



FORMER GUATEMALAN CHIEF OF POLICE ERWIN SPERISEN GUILTY OF PARTICIPATING IN EXTRAJUDICIAL EXECUTIONS

In its ruling of 27 April 2018, the Geneva Court of justice ruled that Erwin Sperisen was an accomplice in the execution of seven prisoners at the Pavon prison in 2006. The former Chief of Guatemala's National Civil Police was sentenced to 15 years in prison. TRIAL International welcomes the verdict, which represents an important step in the fight against impunity for State crimes.

The Geneva Court of justice found the Swiss-Guatemalan binational Erwin Sperisen guilty of having participated in extrajudicial killings in Guatemala in 2006. The accused had been given a life sentence by a lower court in June 2014 for seven murders perpetrated in the Pavon prison. The Court of justice, on appeal, also sentenced him to life, but for ten counts of murder, adding three additional executions committed in the Infiernito prison in 2005. In June 2017, the Federal Court quashed this ruling and ordered a retrial, validating however many damning facts established by the Court.

In the ruling of 27 April 2018, the Court of Justice of Geneva found Erwin Sperisen criminally responsible for contributing to an operation organised in 2006, aimed at taking back control of the Pavon prison, during which seven prisoners were summarily executed. The Court found that Erwin Sperisen had acted as an accomplice in the murder of the seven detainees, after hesitating to find him fully responsible as a co-author. The Court however did not establish Erwin Sperisen's responsibility for the killings committed in the Infiernito prison in 2005, hence acquitting him of these charges.

Erwin Sperisen was thus found guilty of complicity in the execution of seven detainees placed under the State's protection, and was sentenced to 15 years in prison. The plaintive, the mother of one of the murdered prisoners, was awarded CHF 30 000 as compensation.

Philip Grant, director of TRIAL International, reacted to the ruling: "This verdict demonstrates the healthy functioning of our institutions, and gives hope to victims as well as to individuals and organisations committed to the fight against impunity in Guatemala."

TRIAL International welcomes the fact that the Geneva authorities conducted the trial to its end, fulfilling their responsibility in providing justice to victims of the gravest human rights abuses.

OVERVIEW OF THE SPERISEN CASE

ERWIN SPERISEN

Born on 27 June 1970, Erwin Sperisen is of Swiss and Guatemalan nationality. Between August 2005 and March 2007, as chief of the National Civil Police (NPC) in Guatemala, he was tasked with leading and ensuring the correct functioning of the country's different police forces. In 2007, he resigned and went to live in Geneva.

CONTEXT

In 2006, an operation was organised in order to regain control of the Pavon prison, located near Guatemala City. Over 3000 agents of the NCP, army and prison authorities were mobilized. During this operation, seven inmates were found, arrested and then executed. The crime scene was covered up to give the impression that these deaths were the result of an armed confrontation.

TIMELINE OF THE CASE

- Beginning of 2008** After discovering his presence in the country, Swiss NGOs lodged criminal legal proceedings against Erwin Sperisen at the Public Prosecutor's Office.
- 2009** TRIAL International and the OMCT lodged a second complaint against Erwin Sperisen in front of the competent Swiss authorities.
- August 2010** Guatemala issued an international arrest warrant against Erwin Sperisen.
- August 2012** Erwin Sperisen was arrested on the orders of the Geneva prosecuting authorities and detained in Champ-Dollon prison.
- June 2014** The Criminal Court of Geneva found Erwin Sperisen guilty as co-perpetrator in six murders and as direct perpetrator of another during the events that occurred in Pavon prison. He was sentenced to life imprisonment and appealed.
- July 2015** The Appeals Chamber confirmed the sentence of life imprisonment and condemned Erwin Sperisen for the seven murders committed in Pavon prison. Furthermore, it found him guilty of the murder of three fugitives in the Infiernito prison. Erwin Sperisen appealed this decision before the Federal Court.
- June 2017** The Federal Court annulled the decision of the Geneva Court of Appeals and ordered a retrial. However, it recognised that extrajudicial killings were committed by the police forces.
- April 2018** The Geneva Court of Justice sentenced Erwin Sperisen to 15 years imprisonment.

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TRIAL International est une organisation non-gouvernementale qui lutte contre l'impunité des crimes internationaux et soutient les victimes dans leur quête de justice.

TRIAL International adopte une approche innovante du droit, ouvrant un chemin vers la justice pour les survivants de souffrances indicibles. L'organisation offre une assistance juridique, saisit la justice, développe les capacités des auteurs locaux et plaide en faveur des droits humains.

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