

Guatemala

The Government's human rights record was poor; although there were improvements in some areas, serious abuses persisted. There were credible reports of killings by individuals linked to security forces and of politically motivated killings by nonstate actors. There were reports of violent deaths, killings, and "social cleansing" in which persons deemed socially undesirable (for example, gang members, local delinquents, street children, prostitutes, and homosexuals) were killed by unknown assailants. There were no reports of politically motivated disappearances. The Constitutional Court confirmed the 2001 conviction of three former military members and one priest for the 1998 killing of Bishop Gerardi. An appeals court overturned the 2002 conviction of Juan Valencia Osorio for the 1990 murder of anthropologist Myrna Mack Chang. In October, the President completed the disbanding of the Presidential Military Staff (EMP).

There were credible reports of individual police officers' involvement in kidnappings. Security forces tortured, abused, and mistreated suspects and detainees. Prison conditions remained harsh. In most cases, the prosecutorial and judicial systems did not ensure full and timely investigations, fair trials, or due process. Arbitrary arrest and lengthy pretrial detentions were problems. Judges and other law enforcement officials were subjected to intimidation and corruption. Impunity was pervasive, although efforts to reform the judiciary continued. There were reports that private communications were monitored. Members of the media were targets of attacks, threats, and intimidation. Attacks on nongovernmental organizations (NGOs) and human rights workers by unidentified persons decreased during the year. Violence and discrimination against women persisted, as did societal abuse of children and discrimination against persons with disabilities and indigenous people, which the Government took some steps to address. There were reports of retaliation by employers against workers who sought to form unions and participate in union activities, and the Government did not effectively enforce laws to protect workers who exercised their rights. There was widespread employment of minors in the informal sector. Trafficking in women and children was a problem.

The Government accepted the Human Rights Ombudsman's proposal for a U.N.-led commission to investigate possible links between illegal clandestine groups or security forces and attacks on human rights defenders and organized crime; at year's end, the agreement was scheduled to be submitted to the Congress for ratification in January 2004. The U.N. Verification Mission in Guatemala (MINUGUA) continued to monitor peace accord implementation and human rights problems, and the U.N. extended its mandate to the end of 2004, at the Government's request.

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