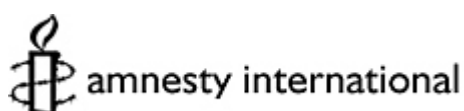


Title	Amnesty International Annual Report 2011 - Guatemala
Publisher	Amnesty International
Country	Guatemala
Publication Date	13 May 2011
Cite as	Amnesty International, <i>Amnesty International Annual Report 2011 - Guatemala</i> , 13 May 2011, available at: http://www.unhcr.org/refworld/docid/4dce156737.html [accessed 19 July 2011]
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Amnesty International Annual Report 2011 - Guatemala

Head of state and government: **Álvaro Colom Caballeros**

Death penalty: **retentionist**

Population: **14.4 million**

Life expectancy: **70.8 years**

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

Adult literacy: **73.8 per cent**

Violence against women remained widespread. The authorities failed to uphold the rights of Indigenous Peoples. Justice remained elusive for the vast majority of the 200,000 victims of the 1960-1996 internal armed conflict. Human rights defenders continued to be intimidated.

Background

Violent crime was widespread, affecting most communities. In June, decapitated heads, reportedly placed by street gangs, appeared in the grounds of the Congress building and other landmarks in the capital.

Congress passed a law in October which could have led to the resumption of the use of the death penalty. However, the President vetoed it and in December Guatemala voted in favour of the UN General Assembly resolution calling for a moratorium on the use of the death penalty.

Corruption remained pervasive. Institutions remained fragile and vulnerable to organized crime. In June, Carlos Castresana, the head of the UN-sponsored International Commission against Impunity in Guatemala (Comisión Internacional Contra la Impunidad en Guatemala, CICIG) resigned his post in response to the appointment of an Attorney General with alleged links to organized crime. Three days later, the Constitutional Court annulled the selection process and an interim Attorney General was appointed, pending a new selection process.

Violence against women and girls

According to the Guatemalan Human Rights Ombudsman's Office, 695 women were killed in 2010, bringing the total number of women killed since 2004 to at least 4,400. In September, special courts created by the 2008 Law Against Femicide began to operate in Guatemala City.

In October, the Inter-American Commission on Human Rights (IACHR) agreed to hear the case of Claudina Velásquez, a 19-year-old law student killed in 2005. Five years after her death, nobody has been held to account and serious concerns remained about the effectiveness of the investigation into her death.

Indigenous Peoples' rights

In May, the UN Committee on the Elimination of Racial Discrimination recommended that legislation be introduced to ensure the free, prior and informed consent of Indigenous Peoples for proposed development projects that could affect their lives and livelihoods.

Also in May, the IACHR asked Guatemala to suspend operations at the Marlin 1 gold mine in San Marcos department, decontaminate water sources, begin a health care programme, and guarantee the life and physical security of 18 Mayan communities. Despite a commitment by the President to comply with the decision, at the end of the year the mine was still operating.

In June the UN Special Rapporteur on indigenous people concluded that lack of consultation with communities affected by mining and the lack of security around land tenure were at the heart of disputes between mining companies and Indigenous communities.

Public security

Violent crime and gang violence continued to be widespread. According to the Guatemalan Human Rights Ombudsman's Office, 5,960 people were killed as the result of crime throughout the year.

In August, the Public Prosecutor's Office, supported by CICIG, obtained arrest warrants for 19 individuals, including a former Minister of the Interior and a former Director of Police, in connection with the extrajudicial execution of prisoners in 2005 and 2006. By the end of the year, nine had been arrested and four, who were abroad, were the subjects of extradition or judicial proceedings.

Impunity

The vast majority of the thousands of documented human rights violations dating from the 1960-1996 internal armed conflict remained unresolved. The President's 2008 commitment to declassify and make public all military archives relating to the conflict was not fulfilled.

- The case against former President General Ríos Montt and other military and police leaders of the early 1980s for grave human rights violations remained stalled because the Ministry of Defence failed to hand over documents, despite being ordered to do so by a Guatemalan court.
- In May, Gilberto Jordán, a former Guatemalan special forces soldier, was arrested in the USA. According to the US Department of Justice, he confessed to taking part in the 1982 Dos Erres massacre in which 250 Indigenous men, women and children were killed, and stated that the first person he killed was a baby, whom he murdered by throwing into the village well. In September he was sentenced to 10 years' imprisonment for concealing his participation in the massacre in his citizenship application.

- In October, Héctor Roderico Ramírez Ríos and Abraham Lancerio Gómez, two former police officers, were each sentenced to 40 years' imprisonment for the 1984 enforced disappearance of trade unionist Fernando García.

Human rights defenders

During the year, human rights organizations documented 305 incidents of intimidation, threats and attacks against human rights defenders, including eight killings. The authorities failed to hold anybody to account for the vast majority of these and previous crimes.

- Members of staff at UDEFEGUA, a human rights NGO based in Guatemala City, were subjected to a series of attacks, intimidation and threats. In February, a car of a staff member was tampered with, resulting in temporary loss of control of her car.

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