

June 27, 2006

GUATEMALA: petition in support of legal cases in Guatemala.

Since the early 90s, Rights Action has funded and worked with dozens of community based organizations in Guatemala, founded by and comprised of victims of Guatemala's repression and genocide; these 'victims' have overcome huge obstacles – trauma, continuing poverty and exploitation, continuing impunity and repression – to become 'protagonists' in struggles to build a decent society characterized by, amongst other things, a fair and equitable rule of law.

BELOW:

– "Spanish judge in Guatemala for genocide probe", Reuters article
– A petition in favour of justice. To sign on this petition:
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"Spanish judge in Guatemala for genocide probe"
By Mica Rosenberg, June 24, 2006, Reuters

GUATEMALA CITY, June 24 (Reuters) – A Spanish judge arrived in Guatemala on Saturday to investigate atrocities committed during the Central American nation's armed conflict, but local officials might not allow him to proceed. Santiago Pedraz traveled from Madrid to question former military rulers including Efraim Rios Montt about their roles in suspected genocide, torture and illegal detention in Guatemala between 1978 and 1986.

It is part of a case brought by Guatemalan Nobel Peace Prize winner Rigoberta Menchu. She filed it in Spain in 1999 to try people responsible for wartime abuses including the 1980 military assault on the Spanish Embassy in which 37 people died, among them her father.

A series of military governments carried out a scorched-earth counterinsurgency campaign during the 36-year civil war that killed more than 200,000 people, most of them Mayan Indians.

It was unclear whether a Guatemalan judge would allow hearings after legal appeals by Rios Montt and others delayed the process indefinitely. "The accused are obstructing the process by presenting appeals and other demands in the Guatemalan court system," said Menchu, now a goodwill ambassador for the 1996 peace accords in the Guatemalan government. "But this commission is for the benefit of the accused. We are giving them the opportunity to defend themselves in a

court of law," she told Reuters.

Pedraz was set to question ex-officials over the next two weeks including two former heads of state -- Rios Montt, who presided over some of the bloodiest years of the civil war, and Oscar Humberto Mejia, who overthrew Rios Montt in 1983. He also was scheduled to interview 11 witnesses to the violations -- journalists, unionists, community leaders and Menchu herself.

Former dictator Romeo Lucas Garcia, who ruled before Rios Montt, was set to be interviewed but died last month in Venezuela, where he had been living in exile since the 1980s.

The probe adds to Spain's record of tackling international human rights cases. Spanish judge Baltasar Garzon secured the arrest of former Chilean dictator Augusto Pinochet in London in 1998. But British authorities ruled Pinochet was unfit for trial and let him return to Chile.

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To:† Guatemalan Government

The undersigned organizations and individuals, in solidarity with the survivors of State terrorism involved in the struggle against impunity in Guatemala, express the following:

With the arrival of the Spanish Investigative Commission comes the responsibility on the part of the State of Guatemala to ensure the safety of all those involved.

The international community will accompany and monitor this process.

To the President of the Republic of Guatemala, To the President of the Supreme Justice Court, To the President of Congress, To the Attorney General, To our accredited diplomatic representatives in Guatemala,

With great satisfaction, we received the October 5th, 2005 decision of the Spanish Constitutional Court confirming the legitimacy of the Spanish Justice System to investigate and prosecute for genocide and crimes against humanity committed in Guatemala, regardless of victims' nationality. This decision represents a transcendental advance toward establishing "Universal Jurisdiction" and, as such, is an important step in the struggle against impunity in Guatemala.

The atrocities that took place in Guatemala during the internal armed conflict are well-documented in the report of the UN Commission for Historical Clarification. They include at least 626 massacres committed by State forces as well as acts of genocide. We are saddened that the Guatemalan Justice System has been incapable of convicting

those responsible for these crimes despite the many cases filed and evidence presented by the survivors and other human rights activists. Furthermore, we are concerned that continual attacks suffered by human rights activists will remain uninvestigated. To date, not one suspect has been charged.

Ultimately, we ask the State of Guatemala to demonstrate its commitment to human rights, the fight against impunity, and the enforcement of the Rule of Law, by actively supporting the investigation carried out by the Spanish Commission starting on June 24th as it gathers testimonies related to crimes of genocide, torture and terrorism that occurred in Guatemala.

In particular, we ask that the State comply with requests for the protection of the physical and psychological security of the human rights defenders involved including those who will present testimony. It is therefore essential that attacks against activists be investigated and that those found responsible be convicted. The work being done in the political arena toward justice and against impunity must be respected.

We ask our accredited diplomatic representatives in Guatemala to fulfill their mandate to oversee that human rights are respected and that they demand that the Guatemalan State follow through with its responsibility to protect human rights defenders and to investigate any attacks against them.

We would like to reiterate our commitment to accompany the struggle against impunity, and we will continue to oversee the security of those human rights defenders involved in legal processes for human rights violations committed in Guatemala and, in particular, those who are providing evidence to the Spanish Investigative Commission.

We thank you for your attention and hope that, in fulfilling your duties, you assume the responsibility to ensure that the respective entities take the necessary measures to guarantee that this judicial process be carried out free of violence against human rights defenders in Guatemala.

Sincerely, The Undersigned

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