

EXTERNAL (for general distribution)

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Excessive Use of Lethal Force

19 May 1994

COSTA RICA

Juan de Dios ESPINOZA)
José DOLORES CRUZ) all
Juan Carlos GUEVARA) Nicaraguan
Benjamin BETANCOURT)
Benjamin BETANCOURT MENDOZA, aged 3
Rodolfo CAMACHO CAMACHO, aged 34
José CRUZ CORTES, aged 23
Silvia ALVAREZ AGUIRE
José MOLINA RODRIGUEZ
Raúl ENRIQUE SEQUEIRA, aged 25
Juan Carlos GUEVARA, aged 22
Geovanny RIVERA, aged 18
and some two dozen others less seriously injured

On 13 May 1994 some three dozen people were wounded, four of them very seriously, when members of the *Guardia Civil y Rural*, Civil and Rural Guard, indiscriminately attacked participants of a strike in Sarapiquí. Nine of those who suffered lesser injuries during the incident were policemen.

According to reports, on 13 May banana workers of the Geest company in Sarapiquí carried out a peaceful demonstration in which they barricaded the street outside the *finca* (ranch) where they work. Following a request for police intervention from the Geest company, some 200 policemen (members of the Civil and Rural Guard) carrying M-16 rifles attacked the crowd with tear gas. When the strikers refused to move and began throwing stones at the police, the latter reportedly began to shoot indiscriminately into the crowd. Some three dozen people were wounded, including nine policemen. The first four strikers named above were seriously wounded and remain in hospital. In addition, several homes were reportedly searched and their inhabitants beaten by the police.

A further 35 people were detained, including trade union leader José Rivera Leandro and 25 children. They were all subsequently released.

BACKGROUND INFORMATION

According to banana workers of the Geest company, many of whom are Nicaraguan nationals, the protest concerned a decrease in salaries and the apparent dismissal of some 350 workers. After the strike, on 16 May, talks took place between the workers and Geest representatives and a resolution was apparently found, including the reemployment of the dismissed workers, recognition of their union by the management and a commitment to raise the salaries.

On 6 February 1994, elections took place in Costa Rica, in which Miguel Ángel Rodríguez of the ruling *Partido de Unidad Social Cristiana* (PUSC), Social Christian Unity Party, was beaten by José María Figueres of the *Partido Liberación Nacional* (PLN), National Liberation Party. José María Figueres, who is the son of two-time Costa Rican president José Figueres, took over the presidency on 8 May 1994.

Costa Rica has not customarily been a major human rights violator, but there have been occasional reports of excessive use of lethal force in recent years, involving in some cases, banana workers.

RECOMMENDED ACTION: Please send telegrams/telexes/faxes/express and airmail letters either in Spanish or English or in your own language:

- expressing concern at reports that members of the Civil and Rural Guard indiscriminately fired at workers of the Geest company who were carrying out a strike which began peacefully, resulting in the wounding of some three dozen people, four seriously;
- urging that an immediate investigation into these events takes place and that any findings as to those responsible be made public and that those found to have ordered or carried out the attack be brought to justice;
- urging the authorities to ensure that the United Nations Code of Conduct for Law Enforcement Officials, adopted in 1979, is adhered to, which states that "Law enforcement officials may use force only when strictly necessary" and that "Every effort should be made to exclude the use of firearms, especially against children."

APPEALS TO

1) President of the Republic:

José María Figueres
 Presidente de la República de Costa Rica
 Casa Presidencial
 Apartado 100089
 San José, Costa Rica

Telegrams: Presidente Figueres, San José, Costa Rica

Telexes: 2106 (PRESIDE)

Salutation: Excelentísimo Sr. Presidente /Dear President

2) Minister of Interior:

Maureen Clark
 Ministro de Gobernación y Policía
 Ministerio de Gobernación y Policía
 Apartado 544
 San José, Costa Rica

Telegrams: Ministro de Gobernación, San José, Costa Rica

Salutation: Sr. Ministro / Dear Minister

3) Head of the Civil Guard:

Jefe de la Guardia Civil
 Ministerio de Seguridad Pública
 Apartado 1006
 San José, Costa Rica

Telegrams: Jefe de la Guardia Civil, San José, Costa Rica

Salutation: Sr. Coronel / Dear Colonel

COPIES OF YOUR APPEALS TO:

Human rights organizations

CODEHUCA
 Apartado Postal 189
 Paseo de los Estudiantes
 1002 San José
 Costa Rica

CODEHU
Apartado 379
1011 San José
Costa Rica

and to diplomatic representatives of Costa Rica accredited to your country

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat,
or your section office, if sending appeals after 30 June 1994.