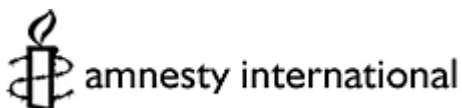


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Amnesty International Report 2010 - Guatemala

REPUBLIC OF GUATEMALA

Head of state and government: Álvaro Colom Caballeros

Death penalty: retentionist

Population: 14 million

Life expectancy: 70.1 years

Under-5 mortality (m/f): 45/34 per 1,000

Adult literacy: 73.2 per cent

The vast majority of those responsible for grave human rights violations committed during the internal armed conflict (1960-1996) were not held to account. Violence against women and lack of access to justice for women remained a serious concern. A number of human rights defenders were attacked and threatened.

Background

In May, the lawyer Rodrigo Rosenberg was murdered. He had recorded a video accusing President Álvaro Colom and other members of his government of responsibility in the event of his death; the video was publicly circulated after he was killed. The killing and the recording provoked nationwide protests against the government and pro-government counter-protests. The UN-sponsored International Commission against Impunity in Guatemala (Comisión Internacional Contra la Impunidad en Guatemala, CICIG) investigated the case and in September facilitated the arrest of nine people, including serving and former police officers, alleged to have carried out the killing. In December two more people were arrested.

In October the UN General Assembly passed a resolution supporting the CICIG and calling on the UN and the Guatemalan government to continue assisting the CICIG in its efforts to improve criminal investigations, prosecution procedures and the implementation of public security-related legislation.

Impunity

Ten years after the publication of the *Memory of Silence* report by the UN-sponsored Historical Clarification Commission, which investigated grave and widespread human rights violations committed during the internal armed conflict, few of those responsible for these violations had been brought to justice.

In February, the Constitutional Court ordered the Ministry of Defence to hand over files relating to an ongoing legal case against several former high-ranking military officers accused of genocide against Indigenous Peoples, crimes against humanity and war crimes during the internal armed conflict. Among the crimes of which they were accused was the 1982 massacre of some 250 women, children and men in Plan de Sánchez, Baja Verapaz department. The Ministry of Defence refused to hand over all the documents, alleging that some of them had been lost. The Ministry had not raised the problem of missing documents previously, despite more than two years of legal proceedings over disclosure of the documents. By the end of the year, the documents had not been released and legal challenges to the Court's decision continued.

In August, a former member of the Civil Defence Patrols, civilian auxiliaries to the military during the armed conflict, was convicted of the enforced disappearance of six people between 1982 and 1984 in Choatalúm municipality, Chimaltenango department. The accused was sentenced to 125 years' imprisonment. In December, three former members of the Civil Defence Patrols and a retired colonel were sentenced to 50 years each for the enforced disappearance of eight people in 1981 in the village of El Jute, Chimaltenango department.

Police and security forces

The report of the UN Special Rapporteur on extrajudicial, summary or arbitrary executions issued in May noted the persistence of executions of gang members or criminal suspects. The Special Rapporteur noted that local organizations had found evidence of the continued involvement, both direct and indirect, of members of the police force in these killings. He also drew attention to the continued trend of lynchings, mostly of people suspected of robbery, and the failure of the authorities to take steps to stop these killings.

Violence against women and girls

In February, the UN Committee on the Elimination of Discrimination against Women urged the government to increase efforts to stop violence against women, reverse the persistence of high levels of poverty and social exclusion, and address the disadvantages faced by women in the labour market.

In March, Congress passed a law to combat sexual violence, exploitation and people trafficking. According to government figures, 717 women were killed during 2009, an increase over the previous year. Many of those killed had been raped and their bodies mutilated.

Human rights defenders

Local human rights organizations reported a number of attacks and threats against human rights defenders. Most of those responsible were not held to account.

- In September Adolfo Ich Chamán, a local teacher and community leader, was killed in El Estor, Izabal department, in the context of an ongoing land dispute with a nickel mining company. Witnesses stated that company guards attacked and killed Adolfo Ich Chamán during a protest over an alleged attempt to forcibly evict the community. The company denied that a forced eviction had been threatened or carried out and that security guards had been involved in the killing.

- In April, Edgar Neftaly Aldana Valencia was threatened and shots were fired at his house in San Benito, Petén department. The threats specified that he had been targeted because of his trade union activities at a nearby hospital where he had helped expose corruption and medical negligence. No investigation had been initiated into these incidents by the end of the year.

Death penalty

No new death sentences were passed during 2009 and no one was executed. At the end of the year, 15 people remained on death row.

Amnesty International report

- Police involvement in killings in Guatemala (AMR 34/010/2009)

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