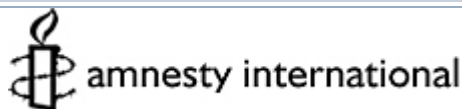


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Amnesty International Annual Report 2012 - Guatemala

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

Death penalty: **retentionist**

Population: **14.8 million**

Life expectancy: **71.2 years**

Under-5 mortality: **39.8 per 1,000**

Adult literacy: **74.5 per cent**

Violations of the rights of Indigenous Peoples persisted. Some successful prosecutions were brought for human rights violations committed during the period of internal armed conflict (1960-1996). Human rights defenders were threatened, intimidated and attacked.

Background

Presidential, congressional and local government elections were held in September. Retired General Otto Pérez Molina was declared the winner in the run-off presidential election in November and was due to take office in January 2012.

High levels of violent crime, gang violence and drug-related violence persisted. The authorities recorded 5,681 homicides during the year. Conflict between drug-trafficking

organizations often gave rise to torture and killings. In May, at a farm in El Naranjo, Petén Department, armed men killed and decapitated 27 labourers. The violence was attributed to a dispute between drug traffickers and the farm owner.

It was widely reported that street gangs, known as *maras*, were involved in extortion and violent crime in communities living in poverty. Efforts by the police to stem the violence were widely viewed as ineffective.

At the end of the year, 13 prisoners remained on death row. No executions had taken place since 2000 and President Colom had vetoed a number of bills proposing that executions resume. However, President-elect Molina announced he would resume executions on taking office.

Indigenous Peoples' rights

Indigenous Peoples' rights continued to be violated in the context of land disputes and development projects which were undertaken without consultation and the free, prior and informed consent of affected communities. In March, the UN Special Rapporteur on indigenous people noted the high level of instability and social conflict connected with the activities of mining companies on Indigenous lands. He called on the authorities to recognize Indigenous Peoples' territorial rights and ensure their participation in decision-making processes.

- In March, around 2,500 Indigenous people from the Valle del Polochic, Alta Verapaz Department, were evicted in the context of a dispute over land ownership with a local company. One member of the community, Antonio Beb Ac, was killed and two were injured during the eviction. In the following months, two community members were killed and six injured. In August the state refused to fully implement the IACHR's request that it provide protection and humanitarian aid to the communities. At the end of the year, the communities still had limited access to adequate shelter, clean water, food or health care.

Impunity for past human rights violations

There was progress in some prosecutions for human rights violations committed during the internal armed conflict. The army declassified a number of documents in July. However, documents relating to the period 1980 to 1985, the years which saw the vast majority of human rights violations, were not made available.

- In August, four former members of an elite army unit were sentenced to lengthy prison terms for their role in the 1982 Dos Erres massacre of 250 men, women and children; many of the women and girls were raped.
- In October, the Constitutional Court ordered the Supreme Court to clarify its ruling that a civilian court should try those suspected of the 1992 enforced disappearance and torture of Efraín Bámaca Velásquez. They had already been tried and acquitted in a secret military trial in 1994.
- Former generals Héctor López Fuentes, Oscar Mejía Victores and José Mauricio Rodríguez Sánchez were charged with planning and overseeing genocide, organized sexual violence and the forced transfers of populations between 1982 and 1983. The three were awaiting trial at the end of the year.

Women's rights

According to the authorities, 631 women were the victims of homicide during the year. The 2008 Law against Femicide and Other Forms of Violence against Women which, among other things, introduced special courts for violence against women, seemed to have had little impact on either reducing violence against women or holding those responsible to account.

Human rights defenders

Those defending human rights, including journalists and trade unionists, continued to be threatened, harassed and attacked. Local organizations documented 402 such incidents.

- In February, Catalina Mucú Maas, Alberto Coc Cal and Sebastian Xuc Coc of the Indigenous community of Quebrada Seca, Izabal Department, were killed. All three had been actively involved in negotiations related to land disputes. Several other members of the community received death threats. By the end of the year, nobody had been held to account for the killings or the threats.
- In August, four staff members of the Guatemalan Forensic Anthropology Foundation received death threats after four former members of the army were convicted of the Dos Erres massacre.
- Trade unionist, Byron Arreaga, who had campaigned against corruption, was shot dead in Quetzaltenango Department in September.