

FRESH ACCUSATIONS MADE AGAINST ERWIN SPERISEN IN GUATEMALA

The former head of the Guatemalan National Civil Police, who has just appealed to the Federal Court against his 15-year prison sentence handed down by a Genevan court, could face new charges for extrajudicial executions and the torture of fugitives in the "El Infiernito" prison in 2005.

Four Guatemalan government and security force officials were arrested in Guatemala on 29 October 2018. Carlos Vielmann, Minister of the Interior from 2004 to 2007, Stu Velasco, former Deputy Director of the National Civil Police (known as the PNC), and two others are now in custody. But among those summoned by the Public Prosecutor's Office is also the former head of the PNC, Erwin Sperisen, who has appealed his conviction in Geneva for a similar incident that occurred in another prison.

The Guatemalan courts intend to investigate the involvement of the men in the "Gavilán plan". On 22 October 2005, 19 prisoners escaped from the "El Infiernito" high-security prison. A plan was allegedly devised to find the fugitives and execute them. Seven of them were shot dead, and at least four others were reportedly tortured. According to the Guatemalan Public Ministry, the security forces were organized into two groups: the first official one was supposed to find the fugitives, while the second unofficial one was responsible for executing them. This second group was to stage an armed confrontation between the prisoners and the police, as a means of justifying the death of the former from an exchange of fire.

SAME EVENTS, FRESH CHARGES

Erwin Sperisen, a dual Swiss-Guatemalan citizen, was acquitted by a Genevan court for two of the "El Infiernito" fugitive killings. But the investigation by the Public Ministry and the International Commission against Impunity in Guatemala (known as CICIG), which was based on 56 testimonies, autopsies, and ballistic and police reports, implicated him in the deaths of three other people, including two fugitives from the prison. At a press conference on 29 October, Juan Francisco Sandoval, head of the Office of the Special Prosecutor Against Impunity, affirmed that the unofficial group that executed the recaptured prisoners was headed by Carlos Vielmann and Erwin Sperisen. They were allegedly kept informed of the operations of both groups by Victor Rivera, now deceased, who was then adviser to the Minister of the Interior. Moreover, four recaptured prisoners testified to the torture they suffered. According to Mr Sandoval, three of them claimed to have been tortured by Erwin Sperisen himself.

"The investigation will continue. But if these acts are confirmed, they represent an important development that should be of interest to the Swiss courts, and could turn into new charges against Mr Sperisen", says Philip Grant, director of TRIAL

International, who underlines that Erwin Sperisen cannot be extradited. Mr Sperisen and Mr Viemann had already been tried for other crimes, one in Switzerland and the other in Spain. Sentenced to 15 years' imprisonment by the Genevan courts for complicity in the murder of seven detainees in Pavón prison, will Erwin Sperisen have to answer for the murder of two of the "El Infiernito" prisoners, and acts of torture? In a video posted online, he reacted by declaring that he feels confident, and denouncing a political coup. Carlos Viemann, acquitted in March 2017 by a Spanish court for his role in the Pavón assassinations, has reacted in the same fashion. It remains to be seen, in the face of such charges, if the conspiracy theory argument will convince anyone.