



## **The Molina Theissen Case: a historic opportunity to find justice 35 years later**

**Guatemala City, Washington D.C. and San José, April 18, 2016.** - Tomorrow a new hearing will take place as part of the judicial case concerning the forced disappearance of Marco Antonio Molina Theissen and the illegal detention and acts of torture against Emma Molina Theissen at the hands of the Guatemalan military. At this time, the Public Prosecutor's Office will present the accusations and Judge Judith Secaida will determine if there is sufficient evidence to go to trial. If the process advances, it will make way for a historical opportunity to achieve justice, 35 years after the crime occurred.

On January 6, 2016, the Attorney General's Office captured Manuel Antonio Callejas y Callejas, the Chief of Military Intelligence at the time Marco Antonio was disappeared. Prosecutors also detained Francisco Luis Gordillo Martínez, Commander of the military base "Manuel Lisandro Barillas" in Quetzaltenango, and Edilberto Letona Linares and Hugo Ramiro Zaldaña Rojas, the soldiers in charge of the facility where Emma was detained. Since January 13, the accused have been held in preventative detention for the crimes of forced disappearance and crimes against humanity.

In 1981, Marco Antonio Molina Theissen, 14 years old, was kidnapped in front of his mother in the Guatemalan capital by military group members. In accordance with the findings of the investigation, his detention occurred as retaliation against his sister Emma Guadalupe, who had escaped from the military base in Quetzaltenango where she had been detained illegally for nine days. During her detention, Emma suffered torture, rape, and other abuses. Marco Antonio was disappeared one day after Emma fled from the military base and from then on, his fate has been unknown.

The Molina Theissen family has persevered in the search for justice during thirty-five years of impunity. For that reason, the hearing tomorrow is crucial to assign individual responsibility of each of the accused for prosecution.

Meanwhile, there have yet to be efforts to locate and, in this case, return the remains of Marco Antonio to his family, despite the orders from the Inter-American Court of Human Rights on July 3, 2004. According to the records of the Historical Clarification Commission, during the armed conflict more than 200 thousand people were killed and disappeared. However, the State has addressed fewer than 1% of these grave violations.

Despite the disheartening numbers, the international organizational signers recognize the efforts that the Attorney General's Office has made to guarantee an investigation that assures access to the rights of justice and truth for the Molina Theissen family.

We call on the State to comply with its obligation to pursue, put on trial, and punish these grave crimes against humanity. For this to occur, we believe it necessary for the case to be heard by a special tribunal, so the process can meet the standards expected for this type of case.

Finally, we hope that Guatemala advances in addressing its historical debt to the victims of the armed conflict, and provides reparations for the harm done, not just for the Molina Theissen family, but also for all of Guatemalan society.

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