

Guatemala: Claudina Velásquez(f)

Concern: Impunity

"Claudina was killed by one thing: impunity...Claudina's killer knew that the likelihood of him being found was very remote" –Claudina's father

19 year-old university student Claudina Velásquez had been studying to become a lawyer when her dead body was found on 13 August 2005. She had been shot and traces of semen were found on her body.

Amnesty International is deeply concerned that Claudina's killers may not be brought to justice, as serious deficiencies have been reported in the investigation into her murder. For example, no tests were performed on the primary suspects to establish whether or not they had fired a gun. A high number of similar cases in Guatemala are shelved on the grounds of lack of evidence, due to poor quality investigations.

Families seeking help from the authorities are often faced with indifference and discrimination, and a particularly worrying tendency to blame the victim's behaviour or background for their death. Claudina's father told Amnesty International "The investigator said they thought Claudina was a nobody because she was wearing sandals and a belly button ring."

Despite such obstacles, Claudina's family have been active in pursuing justice. They have been in close contact with the Public Prosecutor's Office exerting pressure to ensure that the investigations are not abandoned, proposed lines of investigation, and have even carried out their own independent inquiries. Even so, no significant progress has been achieved.

In November 2005, recognizing the deficiencies in the investigation into Claudina's murder, the head of the Special Prosecutor's Office on Crimes against Life took over. Since then investigations have effectively restarted, including the blood samples of five suspects being sent to Spain for DNA analysis. While this is a positive step, it is likely that critical forensic evidence has now been lost, and so far, no significant progress has been achieved. Possible witnesses have still not been interrogated.

Due to the lack of results, Claudina's family has denounced the case before the Human Rights Ombudsman's Office. The Office's preliminary report on Claudina's case, presented in October 2006, highlighted many of the deficiencies mentioned above. Attention was drawn to the inadequate processing of the crime scene, and the initial police assumption that Claudina was a sex worker. This included the failure to run basic forensic tests on her clothing, which was instead returned unexamined to her family.

Amnesty International believes that new lines of investigation should be opened. Were a thorough and effective investigation to be carried out, the potential to find Claudina's killers would be high.

Please write to the authorities:

1. Calling for the investigation into Claudina Velásquez' murder, currently under the responsibility of the Office of the Special Prosecutor for Crimes Against Life, to be conducted in a coordinated, comprehensive and effective manner so that those found to be responsible can be brought to justice without further delay.
2. Asking them to improve the effectiveness of investigations into all cases of abduction and murder of women and girls in the future, for example by ensuring that police investigators and forensic experts receive intensive training in investigative procedures and techniques. Particular attention to training in the collection and preservation of forensic evidence in relation to gender-based violence should be paid, in accordance with international standards.
3. Calling for the Public Prosecutor's Office's Witness Protection Programme to be strengthened to ensure the safety of all witnesses to crime and that of their family members.
4. Urging that the authorities address the high rate of violent crimes against women in Guatemala by overturning discriminatory legislation, which perpetuates violence against women and fosters a climate of impunity for crimes against women and girls.

Please send appeals to:

President of the Republic of Guatemala
Presidente de la República de Guatemala
Licenciado Oscar Berger Perdomo
Casa Presidencial, 6a. Avenida, 4-18 Zona 1.
Ciudad de Guatemala, Guatemala