

Guatemala’s military-backed, racist and exploitative regime – an open-for-global-business “democratic allie” of Canada and U.S. – is blocking war crimes trials and justice struggles

Article by Sandra Cuffe, Vice News, October 28, 2020

<https://mailchi.mp/rightsaction/guatemalan-regime-blocking-war-crimes-trials>

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Genocide Survivors Say Guatemalan Government is Blocking Their Fight for Justice

By [Sandra Cuffe](#), Vice News, 28.10.20

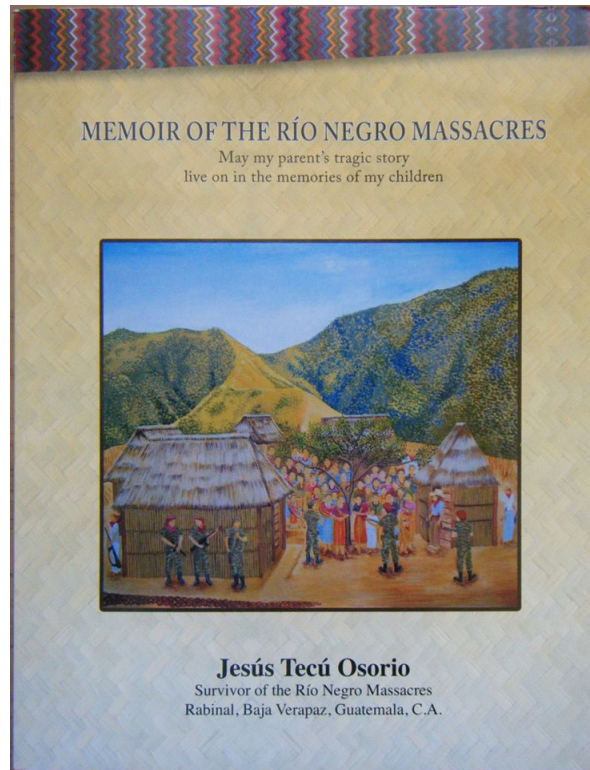
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Institutional peace bodies are being shut down in the Central American nation. The move is seen by victims as a retreat by the government on promises it made as part of peace accords that ended the civil war.

GUATEMALA CITY – Jesús Tecú Osorio was ten years old when a paramilitary patrolman grabbed his two-year-old brother from his arms and killed him.

It was the early 1980s, the height of the atrocities of Guatemala’s 36-year civil war between leftist guerrillas and the government. Tecú Osorio’s brother, parents, and nearly everyone else from the indigenous Maya Achí village of Río Negro, 70 miles north of the capital, were among the estimated 200,000 victims, most of them civilians.

“We still carry that pain in the depths of our hearts,” said Tecú Osorio.



For decades, Tecú Osorio and other survivors have been engaged in an uphill battle for truth and justice. Now they also have to contend with the closure of official peace institutions originally created to provide justice to victims - a development survivors claim is a government ploy to back out of legal commitments enshrined in the peace accords that ended the 1960-1996 civil war.

“This is the coup de grâce for the peace accords,” said Miguel Itzep, president of an indigenous-led national victims movement called Q’anil Tinamit.

Itzep, Tecú Osorio and countless other genocide survivors have dedicated their lives to fighting impunity and ensuring the past is never repeated. The shutdown of peace bodies is seen by families of victims as a slap in the face.

“It concerns us and at the same time it fills us with anger,” Tecú Osorio told VICE News. “What they seek is impunity, and for everything that happened to be forgotten.”

In his 20s, Tecú Osorio was instrumental in one of the country’s first convictions for crimes against humanity. Former members of paramilitary militias known as “Civil Defense Patrols” that were set up by and often worked side by side with the military - known as PACs - were sentenced to [decades](#) and even [centuries](#) in prison for massacres, including the one that killed Tecú Osorio’s brother and 176 other children and women.

Now he is supporting 36 indigenous Maya Achí women in their court cases against other ex-paramilitary patrolmen in which the women claim rape was used against them as a weapon of war. The women are represented by the law firm Tecú Osorio founded in 1999, the same year a report from a United Nations-backed truth commission [concluded state actors carried out acts of genocide](#).

But with progress came backlash.

“Every time we seek justice and want to clarify the truth in the courts, they say it’s revenge, that it’s no longer necessary to remember the past, or that it doesn’t lead to anything good for the country,” said Tecú Osorio.

The struggle for justice for survivors of Guatemala’s genocide has often been a case of two steps forward, one step back. Currently in limbo, a [proposed amnesty bill](#) that would let perpetrators walk free still casts a shadow over ongoing and pending trials for genocide, forced disappearances, and other crimes against humanity.

Then this year, Guatemala President Alejandro Giammattei presented decrees shutting down three institutions designed to fulfill governmental responsibilities stemming from the peace process. The Secretariat of Peace, Secretariat of Agrarian Affairs, and the Presidential Coordinating Commission on Executive Branch Human Rights Policy are all now defunct.

A new Presidential Peace and Human Rights Commission, COPADEH, is to replace the three abolished bodies.

The new commission is part of a restructuring that arose from a push for efficiency, according to presidential press secretary Francis Masek. The government’s fulfilment of commitments derived from the peace accords remains among COPADEH’s main objectives, she said.

“Democratic institutions are not being dismantled,” Masek told VICE News in a written statement.

The former head of the peace secretariat was sworn in last week as executive director of COPADEH. The new commission is still in the process of being set up, though, and survivors and human rights groups have doubts the body will help them at all.

“We are left in a country with no commitments to peace and with no commitments to human rights,” said Feliciano Macario from CONAVIGUA, a human rights organization founded by women whose husbands and other relatives were killed or disappeared during the civil war.

Survivors around the country who would usually take to the streets to protest these kinds of developments are being held back by COVID-19 restrictions, said Macario.

“They’re taking advantage of the situation, while we are all shut inside.”

Still, Macario and other representatives of victim groups gathered in Guatemala City earlier this month to call on the Constitutional Court to rule on their legal challenges and suspend the closure of the three peace institutions.

The institutions were frequently underfunded and the National Reparations Program that fell under the peace secretariat sometimes had no budget at all. Survivors are concerned the intention behind the restructuring is not efficiency but to abandon commitments to justice altogether.

The government will transfer the reparations program to the Ministry of Social Development, for example, a move Macario says contravenes the program's spirit and purpose. She's also concerned about the program's files detailing the sensitive accounts of thousands of victims of wartime human rights violations.

"They are very important documents that contain the testimonies of victims," said Macario. "What is going to happen with the victims? With the files?"

Macario and other victim group representatives emphasized that the government's actions this year did not come out of nowhere. Successive administrations have been consistently undermining Guatemala's peace process, especially over the last eight years, they said.

"It is part of a strategy," Itzep told VICE News.

This month's rally in the capital was intentionally small as the pandemic continues. But Itzep says that people need their concerns heard beyond paper statements, and that survivor associations around the country are going to begin with local and regional actions.

"This is just the beginning."

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