

Rights Action
May 12, 2013

6:45pm, MAY 10, 2013: Guatemalan General Guilty Of Genocide

At 6:45pm, May 10, 2013, Guatemalan general Efraim Rios Montt was found guilty in a [Guatemalan court](#) of genocide and crimes against humanity and sentenced to 80 years in jail. This is an extraordinary [and precedent setting achievement](#), [all the moreso in Guatemala where repression, impunity and racism remain society wide and systemic](#).

All respect to and admiration for so many people and so many organizations – most particularly Guatemalan survivors of genocide and other crimes against humanity – who braved on-going repression and impunity to keep fighting for over 31 years for this measure of justice. Deep thanks to so many individual and foundation donors who have, via Rights Action and other groups, supported so many years of courageous, never ending work for truth, memory and [finally, a bit of] justice. Gracias.

BELOW

- New York Times article
- Commentary by Allan Nairn
- Statement by COHA
- Photo-essay

So much amazing work and struggle done. So much more to come ...

- to ensure that this sentence stands, and that Rios Montt remains in jail
- to protect Guatemala human rights [activists and](#) community leaders who are at increased risk of repression [because of this decision](#)
- to pursue justice against [all the](#) other "intellectual authors" of all of Guatemala's genocides and crimes against humanity, including current president and former general Otto Perez Molina, and including U.S. political and military officials who designed, ordered and oversaw the covert and overt role of the U.S. government and military in the genocides and crimes against humanity in Guatemala.

SEE BELOW: More information / what to do.

FORMER GUATEMALA DICTATOR RIOS MONTT CONVICTED OF GENOCIDE

http://www.nytimes.com/reuters/2013/05/10/world/americas/10reuters-guatemala-riosmontt.html?_r=0

GUATEMALA CITY (Reuters) - Former Guatemalan dictator Efraim Rios Montt was found guilty on Friday of genocide and crimes against humanity during the bloodiest phase of the country's 36-year civil war and was sentenced to 80 years in prison. The verdict marked the first time a former head of state had been found guilty of genocide in his or her own country.

Hundreds of people who were packed into the courtroom burst into applause, chanting, "Justice!" as Rios Montt received a 50-year term for the genocide charge and an additional 30 years for crimes against humanity.

It was the first time a former head of state had been found guilty of genocide in his or her own country.

Rios Montt, now 86, took power after a coup in 1982 and was accused of implementing a scorched-earth policy in which troops massacred thousands of indigenous villagers thought to be helping leftist rebels. He proclaimed his innocence in court.

"I feel happy. May no one else ever have to go through what I did. My community has been sad ever since this happened," said Elena de Paz, an ethnic Maya Ixil who was two years old in 1983 when soldiers stormed her village, killed her parents and burned her home.

Prosecutors say Rios Montt turned a blind eye as soldiers used rape, torture and arson to try to rid Guatemala of leftist rebels during his 1982-1983 rule, the most violent period of a 1960-1996 civil war in which as many as 250,000 people died. He was tried over the killings of at least 1,771 members of the Maya Ixil indigenous group, just a fraction of the number who died during his rule.

A throng outside the court chanted "Justice! Justice!" when the guilty verdicts were handed down on Friday. "They convicted him, they convicted him. I can't believe it," said Marybel Bustamante, whose brother was 'disappeared,' a euphemism for kidnapped and murdered, the day that Rios Montt took power. The human rights group Amnesty International hailed it as the trial of the decade.

'FULL KNOWLEDGE'

"He had full knowledge of everything that was happening and did not stop it," Judge Yasmin Barrios, who presided over the trial, told a packed courtroom where Mayan women wearing colourful traditional clothes and head-dresses closely followed proceedings. Nobel Peace Prize winner Rigoberta Menchu was among them.

"Today we are happy, because for many years it was said that genocide was a lie, but today the court said it was true," she said. Barrios called a hearing for Monday to discuss compensation for the victims of Rios Montt's rule.

Rios Montt's intelligence director, Jose Rodriguez Sanchez, also stood trial, but he was acquitted on both charges.

During the trial, which began on March 19, nearly 100 prosecution witnesses told of massacres, torture and rape by state forces. At one point, the trial hung in the balance when a dispute broke out between two judges over who should hear the case.

Rios Montt denied the charges in court on Thursday, saying he never ordered genocide and had no control over battlefield operations. "I am innocent," he told the courtroom, sporting thick glasses and a gray moustache. "I never had the intent to destroy any national ethnic group. "I have never ordered genocide," he added, saying he took over a "failing" Guatemala in 1982 that was completely bankrupt and full of "subversive guerrillas."

Former U.S. President Ronald Reagan provided support for Rios Montt's government and said in late 1982 that the dictator was getting a "bum rap" from rights groups for his military campaign against left-wing guerrillas during the Cold War. He also once called Rios Montt "a man of great personal integrity".

Defence attorneys said earlier they would appeal if Rios Montt was convicted. They argued that prosecution witnesses had no credibility, that specific ethnic groups were not targeted under Rios Montt's 17-month rule and that the war pitted belligerents of the same ethnic group against one another.

DIVISIVE CONFLICT

Ríos Montt has been under house arrest for more than a year. The right-wing party that he founded changed its name this year to distance itself from its past.

Guatemala's civil war ended with peace accords signed in 1996 but the Central American nation remains a deeply divided society with very poor indigenous areas.

President Otto Pérez, a former army general during the civil war, says he was part of a group of captains that stood up to Ríos Montt. Declassified U.S. documents from the civil war years suggest Pérez was one of the Guatemalan army's most progressive officers and that he played a key role in an ensuing peace process.

But Pérez was himself implicated in war crimes during the trial when one prosecution witness testified that soldiers under his command had burned down homes and executed civilians during Ríos Montt's rule.

Pérez has argued that genocide did not take place during the war, underlining the divisions that persist in Guatemala over the conflict, which pitted leftist insurgents against a string of right-wing governments.

Pérez, who took office in 2012, is the first military man to run the country since the war ended, and rights groups were concerned he could interfere with human rights trials.

Courts in Guatemala have only recently begun prosecutions for atrocities committed during the conflict. Until August 2011, when four soldiers received 6,060-year prison sentences for mass killings in the northern village of Dos Erres in 1982, no convictions had been handed down for massacres carried out during the war.

A judge who initially presided over pre-trial hearings cast a new shadow of doubt over the Ríos Montt case on Friday when she confirmed a decision she had announced on April 18 to wind back proceedings to November 2011, and void all developments since then.

Prosecutors insist that decision is illegal and are preparing legal challenges to the ruling, while defence attorneys have argued that the decision is binding and the trial should never have proceeded.

COMMENTARY BY ALLAIN NAIRN

(<http://www.allannairn.org/>)

If Ríos Montt is found guilty of genocide [AS HE JUST WAS], then the question becomes: Well, what about the man who was the field commander for the massacres that got Ríos Montt convicted of genocide? That man is now the president of Guatemala. Pérez Molina did everything he could to see to it that his name did not come up in this trial.

... One witness, to everyone's surprise, a former military man, testified that Pérez Molina had ordered atrocities. I was due to testify in the trial but then was blocked at the last minute from testifying because there was fear that I would also mention Pérez Molina's role. But now, as this—if this trial concludes, and if Ríos Montt is convicted, the next question becomes: What about Pérez Molina?

And, what about the U.S. sponsors who were providing the weapons, the money, the bombs, the bullets and the political support for the crimes for which Ríos Montt may today be convicted of genocide? Because Guatemalan criminal courts have the authority under international law to bring in U.S. defendants. U.S. criminal courts have that same authority. If there's a verdict today against Ríos Montt, that will be the challenge put to the American and the Guatemalan criminal courts: What's next? Will you now look at Pérez Molina? Will you now look at the Americans who made this genocide possible?"

RÍOS MONTT CONVICTED OF GENOCIDE AND CRIMES AGAINST HUMANITY: A Victory for Accountability and Justice in Guatemala

By Council on Hemispheric Affairs, May 11, 2013, <http://www.coha.org/22600/>

Retired General José Efraín Ríos Montt, the U.S. backed dictator who governed Guatemala from March 1982 to August 1983, was sentenced by Judge Yasmín Barrios to 80 years in prison yesterday, 50 years for genocide, and 30 years for crimes against humanity. The focus of the trial was on the murder of 1,771 Ixil Mayas. Rodríguez Sánchez, a former intelligence director, was acquitted of all charges.

During the civil war in Guatemala (1960 – 1996), more than 200,000 Guatemalans were massacred, in the large majority of cases by the Guatemalan army, civil patrols, and other state agents. Most of these atrocities were committed between 1978 and 1984. For most of this period Guatemala was among the worst human rights offenders in the hemisphere.

This trial marks the first time someone with command authority over the perpetrators of forced disappearances, torture, rape, and the mass murder of Guatemalan citizens has been tried and convicted for genocide and crimes against humanity in Guatemala.

This conviction raises important questions about the accountability of those involved in supporting the Guatemalan security forces directly involved in these crimes. Grahame Russell of Rights Action (rightsaction.org), who has reported extensively on the genocide trial in Guatemala, said: "The trial and guilty verdict are an extraordinary achievement in light of the continuing repression and injustice in Guatemala today. It is also a sad moment if one considers that it took 31 years to bring Ríos Montt to justice, and he is only one of the intellectual authors of the genocide. President Otto Pérez Molina himself was a high-ranking officer at the time Ríos Montt held office. Also, while we are praising the courage of the witnesses and all of those who took on this case, perhaps we can also muster the fortitude to hold those U.S. officials who are co-responsible for the genocide accountable."

International human rights organizations played an important role in supporting and disseminating information about the trial. It is impossible to exaggerate the courage of the non-governmental human rights organizations in Guatemala, the witnesses who testified at the trial, and the actors in the criminal justice system of Guatemala who have risked their lives in seeing this prosecution through to the end.

Today humanists throughout the world join the Ixil people and other survivors of the genocide in celebration and anticipate that this conviction will accelerate the trend towards justice and accountability throughout the hemisphere.

(Frederick B. Mills is a Senior Research Fellow at the Council on Hemispheric Affairs.)

INFORMATION

- Complete information on trial: <http://www.riosmontt-trial.org/>
- Photo-essay: Former Head of State Rios Montt, Guilty of Genocide, <http://www.mimundo.org/2013/05/11/2013-05-10-former-head-of-state-rios-montt-guilty-of-genocide/>

UPCOMING FACT-FINDING DELEGATIONS

- Delegation to Guatemala, July 6-14, 2013: Mining injustice & impunity -Versus- Community well-being, human rights & the environment
- Delegation to Honduras, July 13-21, 2013: Struggle for democracy, human rights & the environment -Versus- Military-backed regime, & global companies & investors
- CONTACT: info@rightsaction.org

TAX-DEDUCTIBLE DONATIONS (in Canada and the U.S.)

To support grassroots organizations working and struggling for truth, memory and justice in Guatemala and Honduras, make check payable to "Rights Action" and mail to:

- UNITED STATES: Box 50887, Washington DC, 20091-0887
- CANADA: (Box 552) 351 Queen St. E, Toronto ON, M5A-1T8

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