

PUBLIC

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06 February 2007

Further Information on UA 137/06 (AMR 34/015/2006, 16 May 2006) Fear for Safety

GUATEMALA

Members of *Unidad de Protección de Defensoras y Defensores de Derechos Humanos* (UPDDH), Human Rights Defenders Protection Unit.

New names:

**Members of *Movimiento Nacional por los Derechos Humanos* (MNDH), National Movement for Human Rights.
Members of *Asociación Comunicación para el Arte y la Paz* (COMUNICARTE) Association for Communication of Art and Peace.**

The offices of UPDDH, MNDH and COMUNICARTE in Guatemala City have been broken into, human rights information has been stolen and alleged surveillance against the staff of those organizations has taken place. Amnesty International believes that their safety may be at risk.

On 5 February at approximately 6am a member of staff arrived at the office which UPDDH, MNDH and COMUNICARTE share. He found the doors had been forced open, with evident signs of a break in. The staff member proceeded to call the police. It is thought that the office had been broken at some point between 6pm on 3 February and 6am on 5 February. All the internal doors of the office were forced open and in some cases holes were made in the walls to access different rooms within the office.

Staff members were able to determine that 13 computers were taken. The computers contained information on human rights violations and on mining issues, in particular information on forthcoming consultations with indigenous communities affected by the activities of mining companies. They also contained encrypted information on financial and operational details of the member organizations of MNDH. Files and desks had been searched and USB memory sticks had been taken. Paper files relating to mining from both the MNDH and COMUNICARTE were taken. The master tapes of COMUNICARTE's entire documentary collection, cameras, projectors and money were also taken from the office. Those responsible for the break in left human faeces and gloves (presumably used by them) behind.

While members of staff were standing outside the building waiting for the police to arrive, at approximately 8.40am, a red Toyota Corolla drove by. An individual in the car leaned out the window and proceeded to film staff and the building.

BACKGROUND INFORMATION

The UPDDH investigates and documents attacks and threats against Human Rights Defenders (HRDs) in Guatemala. Among other cases, they have recently worked on threats against an individual who had published a critical report of mining activities (UA 20/07), the killing of a trade unionist in Puerto Quetzal (UA 16/07). On 5 February the UPDDH had planned to publicly launch their 2006 annual report on attacks against HRDs in Guatemala. Their report will allege that there were 14 killings of HRDs and 278 attacks against HRDs in 2006.

The MNDH is the umbrella organisation of most human rights non-governmental organizations in Guatemala and actively lobbies the Guatemalan government to investigate past and present human rights violations and bring those responsible to justice. It also briefs international governmental and non-governmental organizations.

COMUNICARTE works on the production of audiovisual materials on history, social memory and the internal armed conflict.

The mining of precious metals by foreign companies has been a controversial issue in Guatemala as many indigenous communities oppose the expansion and initiation of mining operations in rural areas which they inhabit. Some communities have organised popular referendums to demonstrate local opposition to mining activities, other communities are planning similar activities.

Previous investigations show that members of clandestine groups have been responsible for similar attacks and raids. Clandestine groups refer to criminal networks involving the business sector, private security companies, common criminals, gang members and possibly ex and current members of the armed forces. They have embedded themselves within the state structure and use their positions and contacts to control lucrative illegal activities and guarantee immunity from prosecution.

Those responsible for the death threats and intimidation that took place on 11 and 15 May 2006 (See UA 137/06) have not been brought to justice.

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in Spanish or your own language:

- expressing concern for the safety of the staff of UPDDH, MNDH and COMUNICARTE, whose offices were broken into on 5 February;
- calling for an immediate and thorough investigation into this incident and that the results be made public and those responsible brought to justice;
- renewing your call on the authorities to investigate the death threats and intimidation reported in May 2006 and bring those responsible to justice;
- reminding the authorities of the right of human rights defenders to carry out their activities without any restrictions or fear of reprisals, as set out in the United Nations Declaration on the Rights and Responsibilities of Individuals, Groups and Institutions to Promote and Protect Universally Recognised Human Rights and Fundamental Freedoms.

APPEALS TO:

Vicepresident of the Republic

Vicepresidente de la República

Sr. Eduardo Stein

Casa Presidencial, 6a. Avenida 4-19, Zona 1, Ciudad de Guatemala, Guatemala

Fax: + 502 2253 0801 / 2238 0106 (say "tono de fax, por favor")

Salutation: Dear Vicepresident/Estimado Sr. Vicepresidente

Attorney General and Head of the Public Prosecutor's office

Lic. Juan Luis Florido

Fiscal General de la República y Jefe del Ministerio Público

Edificio Ministerio Público

15 Avenida 15-16, Zona 1, Barrio Gerona, 8vo. Nivel, Ciudad de Guatemala, Guatemala

Fax: + 502 2411 9124/ 9326

Salutation: Dear Attorney General/Estimado Sr. Fiscal General

COPIES TO:

Human Rights Defenders Protection Unit

Unidad de Protección de Defensoras y Defensores de Derechos Humanos

Movimiento Nacional de Derechos Humanos

1 Avenida 0-11, Zona 2, Colonia Lo de Bran, Ciudad de Guatemala, Guatemala

Fax: + 502 2232 2651 (say "tono de fax, por favour")

and to diplomatic representatives of GUATEMALA accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 20 March 2007.