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## Death of 41 Girls after Fire in Guatemalan Shelter Leads to Charges of Abuse and Neglect

by Louisa Reynolds

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A fire in a state-run youth shelter that claimed the lives of 41 girls has brought to the fore allegations, previously ignored by Guatemalan authorities, that staff sexually assaulted and beat girls and boys at the Virgen de la Asunción shelter. It has also highlighted the broader issue of the lack of adequate facilities for vulnerable youths in the country.

Nineteen teenage girls were killed in the March 8 blaze at the shelter, located in the municipality of San José Pinula, 25 km southeast of Guatemala City. Another 22 later died from severe burns and smoke inhalation.

Carlos Sotoj's 15-year-old daughter, Estefany Dayana, is one of the survivors. Sotoj was initially told that Estefany, who had been at Virgen de la Asunción for two months, was among the girls who had died. But he wept with joy days later, when he learned that Estefany was among a small group of injured girls who had been flown to the US for treatment.

Sotoj, who lives in Guatemala City, explained that after Estefany ran away from home on several occasions following a series of arguments with her parents, the Procuraduría General de la Nación (Attorney General's Office, PGN), the state institution in charge of legally representing vulnerable children and young people in family courts, deemed she should become a ward of the state and sent her to the Virgen de la Asunción shelter. The PGN also investigates cases of missing children or child neglect.

Estefany and her parents were due to attend a court hearing on March 22, two weeks after the blaze, and Sotoj said he intended to ask the judge to allow Estefany to return home. "She used to call us on Saturdays for one or two minutes, but when we asked her how she was being treated, all she said was, 'You know what it's like here,'" he said.

### *A history of abuse and neglect*

Run by armed security guards rather than experts on child welfare, the Virgen de la Asunción shelter was built in 2010 to house children and teenagers who had been living in four institutions where they had been separated by age and gender. The concept behind Virgen de la Asunción contravenes international regulations on child welfare, which recommend that wards of the state be housed in much smaller facilities in order to minimize the impact on their emotional and mental health.

Around 700 minors were living in a place built for a maximum of 350. Some, such as sisters Jilma and Grindy Carías, aged 15 and 16, who died in the blaze, had behavioral issues. Others had been subjected to domestic violence or had been forced into prostitution. Still others had run away from home as a result of family problems, as had Estefany Sotoj, or because they were victims of domestic abuse, bullying, or gang violence.

A 17-year-old girl interviewed by the Canal Antigua news channel, who asked to be identified only as Enma, said she ran away from home because she was harassed by gang members and feared for her life. Enma attended school in El Búcaro, a notoriously gang-ridden neighborhood in the municipality of Villa Nueva, 16 km south of Guatemala City. She was sent to Virgen de la Asunción after she was found by the police.

Other residents of the shelter, among them Jaqueline Catinac Pérez, 15, who died in the blaze, were orphans. Some teenagers had been rejected by their families because of their sexual preference, and some were mentally or physically handicapped and were abandoned by families who could not afford medication and specialized care.

These teenagers mingled with a minority of young offenders who were sent there by judges because there was no space for them in the juvenile detention centers.

Teenage girls who were sent to the Virgen de la Asunción shelter have said that strangers were brought in at night and allowed to single out the girls they wished to abuse, fueling suspicions that a child prostitution network operated within the shelter. Two teachers were arrested in 2013 and are awaiting trial; one of them is accused of forcing children as young as 12 to strip naked and perform oral sex on him.

Other teenagers who were sent to the shelter have said they were beaten and forced to eat rotten food. Living conditions in the shelter were so appalling that when Judge Verónica Galicia visited the shelter last June, she ordered it to be closed by December. The shelter remained in use.

Two reports by UN rapporteurs detailing the abuse allegations and the cramped and unsanitary conditions within the center, as well as precautionary measures issued by the Inter-American Human Rights Commission, also went unheeded. According to Ramón Cadena, Central America director of the Geneva-based International Commission of Jurists, this means that Guatemala could be sanctioned by an international tribunal for violating the UN Convention on the Rights of the Child.

### *Police ignored cries for help*

The fire broke out a day after 104 teenage girls in the shelter rioted and escaped. Some of those who escaped, according to survivors, were caught by armed police and taken at gunpoint to the shelter, where they were shoved into a classroom with a few foam mattresses.

The following morning, after police agents refused to allow the girls to leave the classroom to use the toilets, the girls used the mattresses to build a makeshift shack where they relieved themselves. Then, one of the girls set fire to the mattresses. Three of the survivors told *Nómada*, an investigative journalism website, that the police ignored their cries for help and told them “to go to hell.”

It took seconds for the classroom to be engulfed in flames. The police heard their screams but ignored their pleas to open the door, which remained locked until the fire brigade arrived 40 minutes later and found a heap of charred bodies.

On March 13, the Virgen de la Asunción director and the director and deputy director of the Secretaría de Bienestar Social de la Presidencia (Social Welfare Ministry), the government bureau in charge of running state-funded youth shelters, were arrested on homicide and child abuse charges. After a preliminary hearing, and to the dismay of child welfare organizations, they were granted

house arrest on April 7. The organizations have held protests in Guatemala City's central square demanding justice for the victims. Prosecutors say they will appeal the judge's ruling.

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