

Rights Action – March 23, 2012

## Guatemala – “Material authors” of Plan de Sanchez massacre sentenced to jail

### BELOW:

- March 21, 2012 article about sentencing “material authors” of Plan de Sanchez massacre to jail
- 2005 article about Plan de Sanchez: “We Are Alive”

## A BIT OF JUSTICE FOR “MATERIAL” AUTHORS OF GENOCIDE AND MASSACRES

### IMPUNITY FOR “INTELLECTUAL” AUTHORS CONTINUES

Commentary by Grahame Russell

Below, a news article about the guilty sentence against 5 “material” authors of the July 18, 1982 Plan de Sanchez massacre. This is another small and very important step towards having some justice done for the genocide and state repression of the past, particularly the 1975-1985 period. (Further below, a 2005 background article about Plan de Sanchez.)



(On March 12, 2012, a Rights Action delegation visited with Juan Manuel Geronimo, in the small Plan de Sanchez chapel (municipality of Rabinal, department of Baja Verapaz) that was built on the very spot of the July 18, 1982 massacre; Juan Manuel lost 28 direct and extended family members in the massacre. Of a community population of 260 villagers, 240 were savagely killed that day. Part of the writing on the wall reads: “Memory, truth, justice and reparations form the fundamental base of the restitution of the social fabric and an authentic reconciliation.” Photo: Grahame Russell)

The fundamental dilemma that continues to plague Guatemala is the impunity with which the wealthy economic sectors (national and international) and high command of the armed forces continue to enjoy and live with. This impunity exists for the genocide and state repression of the past, and on-going state sponsored or tolerated repression and human rights violations.

Nevertheless, Rights Action is honored to fund and support communities (such as Plan de Sanchez) and organizations working and struggling courageously for truth, memory and justice. There will never be an end to the impunity of the wealthy economic sectors (national and international), and the political and military elites, without supporting each and every effort, at the community level for truth, memory and justice.

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## **EX-PARA MILITARIES SENTENCED TO 7,710 YEARS OF PRISON**

(translated for Rights Action by Rosalind Gill)

On Tuesday, five paramilitaries were sentenced to 7,710 years of prison after being found responsible for the death of 256 people in the massacre in Plan de Sánchez Rabinal, Baja Verapaz, in 1982. [By AGENCIA EFE GUATEMALA]

GUATEMALA CITY- The President of the First Court B of High Risk, Jazmín Barrios, said in her ruling that during the trial, which began on Wednesday, it had been clearly demonstrated that the five accused had committed murder and "deberes contra la humanidad," the term used by the Guatemalan justice system for crimes against humanity.

The five accused are ex-civil patrollers Eusebio Grave, Julián and Mario Acoj, Santos Rosales and ex-military commissioner Lucas Tecú. All five were captured in August.

Judge Barrios demonstrated that the five ex-paramilitaries are guilty of the murder of 256 people and condemned them to 30 years of incommutable prison for each crime, which makes a total of 7,680 years for each one of the accused.

As well, the judge sentenced them to 30 further years for crimes against humanity, bringing the sentence up to 7,710 years of prison, the highest sentence in the history judicial history of Guatemala.

However, the judge indicated that the accused would only have to fulfill 50 years of the prison sentence, as this is the maximum penalty established by the Penal Code.

The sentence stated that the evidence and expert's reports presented during the trial demonstrated that the accused acted with "premeditation, cruelty and brutal perversity."

Judge Barrios also stated that evidence has been validated by the court that women were raped, tortured and murdered and that the victims were burned to ensure impunity for the authors of the crime.

"It is inexplicable how members of the Army could massacre members of that community and with such extreme viciousness, because this act was premeditated" said the judge.

According to research carried out by the Public Ministry, the accused formed part of a military unit that entered the village of Plan de Sánchez to kill a least 256 of its people, most of whom were women and children.

One of the witnesses in the trial, Benjamín Gerónimo, told Acan-Efe that the sentence that came down on Tuesday was of great importance because it will ensure that people realize that it is not all that easy to commit a crime without being brought to justice for it.

Gerónimo said that in the massacre, he lost 13 family members, including his mother and several sisters. "I saw the five men in the community when they participated in the massacre. I personally saw them take away my mother and my sisters", said the campesino, who is president of the AJR (Justice and Reconciliation Association), that acted as the plaintiff in the case.

Besides the 7,710 years of prison, the court ordered the ministries of Education and Culture to make a pedagogical documentary in memory of the victims.

This is the second sentence for massacres that has come down in Guatemala. On August 2, another High Risk court sentenced 4 ex-members of the Guatemalan Army to 6,030 years of prison each for the slaughter of 201 campesinos on December 7, 1982 in the community of Dos Erres, municipality of La Libertad, in the northern department of Petén. They were also sentenced to a further 30 years of prison for crimes against humanity.

Last week, Pedro Pimentel, another former Army member, was given the same sentence. He had been extradited from the United States in July, 2011, after being found guilty of participating in the massacre in the community of Dos Erres.

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## **"HERE WE ARE, WE ARE ALIVE": In Plan de Sanchez, Guatemala**

by Grahame Russell, July 18, 2005

This is a story about the Mayan-Achi village of Plan de Sanchez that sits on a mountaintop in the department of Baja Verapaz, Guatemala. It is a story about survival and resistance in the face of historic and on-going injustices and inequalities. And it is a story about who are the real human rights leaders and heroes across the globe.

This story takes place in the context of impoverished Mayan people barely surviving and now beginning to recover from the genocide of the 1980s. Without going into detail here, this western and U.S.-backed genocide was planned and carried out in the context of the mis-named "Cold War", the so-called "war against communism."

I first came to Plan de Sanchez in 1994, when Guatemala's "peace accords" had yet to be signed. At that time, Plan de Sanchez villagers - working with the FAFG (Guatemalan Forensic Anthropology Team) - were exhuming the remains of their massacred loved ones. Months of digging; hundreds of victims were dug up in this village alone.

Since then, I have returned many times. Rights Action helps fund community development projects here, including mass grave exhumations, the re-burial process, annual commemorations, the building of a small chapel, and legal cases against the intellectual and material authors of the massacres and genocide.

I have come here now - July 17th, 2005 - to be with the community for their annual, all-night commemoration of the July 18, 1982 massacre. Tomorrow, the Vice-President of Guatemala - plus entourage - arrives to apologize to the community for the massacre!

### **FROM THE ATROCIOUS TO THE SACRED**

After so much death and destruction, there is now much resistance to injustice and impunity in Plan de Sanchez. There is huge struggle for truth and justice. There is so much strength in the people of Plan de Sanchez.

They have taken the place of their worst suffering - the very place where the army killed 268 people on July 18, 1982 - and they have turned it into their most sacred place.

Having worked with the Forensic Team to exhume the remains of their loved ones, the Plan de Sanchez community re-buried their dead in the very place where they were machine-gunned, hand-grenaded and burnt to death. Then, they built a small chapel on top of that place.

Along the walls of the little chapel, one reads the names of the people killed; one reads calls for truth and justice; one reads condemnations of the government, army and civil defense patrols; and one sees drawings of helicopters and planes dropping bombs on people and huts; soldiers killing unarmed men, women, children and the elderly; killing them with rocks and ropes, machetes and guns.

### **TESTIMONY: BUENAVENTURA MANUEL GERONIMO SPEAKS**

Outside the chapel, I walk with Buenaventura Manuel Geronimo, a survivor who lost most of his family on July 18, 1982. He explains what happened that day. I listen. Even though I am here, in the very spot, I cannot imagine.

We stand above the chapel by some holes, 6 feet by 6 feet, dug in the ground, now half full of rainwater. This is where the survivors quickly buried their dead in shallow graves on July 19th, 1982. Buenaventura says: 'We survivors hid in the forests those nights, as soldiers were still patrolling, looking for any villager they could find. In the night, dogs would come and eat at the bodies of our loved ones. We would try and bury them, but we didn't have enough time, and still the dogs would come, dig them up, and eat at them.'

Pointing at the chapel, Buenaventura explains how 90 people were forced inside a small hut that used to be there. Then the soldiers lit it on fire, threw grenades in the door, and opened fire with machine guns. In 1994, when the Forensic Team carried out the exhumation, all they found were ashes; they filled hundreds of bags with the ashes of the burnt ones.

We walk to each spot where the Forensic Team dug up remains. 'Here, they found a ladina girl who had been pregnant. We found her with her stomach cut open, the placenta had been cut out, ... .' 'Here, we found my sister-in-law Dolores Ik Xocas. They had raped her.'

Buenaventura points down the mountainside: 'Here, we found some of the girls who had been raped. Their bodies had been thrown over the edge.' 'Here, a ladina whose hands had been tied behind her back.' 'It wasn't until around 1am of the next day that the soldiers and civil defense patrollers stop shooting and killing.' 'The children, they set them aside and smashed them against the rocks and threw their bodies in the fire of the burning house.'

'We had hid in the trees. I cried all night, quietly. I came back at 7 the next morning. I found a little girl alive, nude. Her jaw was hanging to one side. She couldn't talk. She was just looking at me.'

'But here I am. I did not give my life. I am giving my testimony so that none of these things happen again.'

### **A GOOD PRIEST**

In the back corner of the chapel I sit with Fernando who was a priest in Rabinal from 1984-1994, just after the worst years of State terrorism and killing fields. The United Nations Truth Commission concluded in 1999 that Rabinal was one region where genocide was planned and carried out against the local Mayan-Achi population.

All around us in the chapel, community members - families of the massacre victims - participate in a Mayan ceremony to remember and communicate with their murdered loved ones. After the massacres of the early 1980s, Fernando was the first person to hike into the Rabinal mountains and listen to the horror stories of the local populations; to accompany them scratching out a survival; the army was still after them.

In remote community after community, villagers and Fernando would gather secretly by the many clandestine mass graves and pray for their massacred loved ones. The digging up of mass graves didn't begin until 1992, and continues today across the country - including Rabinal. Human rights groups have petitions pending for at least 60 more exhumations in Rabinal alone. Activists continue to suffer repression for their human rights work, for their efforts to seek justice for the crimes of the past.

As the all-night ceremony continues, as family members and friends of the community squeeze around one another, smiling hello, giving hugs and soft handshakes, Fernando talks of how he hiked up to Plan de Sanchez for the first time in 1985, when the survivors were still hiding from the army. By this time, Fernando had learned to speak Achi.

'We came to this massacre site and held a mass right here (where the chapel now sits). Some of the bones of the victims were sticking out of the ground. This mass was very important for them because it was the first time that an outsider had come and listened to their stories and told them that they were right, and that the army was wrong. They saw clearly that as Mayan people they in no way whatsoever deserved what had been done to them; that in fact the army and government had committed terrible crimes against them.'

### **JUSTICE BEFORE FORGIVENESS**

Tomorrow (July 18), the Vice-President of Guatemala is coming to Plan de Sanchez to formally apologize for the massacre. The President chose not to come. The government was ordered to come here by a decision from the IACHR (Inter-American Court of Human Rights), a body of the OAS (Organization of American States). The case went before the Inter-American Court because one cannot get justice in the Guatemalan courts.

The government of Guatemala was also ordered to make reparations to the community members and to ensure that the material and intellectual authors of the 1982 massacre were brought to trial. The government has not done these things. Waiting for the Vice-president, the community is clear - there can be no forgiveness if there is no justice.

### **NAMES AND NUMBERS**

Salvador Geronimo Sanchez is here. I met him first in 1994. He is still leading the charge for justice and remembering; he still misses his loved ones. Stepping over and around community members in the crowded chapel, slipping behind the homemade cigarette-smoking marimba players, we edge around the walls - Salvador points to family members and cousins listed on the walls:

- 9 - Maria Dolores Sanchez (mother).
- 17 - Elvira Jeronimo Sanchez (sister).
- 46 - Marcela Raxcaco Jeronimo (sister in law).
- 53 - Narcisco Jeronimo Grave (father).
- 61 - Gregorio Jeronimo Cortez (brother).
- 121 - Sotero Jeronimo Tatul (grandfather).
- 148 - Gilda Jeronimo Raxcaco (niece).
- 156 - Paulina Jeronimo Sanchez (sister).
- 157 - Elda Manuel Jeronimo (niece).
- 158 - Jeronimo Raxcaco (niece).
- 159 - Lidia Jeronimo Raxcaco (niece).
- 180 - Pedro Jeronimo Sanchez (brother).

It is near mid-night and the ceremony continues. In the glow of candlelight, amidst the murmuring and chatting, I thank Salvador for pointing out the names of his loved ones. He thanks me for asking.

### **DEPICTIONS AND RESISTANCE**

Between the lists of the dead there are drawings: helicopters and fighter jets dropping bombs on campesinos and their children working the fields; bright red explosions; body parts; soldiers and civil defense patrollers force marching women and men, children and elderly, then decapitating them, smashing them with rocks; shooting them.

As part of its "scorched earth" military strategy, the U.S.- and western-backed regime tried to eradicate the entire village of Plan de Sanchez. 23 years later: no justice has been done; they are still very poor and discriminated against; the powerful sectors of Guatemala still violate human rights with impunity.

And yet, the survivors, with the strength and presence of their named and remembered loved ones, are alive and fighting for truth and justice. In a global order governed as much by greed and power abuse as anything else, the people of Plan de Sanchez are the truth-tellers, the real justice and equality seekers.

It is after mid-night. Today is July 18th. By the doors of the little chapel the Mayan priests and community members call to their loved ones to come with them into the chapel for the rest of the night. For this night, the living and the dead will be together.

I am honored and privileged to be here with survivors of genocide as they call their murdered loved ones together, to murmur by candle light, with their names on the walls, and the drawings of brutality, as the incense whirls about, and men and women sip a bit of cusha (an honored, corn-brewed concoction).

The people of Plan de Sanchez get their strength and dignity from their loved ones who were brutally killed. The chapel is alive tonight with the living and the dead.

At the front of the chapel are photos of a few of their murdered loved ones. On one side, a photo of the assassinated and ever remembered Archbishop Oscar Romero of El Salvador; on the other side, a photo of the assassinated and ever remembered Bishop Juan Gerardi of Guatemala.

**WALL WRITINGS:** "Nunca mas este salvajismo" (Never again this savagery).

### **THE OTHER CEREMONY**

At 6am, the sun comes up as community members are finishing their commemoration of and sharing with their dead loved ones. At 8am, helicopters are hovering overhead ... a reminder of 23 years ago. Hi-ranking government officials don't drive from the capital city, let alone hike up the mountain from the town of Rabinal; they whiz up here in helicopters.

Pouring out of a cattle truck, 70 heavily armed national police fan out around the field where the official ceremony will take place. They don't look forgiving. Stepping out of 4by4 trucks, 25 of the Vice-President's special security detail - the SAAS (Servicio Administrativo de Auto-defensa y Seguridad) - fan out with their dogs. They don't look forgiving. Out of another cattle truck, 60 employees of COPREDEH (the Presidential Human Rights Committee) emerge and begin to set up a covered stage where the VP and the entourage of "dignitaries" will spend the day giving speeches.

### **"HERE WE ARE. WE ARE ALIVE"**

A local school has prepared a play - "Here we are. We are alive" - depicting the massacre of 1982. The actors are children and family members of repression victims. The VP's security team rounds them up and reviews their toy guns and props to ensure they will not make an attempt on the life of the VP. It is ludicrous and real. The folks from the capital - wealthy, mainly ladino and heavily armed - still treat the local Mayan population as the potential enemy.

But the play is performed. Again, like 23 years ago, soldiers and civil defense patrollers pillage, rape and massacre ... and laugh aloud and drink booze at the same time. Again, the cries and pleas of the victims. But this time, as the killers gather to hike to the next village to continue with the scorched earth massacres, the spirits of the victims emerge from the bushes and trees. From all sides, the spirits push the killers closer and closer into a small circle of frightened and whining murderers and bullies.

The lives and spirits of the victims triumph over the greed and power of the abusers.

Sure, it is a play being performed on an open field in an isolated, poor community. Yes, Guatemala is still governed to a significant extent by greed and power abuse, and the so-called "international community" (including the World Bank, the Inter-American Development Bank, North American governments, mining companies and global investors, the tourist industry, etc.) still maintains - as they did during the years of genocide - profitable relations with the powerful sectors.

But the struggle for global justice and equality, for dignity, for sharing and balance begins and continues in every single example of people resisting and fighting back against the rules of greed and power abuse ... like here in Plan de Sanchez.

As the play ends, the actors are chanting in front of the stage of the "dignitaries": "Aquí estamos, Estamos vivos" (Here we are, We are alive).

### **SPEECHES AND GENOCIDE DENIAL**

Through the morning, the official ceremony drags on. Much acknowledging of the suffering of the past; many promises of a new Guatemala. One person from COPREDEH intones that this is an important act of forgiveness so that 'we don't repeat the errors of the past.' However, some of the speakers admit that they weren't "errors" of the past, but rather a policy of scorched earth massacres.

Even so, listening to most of the speeches, one would not know this was a place of genocide. "Genocide denial" is strongly present in Guatemala; it is also present in the so-called "international community" that is simply getting on with 'business as usual' in Guatemala.

Not all speeches are alike. Juan Manuel speaks on the same stage. He is a survivor, who lost his whole family to the massacres. He does not mince words. 'You cannot heal what has happened by saying 'We're sorry'. We have unhealable wounds.'

'Honorable officials, we want you to tell us WHO tried to eradicate our community, and WHY? Is it because we are Indians? Is it because we are los caitados? that we make our sandals out of the rubber of your abandoned car tires? Look, I am wearing these sandals right now,' he says, lifting his foot for all to see the home made sandals.

'And the guilty ones, the ones who ordered these massacres, where are they living now? Are they not living as millionaires, able to go to sleep every night in their homes with their families, lying in the arms of their loved ones? And us?'

'That morning, some infant children were baptized in the church in Rabinal and when they got home, after hiking up the mountain, they were massacred. What did the children do to deserve this?' 'Girls of 15 and 16 years old were raped, before being killed. What did they do to deserve this?'

### **CONCLUSION: THE OTHER "INTERNATIONAL COMMUNITY"**

There are no easy answers to Juan Manuel's questions. Neither is there an easy end to this story, nor an easy future for the survivors of Plan de Sanchez or, indeed, of Guatemala.

The struggle for truth, justice and equality goes on and on across the globe, against great and harsh obstacles. This struggle is being led - though we hear little about them - by people like the people of Plan de Sanchez. These are the true leaders of the



"international community", helping to construct a global order based on respect for human rights, on equality and justice, and they deserve our respect and full support.

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