on Lawyers state that “governments shall ensure that lawyers... are able to perform all of their professional functions without intimidation, hindrance, harassment or improper interference.” Article 18 continues that “where the[ir] security ... is threatened as a result of discharging their functions, they shall be adequately safeguarded by the authorities.”

In light of the various threats and the very serious attempt on Pop’s life, and in line with the Basic Principles, we ask that you re-evaluate and promptly upgrade his protection, and that of his family and colleagues at the Mayan Lawyers Association. Given the gravity of the attack against him, he should immediately be provided with police or bodyguard protection especially at his residence. We also ask that you ensure the police promptly and impartially investigate the attack and cooperate with the Attorney-General’s office in prosecuting those responsible.

Thank you for your attention to this urgent matter.

¹ Se informa de que el Ministerio Público ha abierto expedientes a las amenazas con números MP010-2007-2382 y MP010-2007-2383.

Sincerely,

The names of the 1, 439 signatories have been hidden for privacy reasons.