

Guatemala –

Government apologizes for murder of Efraín Bámaca, husband of US attorney Jennifer Harbury

RRN letters: Jan 24 2003, Sep 23 2003, Aug 1 2004

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RRN members have written several letters to Guatemalan officials seeking protection for friends and family members of “disappeared” Efraín Bámaca, a rebel leader and late husband of Jennifer Harbury, a US attorney and human rights advocate, who was captured and killed during an armed confrontation between guerrillas of the Organization of People in Arms (ORPA) and the Guatemalan army along the Ixcucua River, in Retalhuleu Department in 1992.

Otoniel de La Roca Mendoza is a key witness before the Inter-American Court of Human Rights in the Bámaca case. To prevent de la Roca from giving testimony before the Inter-American Court, he received warnings that his relatives would bear the consequences of his actions; three of them have since been killed. De La Roca and family members have been threatened and harassed.

January 24, 2003: Mr. de La Roca has been threatened and members of his family harassed and threatened. These threats are not idle, as Mr. de La Roca's nephew in Guatemala was tortured and murdered in October 2002. Such torture is consistent with that used by individuals linked to the armed forces and suggests the attack may have been aimed at terrorizing other relatives.

September 23 2003: De la Roca's cousin Galindo Alvarado Mendoza, was shot in the head six times while taking his 11-year old niece home from school; the niece recognized one of the men as an ex-military commissioner known to her family by name.

August 1, 2004: Jesus Mendoza, Otoniel de la Roca's cousin and the father of Byron Mendoza who was killed October 2002, was shot three times in the head while driving his truck.

GOOD NEWS! October, 16 2006 in a public act, the president of the Presidential Human Rights Commission (COPREDEH), Frank La Rue, apologized to the family of guerrilla leader Efraín Bámaca on behalf of the State of Guatemala. Other administration and military officials were absent. As part of his speech, **La Rue recognized the responsibility of the State in Bámaca's detention, torture, and disappearance.** In doing this, the State has complied with one of the orders of the Inter-American Court on Human Rights in a sentence handed down on February 22, 2002. La Rue said that Bámaca, also known as Comandante Everardo, was legitimately captured during combat, but was not given legal recourse and people were deceived when they were told that he had died. According to La Rue and Bámaca's widow Jennifer Harbury, **Bámaca was captured**

alive and tortured for two years by the military with the full knowledge of the US government.

La Rue acknowledged that the State has yet to comply with part of the court's sentence. The State must search for his body, along with the bodies of the 45,000 others that were disappeared during the war. Harbury, who has tirelessly pursued her husband's case for years, announced that she will not rest until justice is served and the Guatemalan military officials and CIA agents that participated in Bámaca's torture and disappearance are held accountable.