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GUATEMALA: a government "apology" for the Plan de Sanchez massacre

From July 9-16, Rights Action hosted an "Environment, Development and Human Rights Delegation-Seminar". Below, we re-produce an article written by one of the participants, concerning a government "apology" to the surviving community members of the July 18, 1982 Plan de Sanchez.

Since 1994, Rights Action has been funding and supporting a number of projects in the Plan de Sanchez community, including: exhumations, re-burials, monuments, commemorations and legal proceedings against the guilty parties.

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Guatemalan Government's Apology Leaves Unanswered Questions

By Tim Willard, 7/25/05

On July 18th, Guatemala's Vice President, Eduardo Stein, flew to Plan de Sanchez, 95 miles north of Guatemala City, to formally apologize for the government directed 1982 massacre of more than 200 Achi Mayans in that remote, highland village. "We are here today to ask forgiveness in the name of the Guatemalan state from all of the victims of the conflict," the Vice President said.

Stein confessed that the army had "unleashed bloodshed and fire to wipe out an entire community," and told the residents that the Berger administration was committed "to push the investigation into the events that occurred to allow for the clarification of what happened and permit us to identify, try and punish the intellectual and material authors of these offenses."

While the apology could be interpreted as a hopeful step forward, Stein's words belied the government's continuing obstruction of all efforts to obtain justice for victims of the army's genocidal campaign against the indigenous populations during the 1970s and 1980s. Most political parties in Guatemala today include former military officials implicated in the genocide. As a consequence, efforts to obtain justice have moved slowly, if at all.

The worst cases of genocide occurred between 1978 and 1983 when the Guatemalan government carried out a scorched earth policy against Mayan villages in the highlands where the guerrillas operated. It is estimated that as many as 1,000 villages were destroyed during these years.

The Plan de Sanchez killings took place during the 1981-1982 dictatorship of Efraín Ríos Montt. Montt's administration adopted the strategy of "drying up the sea that the guerrillas swam in," a phrase borrowed from the Vietnam War that described a policy of removing the population from guerrilla areas to deny the fighters food, supplies, and recruits.

The army attacked and destroyed Mayan villages with impunity, killing civilians, burning towns to the ground, and destroying crops and livestock. Villagers who survived fled into the mountains where they were pursued by

the army and bombed by the air force.

The extraordinary impunity enjoyed by the "intellectual and material authors" of this genocide was vividly demonstrated in 2003 when Montt ran for the presidency unencumbered by the blood on his hands.

Only one of these massacres has been successfully prosecuted in Guatemalan courts; the 1982 massacre in Rio Negro, another small Mayan village located in the same department as Plan de Sanchez. More than 250 people, mostly women and children, were tortured, raped and killed in Rio Negro. This case produced convictions of three lowest level civil defense patrollers. The government has issued a warrant for the local commander who led the raid, Colonel Jose Antonio Solares Gonzalez, but he remains at large-even though he continues to collect his retirement pension.

After these convictions the prosecutor in the genocide cases left office. Since then no replacement has been named, throwing doubt on the possibility of other victims and survivors obtaining justice. More than 200 cases have been filed with the courts. New cases continue to be filed as new mass burial sites are excavated.

In the case of Plan de Sanchez, relatives of the massacre victims were unable to obtain justice in Guatemalan courts, so they petitioned the Inter-American Commission for consideration of their case by the Inter-American Human Rights Court. In November 2004, the court condemned the Guatemalan government and found the army guilty of genocide; the first time in history the court had made such a finding. The court ordered the Guatemalan government to apologize, to ensure due prosecutions against the intellectual authors of the massacre and to pay survivors and relatives \$7.9 million. So far there is no word on plans to make the court ordered payments, let alone on prosecuting the authors of the massacre.

Though the government has done its best to avoid the issue, new evidence of atrocities continues to surface. Just last week a collection of secret police files were discovered that detailed more cases of human rights abuses. The documents, part of the archives of the now defunct National Police, are estimated to contain 30,000 files. A preliminary survey revealed folder titles such as "Disappeared People 1989" and "Kidnapped Children 1993."

Guatemala's human rights ombudsman, Sergio Morales, called the find "one of the most important discoveries in recent times." The files are expected to document illegal detentions, disappearances, summary executions, kidnappings and torture.

On another front, forensic anthropologist teams plan to start digging up secret graves in Guatemala City in the near future. Until now excavations have been conducted exclusively in remote highland villages where they were more easily ignored by the government. Excavations in the capital city bring the evidence of genocide right into the government's back yard, and make it harder for the media to ignore the issue.

Nearly ten years after the 1996 peace accords were signed, Guatemalans continue to suffer from the aftereffects of the years they refer to as "The Violence," years that left more than 200,000 people killed and 50,000 disappeared. Forensic scientists, lawyers, and human rights workers continue to labor meticulously to build cases against the government and army, while

thousands of Guatemalans are forced to painfully wait for justice to be done. So, one apology to one village is just one tiny step that only leaves us waiting to see what comes next.

[Tim Willard has a Ph.D. in history and works at the National Archives. He's adopted two children from Guatemala of Mayan ancestry and has always had an interest in human rights issues in that region.]

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