

Rights Action - February 21, 2011

NEED FOR WAR CRIMES LEGAL CASE IN CANADA, AGAINST GUATEMALAN EX-SOLDIER

Rights Action adds its voice to efforts to have criminal charges (pursuant to the "Crimes Against Humanity and War Crimes Act") filed against a Guatemalan man (former military, special forces) detained in Alberta, Canada. Rights Action forwards this information (from Caren Weisbrat, at Breaking the Silence, and Bill Howson) about action needed immediately in Canada to have crimes against humanity charges brought in Canada against Jorge Vinicio Sosa Orantes.

BELOW:

- Introductory letter, about this case
- Background information about the "Dos Erres" massacre in Guatemala
- Draft letters to the Canadian Minister of Justice and to Canadian politicians, that people can use

WHAT TO DO: See recommendations, below, to write your own letter to the Canadian minister of justice and your own MP

- Please re-publish this information
- To get on/ off RA's listserv: www.rightsaction.org
- What to do: see below

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From: Caren Weisbart [caren.weisbart@gmail.com]

Sent: Sunday, February 20, 2011

To: Rights Action

Subject: SOSA ORANTES PRESS RELEASE: Please re-circulate

HUMAN RIGHTS GROUPS SEEK DENIAL OF BAIL TO GUATEMALAN IN CALGARY ACCUSED OF CRIMES AGAINST HUMANITY

Toronto, Feb. 22, 2011 – Jorge Vinicio Sosa Orantes of Guatemalan, American and Canadian citizenship should be denied bail and investigated by the Canadian government for his alleged participation in crimes against humanity in the 1980's. He is currently being detained in Calgary, AB, based on a request from the United States, which is seeking to try him for naturalization fraud. Mr. Sosa Orantes has a bail hearing on February 23. The Maritimes-Guatemala Breaking the Silence Network and other human rights groups believe bail should be denied based on the severity of the charges against Mr. Sosa Orantes.

Jorge Vinicio Sosa Orantes is one of 17 former Kaibiles, a Special Forces unit of the Guatemalan army, charged in relation to the massacre of Dos Erres in the north of Guatemala. In 1982, 252 unarmed civilians were brutally and systematically killed, their bodies dumped in a well. This massacre occurred during the 36 year Internal Armed Conflict in Guatemala, where more than 200,000 individuals were killed and over 650 massacres were committed.

There is substantial evidence indicating that Mr. Sosa Orantes was directly involved in the Dos Erres massacre. Because of its severity, the crime falls under universal jurisdiction, which means

that other countries, including Canada, could try him. Human rights groups have already publicly called on the Canadian government to investigate. Furthermore, Sosa Orantes could face charges in Spain as part of a genocide case open there in addition to charges he already faces in Guatemala for crimes against humanity. If his extradition is to the United States, however, he would only be facing charges for immigration fraud, with a maximum penalty of 10 years of imprisonment.

None of these options might materialize if Mr. Sosa Orantes is given bail. He fled from Guatemala in the mid-1980's, after his alleged involvement in the Dos Erres massacre, and went to the United States. He later fled from that country, in 2010, when it became evident that Immigration officials were looking for him in relation to the naturalization fraud investigation.

The Maritimes-Guatemala Breaking the Silence Network, amongst other groups, is calling for Mr. Sosa Orantes to not be granted bail, to provide the possibility that he be brought to court for the crimes against humanity he allegedly committed.

BACKGROUND: SOSA ORANTES & THE MASSACRE IN LAS DOS ERRES, GUATEMALA

Jorge Vinicio Sosa Orantes is one of 17 former Kaibiles, a Special Forces unit of the Guatemalan army, charged in relation to the massacre in Las Dos Erres of 1982. The legal case against the 17 former Kaibiles was launched in 2000. Since then, 45 injunctions have been put forward by the defendants. There have also been numerous threats made against the staff of Families of the Detained and Disappeared in Guatemala (FAMDEGUA), who is the plaintiff in the case. In 2009, the OAS Inter-American Court on Human Rights ruled that the State of Guatemala was guilty of impeding justice in this case, and in 2010 the Guatemalan Supreme Court of Justice issued arrest warrants for the 17 men charged.

Sosa Orantes is also wanted for immigration fraud in the United States, but fled to Mexico before being captured. In January 2011, Sosa Orantes left Mexico for Canada and was arrested in Lethbridge on January 18. The United States has requested his detention in anticipation of possible extradition on charges of immigration fraud. He holds Canadian, American, and Guatemalan citizenship.

There are strong allegations that Jorge Vinicio Sosa Orantes was involved in the massacre in Las Dos Erres. He could be investigated in Canada for crimes against humanity. He also faces charges in Guatemala on such grounds, and his alleged participation in the massacre could implicate him in the Guatemala genocide case in Spain. These countries may also seek extradition orders.

Families of the victims as well as Guatemalan and international organizations are calling on the Canadian government to ensure that he is tried for the crimes that he has allegedly committed.

MORE INFORMATION, CONTACT:

Kathryn Anderson / Caren Weisbart, Breaking the Silence Representatives, 902 657 0474, caren.weisbart@gmail.com

Matt Eisenbrandt, Canadian Centre for International Justice, 613 744 7667 x266, meisenbrandt@ccij.ca

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From: Bill Howson [mailto:billh@teksavvy.com]
Sent: Thursday, February 17, 2011 10:08 AM
To: rights action
Subject: The Sosa case - Dos Erres, Guatemala

DRAFT LETTER

Hon. Bob Nicholson
Minister of Justice
House of Commons
Ottawa, Ontario, K1A 0A6

Dear Minister,

I urgently bring to your attention an important matter for justice in a UN documented case of genocide in Guatemala.

Jorge Vinicio Sosa Orantes, arrested pursuant to a US request in Lethbridge Alberta Jan 18, 2011, is currently in custody awaiting extradition to the US. Sosa Orantes has Guatemalan, US and Canadian citizenship. Sosa Orantes is a former officer in the notorious counterinsurgency group, the Kaibiles, of the Guatemalan military. Credible testimony implicates him as one of the organizers of the massacre in 1982 of 252 civilians in the community of Dos Erres in Guatemala.

If Mr. Sosa Orantes is extradited to the US, he will be prosecuted only for naturalization fraud committed in that country. For true justice to be done, Sosa Orantes must be tried for the crimes against humanity he allegedly committed in Guatemala. This can be done in Canada under the Crimes Against Humanity and War Crimes Act.

Minister, we strongly urge you to delay extradition of Sosa Orantes to the US while the Canadian War Crimes Program conducts its own investigation into the case. If evidence is found supporting Sosa Orantes alleged involvement in crimes against humanity, he must be prosecuted for these crimes so that full justice will be done.

I am very interested in following the progress of this case and the Canadian government's response. What is your position with regard to the prosecution of war criminals in Canada in general, and specifically with regard to this case? I would appreciate hearing back from you what exactly you intend to do in this important case.

Thank you very much for your consideration.

Sincerely,

cc. Hon. Jack Layton
Hon. Joe Comartin
Hon. Michael Ignatieff
Hon. Marlene Jennings
Hon. Paul Dewar

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DRAFT LETTER

Hon. Michael Ignatieff
House of Commons
Ottawa, Ontario
K1A 0A6

Dear Mr. Ignatieff,

Please find attached a copy of a letter I have sent to the Hon. Bob Nicholson, Minister of Justice. As you will see, the letter is about an important case of wars crimes committed in Guatemala. One of the alleged perpetrators of the massacre of 252 civilians is in Canadian custody and awaiting extradition to the US.

It is time for Canada to step forward and take a leadership role in the defense of human rights on the global stage. It is important for the opposition parties to investigate this case and monitor the Canadian government response. Mr. Sosa Orantes must not be extradited to the US if true justice is to be done.

I am counting on the you and your party to use its resources and its presence in the House of Commons to pressure the Canadian government to do the right thing and investigate Mr. Sosa Orantes' involvement in the massacre. Please keep me informed what steps you are able to take in this regard.

Thank you very much for your consideration.

Sincerely,

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WHAT TO DO

FUNDS NEEDED - tax deductible donations

Rights Action asks for financial support to support the work of FAMDEGUA in Guatemala that has been pursuing justice for the Dos Erres massacre for close to 20 years. Make check payable to "Rights Action" and mail to:

CANADA: 552 - 351 Queen St. E, Toronto ON, M5A-1T8
UNITED STATES: Box 50887, Washington DC, 20091-0887

CREDIT-CARD DONATIONS: Go to www.rightsaction.org, or directly to:
<http://rightsaction.org/contributions.htm>

DONATION OF STOCK?: Contact Grahame Russell, info@rightsaction.org

CANADIAN GOVERNMENT OFFICIALS

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Dean Allison, Foreign Affairs Committee Chairperson, 4994 King Street, Beamsville, Ontario, L0R 1B0
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CONTACT YOUR MEMBER OF PARLIAMENT:

<http://www2.parl.gc.ca/Parlinfo/Compilations/HouseOfCommons/MemberByPostalCode.aspx?Menu=HOC>

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- Please re-publish this information, citing author and source
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