

Rights Action – January 25, 2012

## **Guatemala – A Tale of Two ‘Genocide’ Generals**

As one ‘Genocide’ General – Otto Perez Molina – assumes the Presidency in Guatemala, immune from any pending war crimes charges against him for being an intellectual author of genocide and other war crimes committed in the 1980s and 1990s, another ‘Genocide’ General – Efraín Ríos Montt – has lost his immunity from prosecution, after being one of the most powerful politicians in Guatemala since 1996. Now, Efraín Ríos Montt apparently must face genocide charges in the Guatemala courts. Stay tuned.

### **“INTERNATIONAL COMMUNITY” BUSINESS AS USUAL**

Other governments (notably the USA and Canada) and international businesses and investors sought and maintained fruitful political and economic relations with the previous Guatemalan governments dominated by Efraín Ríos Montt and his FRG party, and now aim to maintain these relations with the government of Otto Perez Molina.

These “business as usual” partnerships reinforce the impunity with which Guatemalan economic, military and political elites operate. “Business as usual” with the international community sends a clear message to the people of Guatemala, including the surviving family members and loved ones of the genocide and repression of the recent past, that the “international community” prioritizes its own political and economic interests ahead of the urgent need for truth, memory and real justice in Guatemala.

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## **IN GUATEMALA, FORMER DICTATOR IS TOLD TO APPEAR IN COURT**

New York Times, January 22, 2012, By ELISABETH MALKIN

MEXICO CITY — A Guatemalan judge has ordered a former military dictator, Efraín Ríos Montt, to appear in court on Thursday, the first step in a process that could lead to his being tried on genocide charges and to a reopening of the darkest chapter in Guatemala's brutal 36-year civil war.

During General Ríos Montt's 17-month rule in 1982 and 1983, the Guatemalan Army pursued a scorched-earth campaign in the Mayan highlands that included massacres that are regarded as among the most horrific in the war. To flush out small bands of leftist guerrillas, soldiers entered Indian villages and hunted down their inhabitants, slaughtering men, women and children indiscriminately.

Survivors' groups have sought justice through the courts for more than a decade, but only in the last year have prosecutors begun to bring cases to trial against high-ranking military officers. Mr. Ríos Montt had immunity from prosecution because he was elected to Congress in 2000, but that immunity ended this month when his term in office expired.

A lawyer for him told the Guatemalan newspaper Prensa Libre that his client would appear to hear the prosecutor's charges. “We are sure that there is no responsibility, since he was never on the battlefield,” said the lawyer, Gonzalo Rodríguez Gálvez.

In past interviews, Mr. Ríos Montt has said that he never ordered massacres. But military documents have shown that the military was operating under a rigid chain of command and that reports from the field went right up to top commanders.

A United Nations-backed truth commission set up after peace accords were signed in 1996 found that some 200,000 people had been killed or had disappeared during the civil war, and that government forces committed 626 massacres in indigenous villages over 36 years. The military's actions in the Ixil triangle of El Quiché department, where the Maya-Ixil population were the targets, amounted to genocide, the commission found.

A trial of Mr. Ríos Montt, 85, would pose a test for the new government of President Otto Pérez Molina, a former general who took office Jan. 14 promising an "iron fist" policy against drug and gang violence in the country.

Mr. Pérez Molina was a midlevel commander in the Ixil region during Mr. Ríos Montt's rule but has said that he was involved in rebuilding the terrorized region. Mr. Perez Molina's actions during that time have never been fully investigated, and human rights groups have been unable to find proof he ordered troops to commit atrocities.

The president has promised to support Guatemala's attorney general as her office continues to build human-rights cases.

Two retired generals who were members of Mr. Ríos Montt's high command were arrested last year on war crimes and genocide charges. In November, the court found that another figure from that time — Gen. Oscar Humberto Mejía, who was Mr. Ríos Montt's defense minister and then deposed him in a coup — lacked the capacity to stand trial.

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## WHAT TO DO

The struggle for truth, memory and real justice will continue in Guatemala, even as the likelihood of repression increases.

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