

January 11, 2010

GUATEMALA: SYSTEMIC INJUSTICE AND IMPUNITY, PART 2

(On January 7, 2010, we sent to our listserv Part 1)

In 2010, Rights Action continues our long-term work of funding and supporting community-based groups that have suffered injustices (repression, human rights violations, environmental injustice) and are struggling to end impunity in Guatemala.

Injustice and impunity are not a crisis in Guatemala. This is not a tragedy. Rhetoric aside about democracy, sovereignty and the rule of law, 14 years after the "peace process" was concluded, Guatemala remains a profoundly undemocratic, unequal and unjust country in which the wealthy and powerful sectors act with close to complete impunity.

On January 7, we sent around a Part 1, a series of articles about the nature of Guatemala's endemic impunity and injustice.

Here, we send some articles about some struggles for justice that making (slow and painful) headway. Two of these efforts are advancing in international forums; one is an important break through in Guatemalan courts.

BELOW

- Article by National Security Archive, "Operation Sofia: documenting genocide in Guatemala"
- Article by AP, "Inter-American Court of Human Rights condemns Guatemala in 1982 Dos Erres massacre"
- Article by BBC, "Civil war conviction in Guatemalan courts"

There are serious problems with these on-going (decades later) efforts at justice:

- but for a few exceptions see the BBC article), the Guatemalan legal system simply provides no recourse for serious human rights violations of the past or present. Impunity remains the norm
- the decision of the Inter-American Court of Human Rights will provide a partial remedy to the victims of the Dos Erres massacre, but will not individualize criminal responsibility for the "intellectual authors" (the military chain of command) for the Dos Erres massacre
- the "genocide case" is advancing in Spanish courts, even as the 2 "genocide cases" in Guatemalan courts go no where
- none of these cases deal with the direct and indirect roles the United States played in Guatemala's state terrorism and genocide of the late 1970s, 80s and early 90s

Having said that ...

These are awesome and courageous efforts to have some measure of justice done and contribute, importantly, to help expose the on-going reality of impunity and a lack of rule of law inside Guatemala.

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How to support community based 'victim's groups' in Guatemala – see below
Please re-distribute & re-publish this information all around
To get on/ off Rights Action's email list:

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December 2, 2009

“OPERATION SOFIA”: DOCUMENTING GENOCIDE IN GUATEMALA

National Security Archive Update, Kate Doyle, kadoyle@gwu.edu,
<http://www.nsarchive.org>

Washington, DC, December 2, 2009 - The Guatemalan army, under the direction of military ruler Efraín Ríos Montt, carried out a deliberate counterinsurgency campaign in the summer of 1982 aimed at massacring thousands of indigenous peasants, according to a comprehensive set of internal records presented as evidence to the Spanish National Court and posted today by National Security Archive on its Web site.

The files on "Operation Sofia" detail official responsibility for what the 1999 UN-sponsored Historical Clarification Commission determined were "acts of genocide against groups of Mayan people."

The National Security Archive's Kate Doyle presented the documentation as evidence in the international genocide case, which is under investigation by Judge Santiago Pedraz in Madrid. Ms. Doyle testified today before Judge Pedraz on the authenticity of the documents, which were obtained from military intelligence sources in Guatemala.

Earlier this year, Defense Minister Gen. Abraham Valenzuela González claimed that the military could not locate the documents nor turn them over to a judge in Guatemala, as ordered by the Guatemalan Constitutional Court in 2008.

After months of analysis, which included evaluations of letterheads and signatures on the documents and comparisons to other available military records, Doyle said, "we have determined that these records were created by military officials during the regime of Efraín Ríos Montt to plan and implement a 'scorched earth' policy on Mayan communities in El Quiché. The documents record the military's genocidal assault against indigenous populations in Guatemala."

The appearance of the original "Operation Sofia" documents provides the first public glimpse into secret military files on the counterinsurgency campaign that resulted in massacres of tens of thousands of unarmed Mayan civilians during the early 1980s, and displaced hundreds of thousands more as they fled the Army's attacks on their communities.

The records contain explicit references to the killing of unarmed men, women and children, the burning of homes, destruction of crops, slaughter of animals and indiscriminate aerial bombing of refugees trying to escape the violence.

Among the 359 pages of original planning documents, directives, telegrams, maps, and hand-written patrol reports is the initial order to launch the operation issued on July 8, 1982, by Army Chief of Staff Héctor Mario López Fuentes.

The records make clear that Operation Sofía was executed as part of the military strategy of Guatemala's de facto president, Gen. Efraín Ríos Montt, under the command and control of the country's senior military officers, including then Vice Minister of Defense Gen. Mejía Víctores.

Both men are defendants in the international genocide case in front of the Spanish Court.

The posting today includes a complete inventory of the Operation Sofía documents, as well as photographs from the Ixil region taken in 1982 by photojournalist and human rights advocate, Jean-Marie Simon.

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December 22, 2009

INTER-AMERICAN COURT OF HUMAN RIGHTS CONDEMNS GUATEMALA IN 1982 DOS ERRES MASSACRE, By Associated Press

SAN JOSE, Costa Rica (AP) -- The Inter-American Court of Human Rights condemned Guatemala for failing to seek justice in the 1982 massacre of more than 200 villagers during the country's civil war, according to a ruling released Monday.

The court, the legal arm of the Organization of American States, ruled Guatemala's government failed to adequately investigate the Dos Erres massacre, punish the soldiers responsible or fully identify the victims.

MONETARY REPARATIONS

In the ruling, dated Nov. 24 and released Monday, the Costa Rica-based court ordered the Guatemalan government to pay \$3.2 million in reparations to the survivors and relatives of the dead within a year.

It further ordered Guatemalan authorities to conduct a serious investigation, not only to find the soldiers who carried out the massacre but also to identify the high-ranking officials who ordered it.

Ruth del Valle, a special advisor to Guatemala's president for human rights, told The Associated Press that the government would comply. However, del Valle said the government currently could not afford to pay the required reparations and would probably miss the court deadline. She also said the government had already paid the relatives of the victims more than \$1 million in 2001 as part of a national reconciliation program.

THE 'DOS ERRES' MASSACRE

Over three days in December 1982, a military squad specializing in counterinsurgency killed at least 251 people in the village of Dos Erres in Guatemala's northern Peten region.

Dozens were children under 12. The military accused the villagers of being guerrilla sympathizers after they refused to join paramilitary groups to fight the rebels, according to a report by the U.N.-led truth commission established after the war.

The massacre was one of hundreds that occurred during Guatemala's 36-year civil war, which ended in 1996. Some 240,000 people, mostly Mayan Indians, vanished or died.

The Center for Justice and International Law, a Washington-based group that has helped pursue the Dos Erres case, applauded the ruling and called on Guatemala to comply "so the victims and their families find justice after 28 years of waiting."

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December 5, 2009

GUATEMALAN CIVIL WAR CONVICTION

<http://news.bbc.co.uk/2/hi/americas/8396691.stm>, By Stephen Gibbs, BBC News

A retired colonel in the Guatemalan army has been sentenced to 53 years in prison for crimes committed during the country's civil war.

Col Marco Antonio Sanchez's conviction is the first against an army officer since the war ended. It spanned 36 years and led to the deaths of at least 200,000 people.

Col Sanchez was found guilty of being responsible for the forced disappearance of eight farm workers in what is being seen as a test case.

AMBASSADOR ATTENDS

Families of the victims expressed relief that so long after their relatives had disappeared without trace, justice had been served.

Human Rights groups say they hope this trial will open the way to many others.

The Guatemalan civil war, which pitted the ruling army against left wing insurgents, was the longest and most brutal in modern Latin American history. Apart from the known victims, 45,000 people disappeared. It is assumed they were murdered; their bodies have never been found.

In the late 1990s a UN-sponsored truth commission concluded that the army was responsible for more than 80% [Rights Action: The UN actually said 93%] of the atrocities committed during the war.

Guatemala's military governments were, to varying degrees, backed by the United States government. The US ambassador attended the closing days of this trial, in a move designed to show support for the victims' families.

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TO MAKE TAX-DEDUCTIBLE DONATIONS

Since 1995, Rights Action is proud to have supported many indigenous and campesino 'victims groups' in Guatemala that work to remedy and seek justice for the State terrorism and genocide of Guatemala's recent past. To support these efforts, make check payable to "Rights Action" and mail to:

* UNITED STATES: Box 50887, Washington DC, 20091-0887

* CANADA: 552 - 351 Queen St. E, Toronto ON, M5A-1T8

CREDIT-CARD DONATIONS: <http://rightsaction.org/contributions.htm>

On request, we can send a summary of the groups we support and efforts they are carrying out for human rights and justice and to end impunity.

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RECOMMENDED BOOKS: Eduardo Galeano's "Open Veins of Latin America"; Howard Zinn's "A People's History of the United States"; Naomi Klein's "The Shock Doctrine"; Paolo Freire's "Pedagogy of the Oppressed"; Dr Seuss's "Horton Hears A Who"

EDUCATIONAL DELEGATIONS TO CENTRAL AMERICA

Form your own group or join one of our delegations to learn first hand about community development, human rights and environmental struggles (info@rightsaction.org)

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