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As human rights cases go to court, Latin Americans come under attack

Barbara Fraser Catholic News Service | Jul. 1, 2008

LIMA, Peru (CNS) -- Unprecedented human rights cases are moving through the courts in countries such as Peru, Argentina and Chile, raising hopes that perpetrators will be brought to justice. But human rights workers continue to come under attack.

The apparently contradictory combination is not a coincidence.

"There's a connection between progress in cases against high-level officials and attacks against human rights workers involved in those cases," Coletta Youngers, a senior fellow with the nonprofit Washington Office on Latin America, told Catholic News Service.

In Peru, where former President Alberto Fujimori is on trial in connection with two high-profile cases of killings by a death squad that occurred while he was in office, the Pro Human Rights Association, known by its Spanish acronym APRODEH, has suffered harassment and the theft of computers and documents.

On June 10, police and busloads of unidentified protesters -- some of whom admitted to APRODEH staff members that they were paid to participate -- demonstrated outside the organization's offices, and an anonymous e-mail attacking APRODEH lawyer Francisco Soberon has been circulating in Lima.

Seventy-five attacks on lawyers, witnesses and victims involved in human rights cases have been reported in Peru since 2006. Soberon said the incidents reflect how difficult it is for Peruvians to come to grips with the political violence that racked the country between 1980 and 2000, and the impunity that has allowed many perpetrators of human rights violations to remain free.

In the southern highlands of Ayacucho, which was the epicenter of the violence, a team of forensic anthropologists is excavating a mass grave site where witnesses say soldiers killed more than 100 peasant farmers. Peruvian army officials have said they cannot tell who was responsible because personnel records were destroyed.

That stymies the investigation, "because if we don't have the names of the perpetrators, the case cannot go forward," said Ronald Gamarra, executive secretary of the National Human Rights Coordinating Committee, an umbrella committee of Peruvian human rights organizations that includes many church groups.

"There is little political support (for investigations), and therefore there is no pressure for the cases to move ahead," he said.

Bringing military officers to justice for human rights violations committed under dictatorships in the 1970s and 1980s has been a slow process. In Chile, about 600 people, most of them former military personnel, are being tried for crimes dating back to the dictatorship of Gen. Augusto Pinochet. About 100 have been sentenced, but human rights groups have criticized the government for the sluggish proceedings.

In Argentina, where cases related to the 1976-1983 "dirty war" also are making their way through the courts, three military officers were found dead under suspicious circumstances between December 2007 and February 2008. All were defendants in human rights cases.

Former Lt. Col. Paul Alberto Navone was found dead in February, just days before he was due to testify in a case involving the 1978 theft of newborn twins from a woman who had been arrested. Human rights groups estimate that about 200 babies were taken from their parents and given away. In most cases, the biological parents were political opponents who were then killed.

In Guatemala, a study published last year reported a steady increase in attacks on people involved in prosecuting human rights cases. The number rose from 127 in 2004 to 224 in 2005 and 278 in 2006, with more than 150 attacks reported in the first eight months of 2007.

"It is a very delicate situation," said Nery Rodenas, a lawyer and the director of the Archbishop's Human Rights Office in Guatemala City, in a telephone interview with CNS.

Attacks target not only human rights activists, but also community leaders in remote parts of the country who have little protection, Rodenas said.

And, as in Peru, there is often an increase in such attacks when a high-profile case finally goes to trial.

Rodenas blamed what he called "clandestine groups" for many of the attacks. Some of those groups date back to before the 36-year civil war that ended in 1996, but they gained strength during those decades, he said.

The groups apparently have ties to the government and organized crime, according to a report released last year by Human Rights Watch.

"The Guatemalan justice system, which has little ability even to contain common crime, has so far proven no match for this powerful and dangerous threat to the rule of law," the report said.

In Brazil, the bishops' conference in April issued a statement of support for Bishop Erwin Krautler of Xingu, Bishop Jose Azcona Hermoso of Marajo and Bishop Flavio Giovenale of Abaetetuba. The bishops had received death threats for speaking out against slave labor and the sexual exploitation of children, and in favor of peasant farmers' land rights.

Those cases are tied to what Soberon sees as a growing tendency throughout the region for governments to view social protests as criminal acts.

Government officials in some countries, including Peru and Ecuador, have gone so far as to suggest that those protesters are infiltrated by terrorists. As a result, there is less public opposition to threats against the demonstrators or a police crackdown on the protests.

"My general sense is that in Latin America, after a period of stagnation, we are beginning to see progress amid the difficulties" in cases of human rights violations stemming from civil wars and dictatorships, Soberon said.

The new trend, however, bears watching.

"There is no country in Latin America that is not affected by government efforts to criminalize protest and to equate protest with terrorism," he said.

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