

Unearthing The Truth

Exhuming a Decade of Terror in Guatemala

By Grahame Russell, with Sarah Key & Ann Butwell

Thirty years after the exhumation process began in Guatemala, Rights Action is pleased to re-publish this report that was written by Grahame Russell, with Sarah Key & Ann Butwell, and published in 1996 by EPICA (Ecumenical Program on Central America & Caribbean) and CHRLA (Center for Human Rights Legal Action). Unearthing The Truth covers the first years of work of the FAFG (Forensic Anthropology Foundation of Guatemala), then called the EAFG (Forensic Anthropology Team of Guatemala) — work that is on-going today.

*“The earth has hidden horrible truths
about an infinite number of massacred
Guatemalans.*

Now the earth begins to speak.”
Miguel Angel Albizuere

*“Even if 30 forensic teams worked for
30 years, that still wouldn’t be enough
resources or time to exhume all the
mass graves in Guatemala.”*

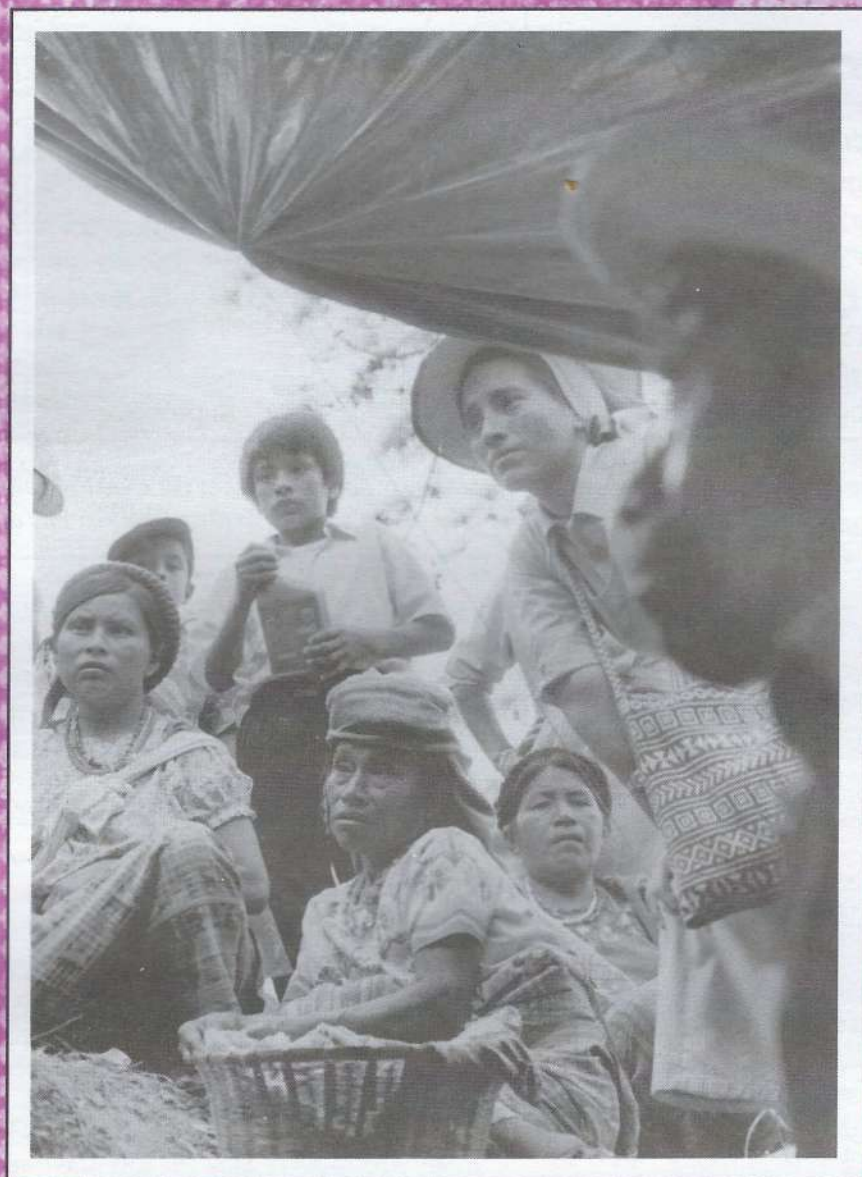
Fernando Moscoso, then director of EAFG,
interviewed at Plan de Sanchez mass grave
exhumation site, 1994

More information

Forensic Anthropology Foundation of Guatemala, <https://fafg.org/>
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UNEARTHING THE TRUTH

EXHUMING A DECADE OF TERROR IN GUATEMALA



BY GRAHAME RUSSELL

WITH SARAH KEE
&
ANN BUTWELL

AN EPICA/CHRLA REPORT

TABLE OF EXHUMATIONS IN GUATEMALA 1992-1996

Year of Exhumation	Location of Exhumation	Date of Massacre	Number of Bodies Exhumed	Number Killed According to Testimonies
1992	San José Pacho Lemoa, Quiché	2/14/82	28	no data
1992	Tunaja, Quiché	1982	19	no data
1993	Chichupac, Baja Verapaz	1/8/82	31	40 to 100
1993	Río Negro, Baja Verapaz	3/13/82	143	177
1994	Plan de Sánchez, Baja Verapaz	7/18/82	84	200 to 268
1995	Cuarto Pueblo, Ixcán, Quiché	3/14-17/82	*	324
1995	Dos Erres, Petén	12/6-8/82	162	250 to 400
1996	Agua Fría, Uspantán, Quiché	9/14/82	*	92 to 95
1996	Josefinos, Petén	4/19/81	in process	no data

* The number of cadavers recovered is often impossible to determine. For example, at the Cuarto Pueblo exhumation the EAFG dug up hundreds of pounds of ashes, mixed together with hundreds of bags full of broken, charred bits of bone.

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Special thanks to feature section writers Jean Bodeau, Rachel Holder, Trish O'Kane, and Victoria Rich.

Cover photo by Gilmar Simoes of the Guatemalan Forensic Anthropology Team (EAFG) shows surviving family members of the Río Negro massacre as they observe the exhumation process from under a tarp in 1993.

INTRODUCTION

THE TRUTH LIES UNDER THE GROUND

The earth has hidden horrible truths about an infinite number of massacred Guatemalans. Now the earth begins to speak.

--Miguel Angel Albizures¹

In Guatemala, human rights violations stemming from a State reaction to a 35 year civil war have been literally hidden under the ground. The truth about these crimes and violations is now coming to light through the exhumation of the victims' remains. A prominent Guatemalan newspaper columnist describes the phenomenon:

For years, people who knew about the graves kept silent, fearing that they themselves would end up in clandestine graves. Despite the risks, people are speaking out, pointing to the places where the truth lies, asking that the skeletons and remains of their loved ones be dug up. It is the earth that has preserved the proof from the past, so that we can exhume the evidence and so that anthropologists and forensic scientists can examine, one by one, the skeletons dumped in these graves.²

Since 1978, close to 200,000 people have been murdered or disappeared, many of them raped and tortured. An estimated one million Guatemalans (approximately one-eighth of the population) were displaced by the violence and terror. A majority of the victims were indigenous Mayan people.

Some of the worst years of repression were from 1981 to 1983, referred to in Guatemala as *la violencia*, when the Army carried out a counter-insurgency campaign of massacres. Hundreds of massacres were committed throughout the country. The victims were dumped or hurriedly buried in mass graves, littering Guatemala with clandestine cemeteries.

Since 1992, nine of these mass graves have been dug up by forensic anthropologists from Guatemala and Argentina. The sizes of these graves vary from three or four cadavers to hundreds.



Yet the exhumation process has only just begun. A member of the Guatemalan Forensic Anthropology Team (EAFG) said:

Even if 30 forensic teams worked for 30 years, that still wouldn't be enough resources or time to exhume all the mass graves in Guatemala.³

Unearthing the Truth examines the exhumation phenomenon as a people's attempt to recover their story and the truth about their past, as well as to establish the foundations for justice and reconciliation.

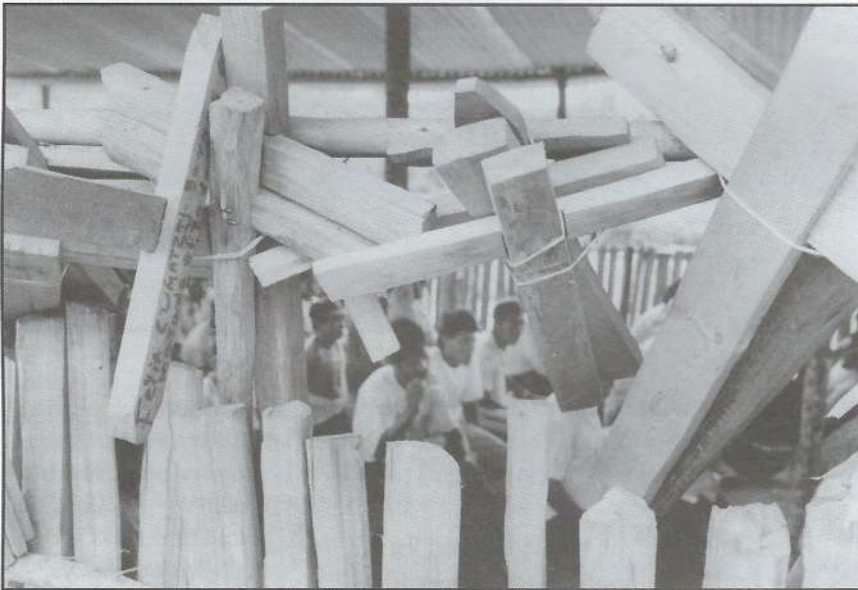
The exhumations provide the most graphic exposure of the crimes of the past and therefore directly challenge the impunity of those responsible for the repression. The forensic work that makes this challenge possible will also be explored.

Unearthing the Truth looks at the current situation in Guatemala and the precarious political space within which individuals and communities are finally coming forward to demand exhu-

A forensic anthropologist hands up a smashed skull of one of the 11 catechists found in a mass grave in Pujujilito, Sololá, 1991. Photo by Gilmar Simoes, EAFG.

RECLAIMING MEMORY

One initiative to tell the truth about the past is the Catholic Church's REMHI project, the Recovery of Historic Memory (Recuperación de la Memoria Histórica). REMHI addresses the issue that the violence broke down the social cohesion and collective memory of communities and that the recovery of both are vital for genuine reconciliation. Testimonies are being collected concerning the violence that the civil population suffered between 1960-1995. When the work is completed, the Church will return the testimonies to the population in a report that will detail what happened and offer an explanation as to why.⁴



Crosses made in memory of the victims of the Cuarto Pueblo massacre encircle the repatriated members of that community as they prepare for the exhumation process.

mations. The exhumations and other important initiatives to investigate and tell the truth about the past are fundamental to the process of peace and reconciliation currently underway in Guatemala.

This report also examines how exposing the truth and dealing openly with the widespread psychological trauma and suffering is a vital step in creating the political space in which justice and reconciliation of the Guatemalan society can be sought. Without recognition of the painful past, the participation of the majority of Guatemalan people in society will continue to be marginal and the long term effects of the repression will remain.

While there can be no justice or reconciliation without the full truth, this report cautions that simply exposing the truth is not enough. Exposing the truth about the past is, however, the only possible starting point from which the challenging road towards lasting peace and real democracy in Guatemala can begin.

CHAPTER 1

A CONTEXT OF
VIOLENCE

Guatemala arguably has been the most repressive country in the Americas. While others have had periods of widespread repression, few compare with the consistency of repression in Guatemala.

The Roots of the Violence

Guatemala's social, economic and political system benefits the powerful sectors who have used violence to control and dominate the indigenous majority. The Guatemalan security forces, the Army, and the infamous death squads have been the machine behind this violence, safeguarding the interests of the oligarchy.

Those who dared to speak out against the injustices--trade unionists, indigenous rights activists, farm workers, church workers, *campesinos*--were "silenced." The demand of a farm worker to earn more than \$1 a day, or that of a *campesino* to have enough land to work to feed his family was a threat to established interests; any dissension from the virtual slavery that was the lot of the indigenous Maya of Guatemala was met with brutal repression. This is still true today.

Generally, this type of repression has characterized the situation in Guatemala for the last 500 years. Little has changed in the attitudes of the descendants of the initial Spanish invaders who now rule Guatemala. Various excuses, usually under a political or religious guise, have been used over the years for the need to resort to violence, the latest of which has been the communist threat.

The majority of political crimes and human rights violations throughout the Americas have been committed by governments, militaries and death squads in the name of fighting communism, and defending national security and Western civilization. Guatemala is not

The parents pass on the poison [of subversion] to their children.

You have to kill the parents and the children of 10, eight, five years. You have to finish them off because they've already heard the things their father says, and the children will do it.

--a Civil Defense Patroller¹

unique, nor is it simply a pariah State where the Army and security forces irrationally repressed their own people. In the name of "fighting Communism," there have been massacres and other types of repression committed across the Americas over the past 40 years. In Argentina, Chile, Colombia, Peru, Haiti, Honduras and El Salvador, family members of the victims and human rights organizations have been looking for their disappeared, carrying out exhumations and seeking justice.

Since World War II, and particularly since 1954 when the U.S. government orchestrated the overthrow of Guatemala's democratically-elected government of Jacobo Arbenz, State

National and international human rights organizations agree that in Guatemala during the last two decades approximately:

*50,000 people have been disappeared,
150,000 have been killed,
250,000 forced into exile,
1,000,000 displaced,
45,000 widowed
and hundreds of thousands orphaned.*

violence has systematically killed or disappeared hundreds of thousands of indigenous people.

In the mid to late 1970s, sectors of the poor began to organize around issues such as access to land and living conditions on the *fincas* (large private farms) where many were forced to work in slave-like conditions--particularly in the

Massacre, in the Latin American context, is calculated murder with an excessive use of violence.

western highlands where the Committee of Campesino Unity (CUC--*Comité de Unidad Campesina*) and Catholic Action were working. Popular organizing was met with heavy repression.

One key initiative at this time was a project called the Ixcán Grande Cooperative. The Maryknoll Catholic missionaries bought tracts of land in this remote and uncultivated area, and sent out a call to the poor *campesinos* of northwestern Guatemala who did not have sufficient land to work, inviting them to settle in the Ixcán Grande and join the cooperative. By 1982, the cooperative was thriving. Its members had built a number of airstrips and were exporting cardamon and coffee.

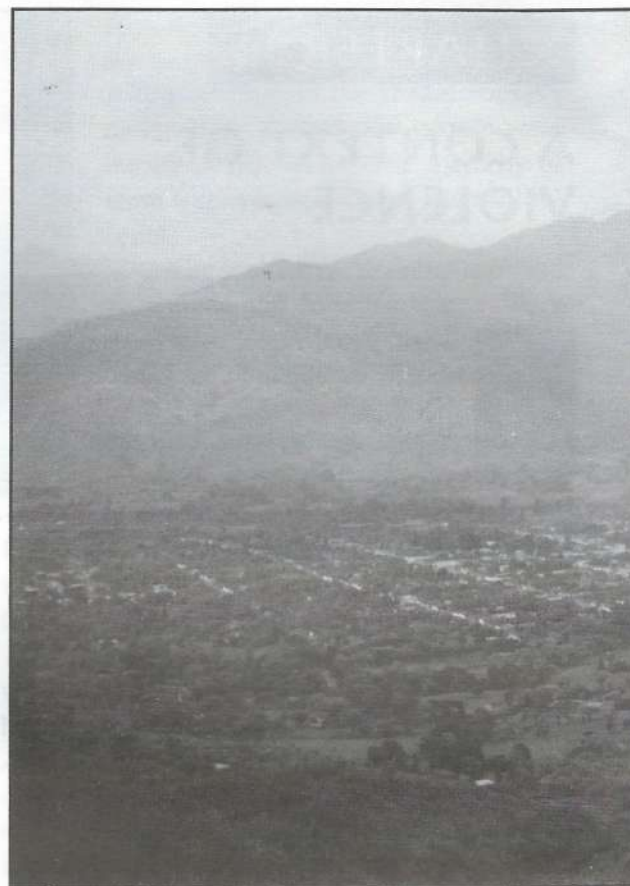
For the first time, *campesinos* were living a dignified life. An alternative, economically viable model of production was developing. Two years later, the Ixcán region was desolate, the buzzing agricultural centers silenced. The Army had massacred hundreds of people and destroyed their villages. Those who had survived fled, mainly to Mexico. The Guatemalan State and the economic elite viewed such cooperative efforts as a threat to their total exercise of power. The elimination of these economic alternatives made the conditions for rebellion ripe.

Armed Struggle

A small guerrilla force emerged in Guatemala in the 1960s. The original members of this group were ex-Guatemalan military officers who were disenchanted with the Army's subservience to the U.S. government, particularly after the overthrow of President Arbenz.

This guerrilla force grew as it focused on other issues of injustice and domination within Guatemala. By the late 1970s the ranks of the four armed rebel groups--EGP, PGT, ORPA and FAR--that formed the Guatemalan National Revolutionary Unity umbrella group (URNG) had swelled to a few thousand. Many *campesinos* and indigenous groups were sympathetic to the goals of the rebels.

The guerrillas' actual military force was minimal in relation to the Guatemalan security forces backed by the United States.² They posed no real threat of taking State power through force. However, in conjunction with the popular organizing of the day, they did threaten the



domination and control of the ruling elite in Guatemala.

The Guatemalan military responded with a "counterinsurgency" campaign that devastated Guatemala. The impact of this violence will be felt for generations to come.

The Terror of Counterinsurgency

By the early 1980s, the Army and powerful sectors still felt they were losing the "mortal battle" for the hearts and minds of the population. They concluded that their only choice was to control the country by eliminating the civilian population in areas where the guerrillas operated--a way to "drain the sea" in order to kill the fish.

The Army's counterinsurgency strategy included the widespread use of massacres, disappearances, rape and torture. The strategy was designed to control through imposing a reign of terror over the civilian population, particularly in areas where the Army suspected a guerrilla presence.

With systematic human rights violations

"All of Rabinal is a mass grave," comments a priest who worked in the beautiful valley and surrounding mountains during the most tragic years of La Violencia. Close to 25% of the population of this municipality was massacred in the early 1980s. Photo by Grahame Russell.

spontaneous murder -- it is premeditated.⁴

The military's counterinsurgency warfare against the civilian population was clearly intended to terminate civilian support for the rebels, by causing the psychological destruction of individuals and the disintegration of the community.

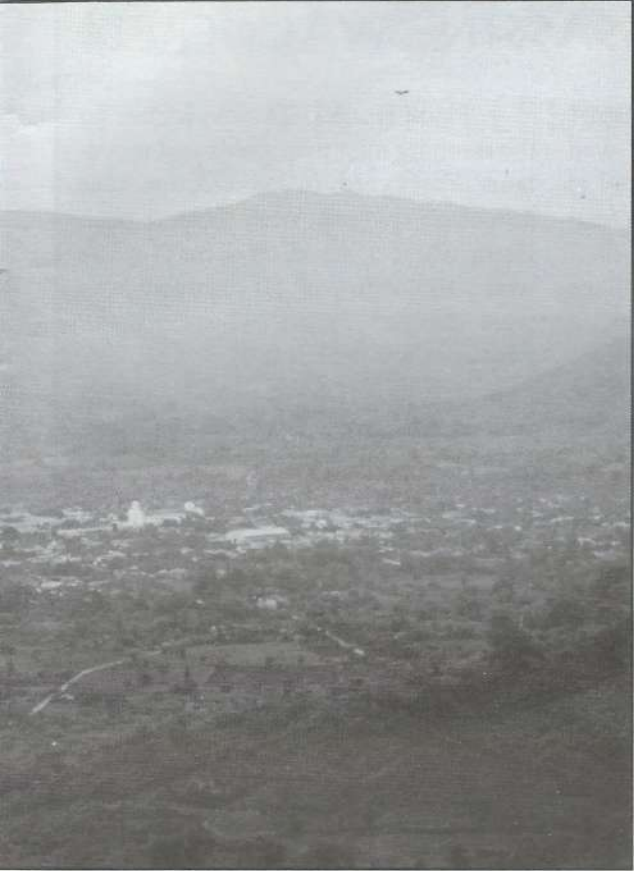
Though there had been massacres in the 1970s, they became a widespread practice during the military governments of General Lucas García (1978-1982) and General Efraín Ríos Montt (1982-1983). The massacres during these periods were planned on a national scale by high-ranking officials.

The date of the Plan de Sánchez massacre, for instance, coincides with several other massacres in other parts of the country.⁵ During the exhumation of the Plan de Sánchez massacre site where an estimated 250 persons were killed on July 18, 1982, a member of the Guatemalan Forensic Team (EAFG) commented:

Plan de Sánchez was not the biggest, nor the worst, nor the most tragic massacre in Guatemala. It was one more within a pattern, part of the military scorched earth strategy.⁶

Though every massacre had its own particular characteristics, each was part of a country-wide military strategy and contributed to the destruction and disintegration of indigenous communities. Four hundred and forty indigenous villages were destroyed in a matter of two or three years.

In Rabinal (in the mountainous department of Baja Verapaz, central Guatemala), half of the 38 rural communities of the municipality of Rabinal were destroyed in the early 1980s. Anthropologist Alecio estimates that the military forces, along with the paramilitary Civil Defense Patrols (PACs), murdered close to 25% of Rabinal's population during 1981-1982--a total of about 5,000 people.⁷



and political crimes as the norm, neither the judicial, legislative, nor executive branches had the will to end the repression. Those politicians, journalists, and members of the judiciary who did speak out and work against the repression often ended up as victims themselves.

The Massacre Strategy

The strategies of repression used in Guatemala were developed by the United States, based on its experiences in Vietnam.³ When the Guatemalan State was no longer able to control the population through political means, the legal use of force, or by a minimal amount of violence, it increased the repression and terror, resorting to collective massacres. Guatemalan Anthropologist Rolando Alecio defines the type of massacre employed:

Massacre is murder, but there is a difference between the dictionary definition and its use in the Latin American context, where it is calculated murder with an excessive use of violence. It is not

IMPUNITY: ASSASSINS WALK FREE



Milagro, from Pichec, Rabinal, stands in prayer by the school where her husband and close to 40 other men and boys were massacred in 1982. They are buried in a peanut field behind the school. Photo by Grahame Russell.

At 6:00 a.m., Marina*, Milagro* and Tina*, Mayan-Achí women, wait for me in front of the Pichec school in the municipality of Rabinal, Guatemala.

Pichec is a small, rural village surrounded by mountains, 20 minutes by vehicle, three hours on foot from the town of Rabinal. It is a place where Achí people have lived for generations in poverty.

Marina explains the story of what happened here:

On January 2, 1982, 50 Pichec men and boys were rounded up by soldiers and Civil Defense Patrollers. Some of the men and boys were themselves Patrollers! They were beaten and then hacked to death in front of the school here.

We walk into the field beside the school, the three women talking amongst themselves in Achí, looking around, pointing here and there, getting their bearings. "It is here," Marina says, "that my uncle and husband are buried. Their names were Augustín and Celestino." Milagro and Tina tell us their father Pedro is here as well.

I look around. The sun is clearing the morning mist over fields and mountains. Forty yards in that direction is the school. Ten yards over there, a post. Here, where I stand, is a mass grave where the bodies of 50 men and boys were dumped, in an old well, under what is now a peanut field.

Marina continues, "Doña Julia, the woman who owns this field, never allows us to come here and leave candles for our dead."

On one side of the field a *campesino* stands and stares. The three women hush. "He is one of the Patrollers who committed this massacre. His name is Arnulfo. His brother Francisco also participated," Marina whispers.

I ask whether these men live in Pichec and are still free.

"Yes, he lives just over there," responds Marina, pointing at a hut just beyond the school. "I walk by him almost every day, and talk with him. ... We never talk about what happened."

This piece is excerpted from Grahame Russell's article: 'Assassins Walk Free in Impunity in Guatemala,' first published as a Third World Network Feature in Malaysia, 1995.

* The names of the people quoted have been changed for purposes of personal safety. An asterisk will indicate the first time each of those names appear throughout the report.

Once this point of destruction and disintegration was reached, it was easy for the Army to gain control over much of the remaining population. This domination put an end to most civilian opposition to injustice in Guatemala.

CHAPTER 2

IMPACT OF REPRESSION
ON SOCIETY

Beyond the high numbers of victims and the scorched earth obliteration of indigenous villages, the repression produced other destructive results intended by its planners: individual and collective trauma, control and obedience, and widespread community break-down.

Silenced by Fear

The imposition of silence became a survival mechanism and then a way of life. Most indigenous people are still afraid today to talk about what happened, after being victimized by such atrocious violence and faced with the threat of more repression.

Father Valencia*, a priest from Rabinal, shared the following story about Domingo, a leader in the community of Chichupac murdered during the January 8, 1982 massacre.

Somehow Domingo had a premonition that the massacre was going to happen. He gathered his family and said, "Tomorrow death will come." They told him to flee, but he said, "No, the people of the community have always looked to me for guidance. Now that death is coming, I have to be with them." Domingo told his wife and children, "I want you to forget everything I have taught you about life. Forget your education, forget that you can read, hide all of this. Be silent."

Karen Burns, a forensic anthropologist who has worked in Guatemala in the exhumation process, explained that silence established by fear is a major effect of counterinsurgency repression. She notes that there is no weapon more powerful than a person's fear for oneself and one's family. "Once fear is introduced, it spreads like a disease and holds a person down."²

It is sometimes said that the Mayan people tolerate a great deal of abuse and are quiet and reserved. Father Valencia argues that their silence is the product of the repression and centuries of discrimination and exploitation from the wealthy *ladino* sectors.



Relative of a Río Negro massacre victim empties the remains of his loved one from a forensic bag into a small coffin. Photo by Gilmar Simoes, EAFG.

This doesn't mean that if the political conditions permitted they wouldn't speak out about their suffering and demand that justice be done. The need and the desire to speak out are there.³

Father Valencia observes that as a direct result of

had: their corn, their tools, their homes, their *cortes* (women's skirts), and their grinding stones.

Rolando Alecio explains from an anthropological point of view that the Army's intention was to destroy every historical reference point that the community had to orient itself. They have, in effect, tried to destroy the collective memory. Collective memory is the community remem-

The Army and Civil Defense Patrols destroyed all meaningful material goods that the people had: their corn, their tools, their homes, and their grinding stones.



people's fear and silence, people have been unable to mourn. Although people usually know where the burial sites are, they don't visit them. Nor do they leave candles or flowers. They know that the Army has named military commissioners in each community who are watching and would report any mourners to the local commander. It is the memory of the years of violence plus the fear of further repression that prevents people from openly manifesting their loss and suffering.

Destruction of Social Fabric and Collective Memory

A broader intended effect of counterinsurgency warfare was to destroy the social fabric of indigenous communities and threaten Mayan society as a whole.⁴ Relations within and between families, neighbors, communities, and the rest of the country were all broken down.

In many rural communities the Army and Civil Defense Patrols (PACs) not only massacred community members, but also destroyed all meaningful material goods that the people

brance of significant events in the community's life--memories that community members share, build on, and pass on to future generations.

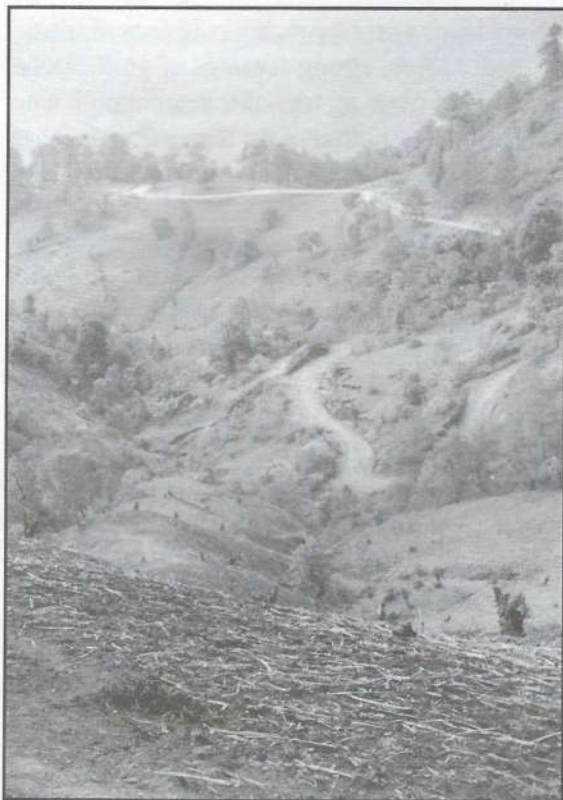
The effect of the violence was like erasing from the people the memory of their origins--how they settled in their community, how the community was formed and grew, the pain and suffering they went through to develop their community. When destruction of such proportions is carried out, the population is traumatized and erases all the memories associated with their roots.⁵

Indigenous rights activist Alonso Portillo* explains community breakdown from the perspective of the Mayan people, noting that the Mayan calendar dedicates every 20th day to the dead:

A person will say, "Last night I dreamed I was talking with so-and-so [a dead person] and she advised me to do the following ..." This communication be-

Below: This mountain-top path leads to the Plan de Sánchez community. Most massacres took place in geographically isolated, rural areas like this. Photo by Grahame Russell.

At left: Women prepare corn tortillas on a comal in their rural home in the highlands. Not only people and houses, but many culturally valuable items like comals were destroyed during the massacres. Photo by Jonathan Moller.



tween the living and the dead is taken from the Mayan people when it has not been a natural death but rather a crime that cuts a hole in the fabric of a person's and community's history, in their very being.⁶

By taking away from the Mayan peoples the fundamental cultural elements of collective memory and communication with the dead, the Army cleared the path for further societal and individual breakdown.

Division and Control

This destruction helped the Army establish and maintain control over much of the indigenous population. In 1981, the Army cre-

ated a country-wide system of "voluntary" (in most cases obligatory) armed Civil Defense Patrols. Across the country as many as 1,000,000 men and boys served as PAC members: the Army's eyes, ears, and agents of repression.

To understand the degree of division and control the Army achieved in rural communities, one has only to envisage that this was *not* a situation whereby the Army came from outside the area, committed atrocities against a local population, and then left the community wounded, but united in their suffering and opposition.

Rather, the Army used the "carrot and stick" method to oblige local townspeople, recently formed into PACs, to commit massacres and other acts of repression against their own family and community members as well as members of neighboring communities. Rewards and favors were extended to those who participated, threats and violence against those who were not willing. This divisive manipulation and pitting of some community members against others became an effective means of control.⁷

With people silenced and the social fabric destroyed, the Army used the PACs to replace the community forms of organization, leadership and local authority. This cemented military control and domination by obliging all the men in a community to serve in their local Patrols. Those who refused were considered disloyal and often killed.

Confusion about Who Committed the Violence

After a massacre was committed by soldiers or Patrollers, the Army would often return and implement development projects: road and bridge construction, health clinics and schools. In a context of trauma, this produced local confusion as to who committed the massacres. Some people, despite having been witnesses to the massacres carried out by soldiers, PACs or military commissioners, still doubt twelve years later that it really was those security forces who carried out these acts. They say that perhaps it was the guerrillas because the Army came one month later and helped to build new houses and roads.⁸

To further confuse the population, counterinsurgency strategy distorted the facts to make the massacres appear to be isolated acts of

violence caused by local problems and disputes. In Plan de Sánchez, massacre survivors say a land-owner, angered because local people regularly used a path that crossed his land, complained to the Army, and soldiers and Patrollers murdered about 250 people in response.

Another factor contributing to the confusion is that most massacres took place in geographically isolated, impoverished rural areas where historical conditions of poverty and State-propagated disinformation make it hard to have a broader understanding of events. Consequently, many victims lack the perspective to contextualize the violence and suffering they have experienced within a larger political-historical framework. Survivors spend the rest of their lives believing that their community suffered massacres, rapes, and other acts of repression due to local disputes. This fills them with a sense of guilt.

Victims, Victimizers, and Guilt

Another destructive and insidious aspect

of the counterinsurgency warfare was the phenomenon of turning frightened and traumatized local populations (victims) into violators and criminals (victimizers). In many cases, men and boys were forced by threat of violence against them and their families to join the "voluntary" Civil Defense Patrols. Once integrated into the PACs, they were then obliged, again under threat of violence, to carry out acts of repression or even massacres against other community members, or against neighboring communities.

Moreover, strong feelings of guilt can be observed in those sectors of the population who were not direct victims of the repression. Frightened and traumatized, they "saw nothing" and "heard nothing." Later, these same people judge their own silence as complicity with the perpetrators of violence.⁹

By pitting community members against one another and generating feelings of guilt on both sides, counterinsurgency warfare blinded the communities to the truth about what was really happening. Instead of blaming the Army for forcing them to commit crimes and viola-

GENDER SPECIFIC VIOLENCE AGAINST WOMEN AND GIRLS

by *Victoria Rich*

While State terrorism is usually gender specific, this aspect of war and conflict has, until recently, usually been ignored; Guatemala has not been an exception. The Geneva Conventions (codifying the laws of war and conflict) provides for the protection for women and girls from gender specific violations in all situations of international and non-international wars and conflicts. Despite this "recognized" law of war, systematic violations of the human rights of women and girls have been the norm in Guatemala.¹

Moreover, it is arguable that in Guatemala, as elsewhere, gender specific violence was used as a strategic part of the counter-insurgency military campaigns carried out mainly in the

countryside during the 1980s. Testimonies of survivors and forensic evidence from mass grave exhumations provide direct proof of this additional part of the dark history of Guatemala's repression.

The use of gender violence in Guatemala is not confined to the armed conflict. Impunity, with respect to violence towards women and girls, is a regular part of most facets of Guatemalan society. Gender specific exploitation, discrimination, violence, and oppression exist in laws, cultural and moral norms and daily behavior of the society.

Given the widespread and historical phenomena of gender violence, it is not surprising that crimes against women and girls were intensified in the armed

conflict. Still, sexual abuse, when committed in a context of political violence, differs from the crime as it is usually played out in civil society.

While all instances of rape may be considered politically motivated, in Guatemala the overt political sanction transforms the act from an individual, deviant transgression into a normative act of social control executed on behalf of a collective goal. That goal in ... Guatemala is the annihilation of the political opposition, through a counterinsurgency program of psychological warfare ...²

It is often said that the women of Guatemala represent the center of the family and the community. This notion, however, provides no actual respect or physical and emotional protection for the women or girls.

Carried out by the police, [sol-

tions, community members projected that blame onto themselves.

Summary

Today, many Guatemalans have little confidence that there are solutions to the historical problems of poverty, repression, impunity and racism. Their conviction is that little can be done to change their destiny; their experience is one of fear and hopelessness. South African psychologists speak of the continued traumatic stress syndrome to describe the effects on people who have suffered from traumatic incidents and then continue to live in a similar context and environment, without addressing the trauma, they show symptoms such as severe insomnia, anxiety, and depression.¹⁰ Carlos Berganza, President of the Psychiatric Association of Guatemala (APG), diagnosed this situation in Guatemala: "We are talking about astronomical numbers of people walking around with depression, manifested through criminal and self-destructive behavior."¹¹



Women of the Sierra region. Women have borne the brunt of the violence in Guatemala. Photo by Jonathan Moller.

diers and the Civil Defense Patrols], invasions of women's bodies are military operations aimed at weakening, incapacitating, and finally destroying the enemy's power to resist. The more confident the abuser is of impunity, the more dedicated he can be to his mandate. ... The women of Guatemala ... have lived under a constant threat of state-sanctioned sexual assault, and their experience of sexual abuse cannot be understood in isolation, or without reference to that condition.³

The sexual violence was and is so prevalent and so condoned that one study found that the overwhelming fear expressed by almost all Guatemalan women refugees in 1982 was the fear of being raped. One town official commented that with all the soldiers raping Mayan girls in combat zones in the highlands, "It would be difficult to find

a girl of 11 to 15 [who has not been raped]. Even seven year old girls have been raped."⁴

The area of Rabinal in the mountainous department of Baja Verapaz is a case study of counter-insurgency tactics that included blatant, gender violence against women and girls. In July of 1982, during the massacre of the villagers of Plan de Sánchez, young girls between 12-14 were separated off and raped before being executed. The Guatemala Forensic Anthropology Team found and exhumed their bodies about 40 meters away from the main mass graves where the majority of the 130 Maya-Achí members of the Plan de Sánchez community were buried. Survivor Juan Manuel recounts:

The soldiers went from house to house and took all the people out and brought them to the house of my fine sister. Once they had finished bringing the people here and putting them in my sister's house, somewhere

between 3:00 and 5:00 in the afternoon, one of the soldiers asked permission from the Commander to choose the prettiest girls between the ages of 12 and 14 years old. They separated them from the group and took them just over there where they raped them. They repeatedly raped the girls.

Of the poor young girls that were separated off and raped, three survived, or rather, they were let go. What happened is that the soldiers that came here with the Patrollers were from the community of Concul. [The Patrollers] knew the girls. The poor girls pleaded for the soldiers to do whatever they wanted, but not to kill them. That is why they left these poor girls alive.

One of my sisters-in-law was raped, and one of my sisters, too. My sister was pulled

(continued on next page)

Without proper healing, many victims become violators, not necessarily committing political crimes, but often domestic and other criminal acts. This culture of violence becomes entrenched,

and positive change is thwarted with each recurring violent act.¹² In such a context, Guatemalans who are willing to begin that process of healing by requesting exhumations become a key link toward societal change.

*The Use of Gender Specific Violence
(continued from last page)*

out of her house and raped right in front of it.⁵

In the village of Río Negro, the Army and Civil Patrollers made the women march to the top of the mountain. They were forced to dance with the men who asked them, "Is this how you danced with the guerrillas?" On the march up, pregnant women were given no rest. When they could not go on, the Patrollers and soldiers hit them on the legs with heavy sticks, yelling, "Come on, cows!"

Once they arrived at the top of the mountain, most of the young girls and women were raped before the Patrollers and soldiers killed the 177 women and children, as survivor Ana describes:

The soldiers and the Patrollers started grabbing girls and raping us. Only two soldiers raped me because my grandmother was there and she defended me. All the girls were raped. I am the only one who was raped that survived. They forced me to lay down and when it was over they took me to Xococ with them. When we were walking they told each other how many they had killed that day.⁶

The Rabinal area is but one example of this type of violence in Guatemala's conflict.

In a testimony given to Amnesty International, a 17 year-old Maya-

Kekchi girl from the village of Chirrenquiche, department of Alta Verapaz, stated:

The soldiers came [on April 7, 1982]; we went to the mountains. ... There we found tree trunks and stones where we hid. A group of soldiers came from behind, they came in behind us. ... They slashed me with the machete; they raped me; they threw me on the ground and slashed my head with the machete, my breasts, my entire hand.⁷

In July 1982, at the Finca San Francisco in the department of Huehuetenango, the Army wiped out the village of Chuj, massacring men, women and children. In an account of this massacre, gang rape is defined as "the Guatemalan Army's routine reward for soldiers about to massacre women," noting that it was supervised by officers--as was torture, execution, and ritual cannibalism.⁸

In an environment of State sponsored-terror, the avenues open for protection, assistance, refuge and resistance are few. For women, who in "normal" times have few open to them anyway, the choices are practically nonexistent.

Unlike men who, in times of war, are often publicly esteemed for the violence they endure or commit for their country, the violence levied against women is either made invisible or is seen as a source

of shame for the women and as a reminder of the conquest of the nation.⁹

Acts of gender specific violence are, in formal language, crimes against humanity because of the severity of violence and persecution based on gender; it is selected, targeted persecution. The victims are selected because they are female.

It is the responsibility of human rights institutions and organizations throughout the world to recognize that there are a number of violations of rights that are exclusively inflicted upon women. The human rights of women and girls must be recognized and unconditionally protected. Human rights instruments must be assessed to specifically protect the rights of women and girls. Those instruments must then be applied to the war crimes of Guatemala.

The forthcoming United Nations Truth Commission in Guatemala must be pressured to address these types of systematic crimes. Women must be allowed to give testimony to the very specific plight of women, in a safe environment where they will be heard, where justice will be served and a truthful and gender-inclusive history of the Guatemalan conflict is recorded.

Victoria Rich is a researcher and writer who lived in Guatemala for two years.

Currently at the Guatemala Human Rights Commission/USA, she will soon be publishing a full report on Violence against Women in Guatemala.

CHAPTER 3

WHY PEOPLE WANT TO DIG UP THE PAST

The victims of Guatemala's repression are not only the massacred and disappeared, but also surviving family and community members. These survivors remain victims of the repression until they can find a way to begin to address their suffering and trauma. It is the surviving victims who have been requesting exhumations, who have been demanding that the truth of what happened in their village—to their friends, neighbors and relatives—be brought to light. They, like the earth, have had to keep this truth secret.

Throughout Guatemala these survivors are now requesting exhumations to dig up their murdered relatives and friends, then initiating proceedings to have justice done. This follows with reburial and funeral services in their home communities, publicly remembering their names and how they were massacred. Though every exhumation differs, each is part of a country-wide process that provides not only an initial response to the deeply personal needs of the family and community members of the victims, but also an initial measure of truth and justice.

There are many reasons why these Guatemalans are exhuming their dead, some straightforward, some complex—all intertwined. A few of the reasons are explored below. This is not a complete analysis, rather a basic overview of what the exhumations represent for people.

Interrupted Mourning

In Plan de Sánchez, Juan Manuel stood by the side of the open pit from where the cadavers of his wife, sister and children had just been excavated by the EAFG. He recalled,

We didn't know what to do. I was more dead than alive; I had no feelings because I had lost my whole family, my wife. I loved my family so much when they were alive. [Crying] Suddenly they

were gone from me, or rather, taken from me. I have never forgotten how much I lost.¹



He is still in the stage of grief. When a loved one dies, grief and closure are basic human responses that cross cultures: crying, perhaps viewing the body, burying the dead, mourning, and some form of public ceremony. In Guatemala people have been forced to weep in private out of fear, the public mourning process has been prevented for nearly 15 years.

During those years of fear and silence, the survivors never saw the corpses, there has been no burial ceremony; they have not laid their loved ones to rest. Moreover, the all-important communication with the dead has been interrupted.

For the Maya of Guatemala, communication with the dead is vital. Those alive are inextricably linked with their dead, their past. Generations are part of a chain of life and death, and the ancestors are consulted and remembered frequently. Ancestors often appear in the dreams of the living to advise, warn, scold,

Small coffins containing the remains of those massacred in Río Negro line the long grave dug for the reburial in the Rabinal cemetery. Photo by Gilmar Simoes, EAFG.

reassure and give other appropriate guidance.

Alonso Portillo explains the need Mayan Guatemalans have to bury their murdered loved ones in a proper place.

If the dead are dumped in a place that is inadequate, this affects the whole community. Our freedom to communicate with our dead has been taken from us. The bodies have been dumped in horrible places and family and community members have been prohibited with threats and intimidation from visiting the mass grave sites.

It is important for our people to know that the dead have their own place to lie. Family members can then go and share with the dead person in their life after death. This re-encounter between the family and their dead is perhaps the greatest need.²

The unnatural manner of death, the brutal ways in which life was taken also contributes to the trauma, confusion, and devastation felt by the survivors. There is no provision in the people's belief system, no cultural mechanism to deal with atrocious death on such a scale.

When the exhumation is taking place, family members are right there, often crying openly, watching for any shred of clothing, a shoe, anything that might help them to recognize and identify their loved one. As painful as it may seem, when the survivors see the bones, or fragments, they know that the dead will finally receive a proper burial.

Though the surviving victims will never completely heal, the exhumations and burials contribute to the reconstruction of some of what has been lost by the individuals, families, communities, and ultimately the nation. Recovery of one's loved ones from the anonymity of slaughter is recovery not only of the lost person, but also of community.



The exhumations provide a re-encounter between survivors and their murdered loved ones, partially repairing the wound created in an individual's and community's history. A proper burial is part of this re-encounter.

A Proper Burial

An urgent need of surviving family and community members is to give a proper burial to their massacred loved ones. Antonio Valdez, a member of a non-governmental organization that represents Family Members of the Disappeared in Guatemala (FAMDEGUA), tells of how one year after the 1982 Dos Erres massacre, family and community members of the victims returned to the clandestine grave and planted a tree on top of the abandoned well where the soldiers had dumped the bodies. (See Annex 2 for a case study of Dos Erres.) At the time, this was as near as they could get to commemorating the burial site, marking it as sacred ground. When it came time to exhume in 1994, they were able to identify the spot because of the tree. Otherwise, they may never have found the mass grave because Dos Erres was completely destroyed by the Army during its scorched earth campaign.³

Though silent for close to 12 years, surviving family and community members of Dos Erres never forgot. They kept believing that one day in the future they would properly bury their dead. They eventually appropriated the place of their worst nightmare and converted it into a sacred place.

The exhumations help to exorcise the trauma felt from years of not knowing, not being able to visualize how loved ones were left;

Family members watch for a shred of clothing, a shoe... anything that might help them to recognize their loved one.



Left: Family and community members of the victims of the Plan de Sánchez massacre gather around the commemorative plaque at the re-burial site. Photo by Gilmar Simoes, EAFG.

Facing page: A Mayan priest conducts a traditional rite at the Rio Negro reburial. Photo by Jonathan Moller.

dumped face down, face up, in a sitting position, crumpled, or however--no one knew.

Overcoming Fear, Breaking Silence

The exhumations have had the cathartic effect of allowing the surviving victims to finally break the silence surrounding the crimes, and, in this way, begin to overcome their fear. Forensic expert Clyde Snow notes, "The way to deal with a wound is to open it up, drain it, and then let it heal."⁴

Overcoming fear and speaking out can be empowering. Once a community that has suffered a massacre in the past, participates in the exhumation process, sees the remains of its loved ones, properly buries the bones or ashes, and learns that its story might have been published in the media, the veil of secrecy and fear begins to lift.

Esteem and Identity

The exhumations address both individual and community healing. The suffering and trauma of the surviving victims damages their sense of self. The identity and esteem of an individual, or of a people, are essential to their development. Yet, identity and esteem are dependent on the community being able to answer questions like, "Who are we?", "Where do we come from?", and "Where are we going?" Not answering these questions has negative psychological effects, especially on the young who grow up knowing little of themselves or of their own history; and who may end up with little sense of their own identity and with low self-esteem.

Counterinsurgency repression intentionally included acts so atrocious and violent that the survivors were stunned and frightened into silence, while other sectors of society were psychologically unable to grasp that such atrocities took place. Many Guatemalans today still do not talk about--or pretend not to believe--what

THE ART OF DENIABILITY

It was only in 1995 in Argentina, 13 years after the end of the military dictatorship, that some ranking military officers finally had the courage to publicly admit what most found too atrocious to believe, or had knowingly denied. As widespread coverage revealed, the officers detailed in publications, on television, and in public events how, in their "fight against the enemies of the State," security forces detained and tortured thousands of suspected "leftists." Security forces then drugged the suspects, stripped them naked, and flew them far out over the Atlantic Ocean where they dumped them out of the plane to sharks waiting below. Individuals and human rights and religious groups had campaigned for years for the truth to be accepted, but the Argentine government preferred to deny it, retaining a facade of "normality."

happened. This pervasive denial negates the suffering and trauma of the survivors.

The exhumation process provides an initial response to the fact that what the guilty individuals and institutions did is difficult to believe. By exposing what happened, individuals and communities can openly ask questions and talk about issues, however painful, whose answers are vital to recovering their self-identity and psychological well-being.

Re-unification of Torn Communities

The exhumations and the ensuing public ceremonies can also contribute to the re-unification of torn and divided communities. Much resentment about the massacres and repression, that should have been focused at the State and the powerful sectors that ordered and often committed these acts, was turned inward, sowing division within families and communities, and between neighbors.

Though it is a long, drawn-out process, the exhumations bring this painful history to the forefront, giving a voice to and forum for this internalized anger and pain. They permit surviving victims to openly mourn, obliging the guilty sectors to at least confront their crimes. It is only in this way that the guilty may ever admit to and acknowledge their crimes: the first step toward reconciliation.

Practical Need

On a practical level, exhumations and forensic analysis provide legal proof of death. Hence property rights, marriage and inheritance can all be dealt with at an official level. Juan Manuel explained that until the exhumation in his community no one had been able to legally obtain death certificates for their massacred relatives. Officials ask for absurdly high bribes to do it illicitly, especially considering that these communities do not operate on cash economies. By way of example,

A widow of the Plan de Sánchez massacre with two children was trying to get the title to her dead husband's land passed into the name of her son. Municipal workers said to her: "You are a liar. Your husband is still alive because his name is on your I.D. card." She had to beg the Municipality to erase her husband's name, telling them he had been killed in the massacre. "That's no problem," they said. "If you have the 1000 Quetzales [\$170] we'll take care of the death certificate." Who in my community has 1000 Quetzales?⁵

Legally proving that family members have been killed facilitates other necessary official transactions and sets the record straight.

Telling the Truth--Bones Don't Lie

Telling the truth about the repression is crucial for a future of Guatemala based on Truth.

BUILDING A

Jesús heaves the wheelbarrow, spilling doughlike cement into a truck-size box in the Rabinal cemetery. The sound of metal on rock scrapes the dusty heat as another man packs cement around quartz boulders dug from nearby mountains. Women, jugs of water balanced on their heads, chat as they cross a field adjoining the work site. People are relaxed, friendly. They are working the day we visit, building a monument for the dead of the March 13, 1982 massacre in Río Negro (municipality of Rabinal, Baja Verapaz).

The plan is to make this monument indestructible. A metal plaque will tell how the Civil Patrollers from neighboring Xococ (pronounced sho-cók) and soldiers gathered all the women and children in Río Negro, marched them up the mountain, then raped and murdered them.

Those who would silence the truth smashed the first monument in May, 1994 just 3 weeks after the final burial of the 70 women and 107 children slain in 1982. The bones were exhumed by the Guatemalan Forensic Team (EAFG) in 1993, then buried according to Mayan and Christian tradition. The exhumation at Río Negro was one of the first in Guatemala. It is part of the healing process just beginning in Guatemala: exhumation and decent burial, publicly and openly telling the truth, creating monuments.

Part of what the years of violence have sown in Guatemala are divisions within and between communities. Counterinsurgency forces frequently exploited existing conflicts, creating ruptures and hatred from simple squabbles. Most stories are multi-leveled. Behind political denunciations and murders, you often find an old dispute. Before the three massacres which killed half the population of Río Negro, the people from Río Negro and Xococ di-

MONUMENT TO PEACE AND LIFE

by Jean Bodeau

agreed over land. Now they are bitter enemies.

Part of the process of speaking out is pushing the government to take legal action against those responsible. Three of the Civil Patrollers who committed

town square, the Patrollers from Xococ loitered near their trucks, quite evident to those testifying. The Patrollers have threatened the people from Río Negro and continue to intimidate them. People in Río Negro blame the PACs from

Xococ for the massacre, and well they should, but nobody mentions the soldiers who oversaw the operation, or those who ordered the massacre. Until the intellectual authors of massacres are held accountable, impunity will continue to plague Guatemalan society.

Threats also come from within the community. Townspeople working on the monument have

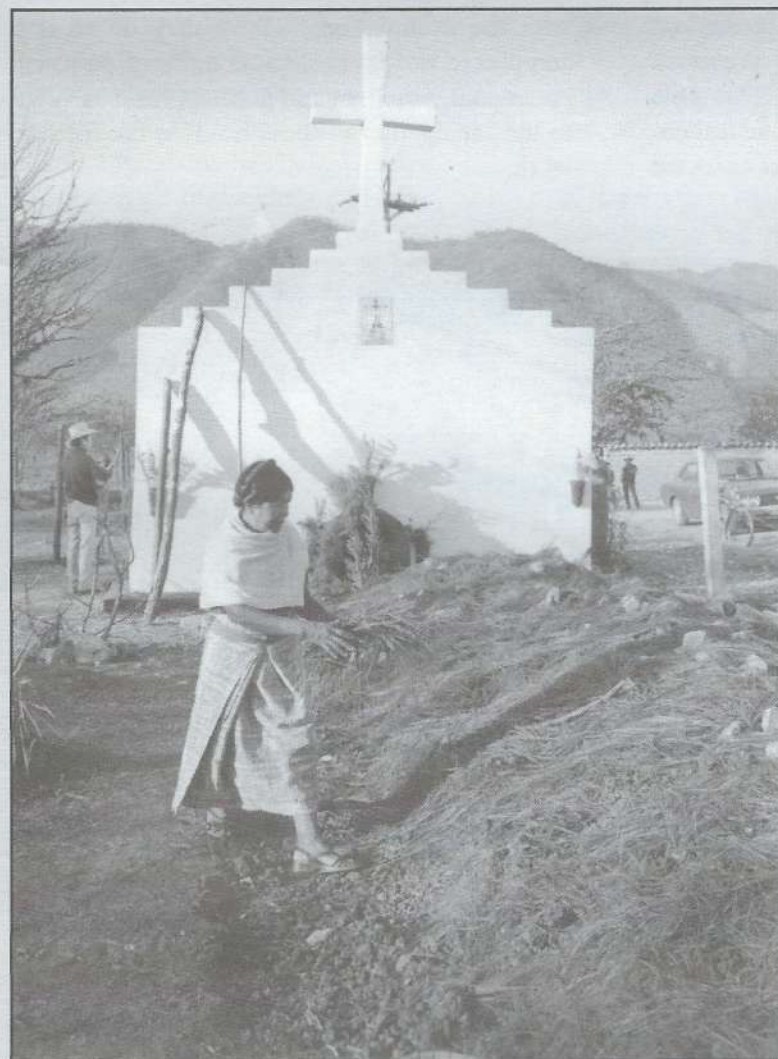
which has motivated him for years. She told him, "If I am killed and only my bones are left, you must tell the whole world what happened." That is what Carlos and the community are doing in building the monument.

The act of building the monument, which requires working together as a community, is itself a step toward desperately needed reconciliation. One afternoon during our visit, there was a monument planning meeting. Everyone spoke who wanted to speak so the meeting spilled over into the evening. Enough Spanish filtered through the Achí for me to understand that, along with the practical details, people were telling each other about the sisters, mothers and companions each had lost in the massacre. They were speaking their pain to each other across many years of silence.

As the singsong voices drifted out into the night, the moon rose over the ridge behind town, illuminating the place where, years earlier, 177 women and children had been slaughtered.

The monument was inaugurated in a commemoration on March 13, 1995, the thirteenth anniversary of the massacre. Río Negrans arranged for a marimba band, speeches, lunch, a Catholic mass, and a Mayan ceremony. National and international solidarity attended. As Juan, one of the child survivors told me after the burial, "Before the exhumation and the burial, nobody knew what happened at Río Negro. Now the whole world knows. We are not alone."

Jean Bodeau lived and worked in Guatemala with the Witness for Peace accompaniment project. The Monument she writes about is being funded by the Campaign for Peace and Life in Guatemala. A Campaign video shows footage of the monument dedication ceremony. (See pages 47-48 for details.)



A woman spreads pine needles on the grave behind the Monument in Pacux. Photo by Jonathan Moller.

the massacres were jailed in September. The rest are still free. In the Rabinal market one day, a friend from Río Negro pointed out one of those responsible. "See that man in the red pickup? He is a murderer from Xococ." When survivors went to the Public Ministry in Salamá to give their testimony on the massacre, they had to wait outside for their turn. A few blocks away in the

received death threats and been physically and verbally attacked by their neighbors who say that speaking out will bring more massacres to Río Negro. Yet people are determined in their truth-telling and their search, if not for justice, then for healing. Carlos, who lost his pregnant wife María and two children, ages 5 and 7, in the massacre, speaks of a premonition his wife had

Standing by the pit from where the cadavers of his wife and daughter were exhumed, Juan Manuel explained that his community wanted the exhumation so that it would be publicly known how their family members died.

Clyde Snow wryly summed up the value of setting the record straight: "They say the disappeared left the country and are having a good time in Paris or Mexico. Well, every skull out of the ground is one less person living it up in Paris."⁷

The Army and PACs said that there had been a military confrontation between 300 guerrilla fighters and 60 soldiers. ... What really happened was that the Patrollers put weapons in the baskets of the women coming home from the market. Then they took photos and presented them to the local military post. This is the story they told, so as not to take responsibility for the fact that it was innocent women and children they killed.⁶

Summary

Nothing will ever come close to fully repairing the past or healing the pain of the surviving victims in Guatemala. Yet they proceed with the exhumations. Why they do so is a complex mix of psychological, cultural, personal, communal, practical and political reasons. Vital to the satisfaction of these needs is the forensic work.

"They say the disappeared left the country and are having a good time in Paris or Mexico. Well, every skull out of the ground is one less person living it up in Paris."

Sad recognition. Surviving family members come forth to try to identify their relatives from pieces of clothing found with the remains.

Photo by Gilmar Simoes, EAFG.



CHAPTER 4

THE FORENSIC SIDE OF EXHUMATIONS

The Guatemalan Forensic Anthropology Team (EAFG) is comprised mainly of Guatemalan citizens. The EAFG was set up in the early 1990s, financed by international agencies and trained by a number of international forensic anthropology experts such as Karen Burns and Clyde Snow.

Argentine forensic teams provided a model for the EAFG, having recently come through a similar experience. The Argentine and Guatemalan forensic teams have collaborated on a number of occasions and the Argentine team was responsible for the exhumation of the Dos Erres site in the Petén in Guatemala in 1995. In fact, it was the example of exhuming mass graves in Argentina in the mid-1980s that inspired Guatemalans to file identical legal proceedings in their home country.

Legal Procedure

Guatemalan law provides for the steps required to petition for an exhumation, as does the legal framework in most nations. Despite this provision, the judicial institutions have had to be pressured to comply with their obligations in every exhumation examined in this report. In some cases they have even tried to obstruct the process.

The initial denouncement of a massacre is presented to the Attorney General by interested parties such as representatives of the community where the massacre took place, family members of the victims, or representatives of the popular movement. The Attorney General's office is then obliged to carry out an initial investigation of the crime, the findings of which must be presented to the courts.

When the judge in the department where the massacre occurred accepts the grounds, she or he nominates a forensic expert to exhume and analyze the evidence. Each department in Guatemala does have a forensic doctor who is offi-

cially responsible for such work. However, Guatemalan forensic doctors assigned to such tasks are usually reluctant to undertake the exhumation of clandestine graves. Either they do not have the physical and economic resources, or, as functionaries of the State, they may be opposed to such work that will implicate the Army in the mass murder of civilians. They may well be too afraid to do it. If the departmental forensic doctor declines the task, the judge can nominate the EAFG as the forensic experts in the case, and request that they exhume and carry out a full forensic analysis of the evidence.



Members of the EAFG carefully dust off the jumble of bones and other remains at the Plan de Sánchez exhumation site. Photo by Gilmar Simoes, EAFG.

Rarely do eye-witnesses survive. More often witnesses may have heard Army orders being shouted, heard screaming, or seen the smoke from the burnings.

Once the EAFG has been nominated, the local judge must then officially delineate the general area to be exhumed (i.e., a square mile) and sign a final order giving a date for the exhumation to begin and end. The EAFG is then free to begin the exhumation.

Representatives of the National Police are required by law to guard the site for the period of the exhumation, as the findings are regarded as State evidence.

Beginning to Exhume Mass Graves

The work of exhuming mass graves is a difficult and delicate task. First, the exact location of the site (i.e., the area 10 feet from the almond tree) has to be mapped out. This information is gathered from a variety of sources: direct witnesses, people who have found evidence, rumors, and any other leads that there might be. For example when the refugees returned to their home community of Cuarto Pueblo, Ixcán in 1994, twelve years after the

massacre, a number of remains, bones and burnt clothing were found lying above ground, or half buried, indicating the location of possible grave sites. (See page 24 for an example of a direct witness' testimony.)

Again in Cuarto Pueblo, one woman from the community said she was sure of a burial site close to the river because often, while washing her clothes, she had the sensation of hearing women wailing. This possibility was investigated, because it corroborated other testimony that a group of women had been taken down to the river by some soldiers, then raped and murdered.

While investigating the whereabouts of possible grave sites the EAFG gathers *ante mortem* data, or the facts that were known about the victims before their deaths. This is a vital stage; any eventual forensic identification is the result of a combination of testimonies and actual findings. All those who have relatives, loved ones, or friends in the massacre, or who have knowledge of the same, are interviewed by the



Member of the EAFG examines exhumed remains in the laboratory. Photo by Gilmar Simoes, EAFG.

EAFG.

Relatives and survivors are asked to describe the victims physical characteristics... How tall were they? Were they fat or thin? Did they have any missing teeth? Did they have any crowns? Any scars? Any broken bones? Were they able to write? With which hand? ...and any other physical details which might forensically distinguish one bone from another in a mass grave to lead to a positive identification.

This is a delicate stage in the investigation as some survivors are understandably wary and unwilling to give testimony. The EAFG may make a number of visits and then spend up to two weeks in the community talking to the residents, explaining their work and gaining the community's trust.

All community involvement in the exhumation process is voluntary. There are many instances when vital witnesses have refused to give their testimony or survivors have moved away from the area. For example, one of the only people to actually escape from the Plan de Sánchez massacre was a woman who was raped, and then, unlike the rest, her life was spared. She moved to the Petén. Her evidence would have shed invaluable light on what had actually happened that fateful day, July 18, 1982, when more than 200 members of her community were massacred. Attempts made to contact her were to no avail.

Limited resources make it impossible for the EAFG to search extensively for evidence.

Rarely do eye-witnesses survive. More often witnesses have *heard* Army orders being shouted, heard screaming, or seen the smoke from the burning. When witnesses do exist, they have often been forced to play a role in the massacre. In the case of Plan de Sánchez, for example, the surviving family members were ordered by the Army to dig shallow graves to bury those killed by the Army.

By gathering as many details as possible about the people killed in the massacre, the EAFG puts together a fairly clear picture of the background to the massacre, the massacre itself, and the aftermath.

The Role of the Popular Movement

The involvement of the popular movement has been crucial in ensuring optimal contact between the EAFG and the community where

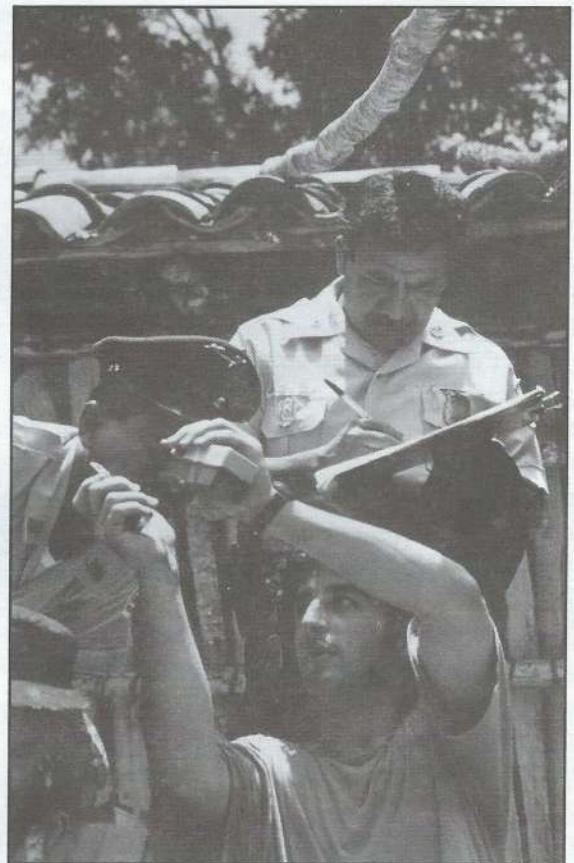
the dig is taking place. The umbrella group, *Sectores Surgidos por la Represión y Damnificación*, has coordinated the work with the EAFG since the exhumations began. These mainly indigenous popular movement organizations grew out of the repression: CONAVIGUA (National Coordinator of Guatemalan Widows), CONDEG (National Committee of Displaced People), CPRs (Communities of Populations in Resistance), CERJ (Ethnic Committee Runujul Junam), CCPP (Permanent Commissions), GAM (Mutual Support Group), and the ARDIGUA refugee group.

The *Sectores Surgidos* work with the community on presenting the denouncement of the massacre, discuss the implications of the exhumation, and then are there to guide the community through the cathartic process of turning from victims into activists. The *Sectores Surgidos* also send representatives to the grave site to assist in the organization of the actual exhumation; they translate into Spanish testimonies from community members who only speak one of the 21 indigenous languages; they assist with any manual labor necessary. The most important role they play is that of providing an essential link of trust between the community and the EAFG.

Excavating the Grave Sites

After the EAFG has marked out the various grave sites and computerized the *antemortem* data, the actual exhumation begins. Equipped with shovels, tents, hoes, sand sifters, trowels, sieves, paint brushes, tooth brushes and other improvised equipment, the EAFG begins the dig. The optimum time to do the work is during

The National Police are required by law to guard the site for the period of the exhumation.



A Member of the EAFG submits evidence to the police at the Plan de Sánchez exhumation site.

Photo by Gilmar Simoes, EAFG.

CUARTO PUEBLO: WITNESS TO A MASSACRE

Testimony of Juan Balthazar by Rachel Holder*

I had a dream on that Saturday night [the night before the massacre] that the Army would come to Cuarto Pueblo. The dream told me I had to go into the town center the next day. I got up at 5:00 am on Sunday to go to the market because I wanted to buy some *chicle* to bind a wound on my daughter's arm.

While I was in the market place later in the morning a blue and white helicopter appeared from the direction of the Mexican border and circled overhead four times. Then somebody, who was cleaning the undergrowth on a hill near the Evangelical church, shouted "Let's get out of here!" They could see the soldiers coming.

The Army arrived first from the direction of the airstrip and entered the market place. Santos Velásquez, a military commissioner from Centro Maraviles, told everyone not to worry and said, "I'm a commissioner, it's OK. No one will get hurt." I was sitting three meters from him when he said this. I got up and went to the market place to see where the Army was coming from. Some soldiers were surrounding the evangelical church on the hill by the airstrip and concealing themselves in the cornfields so that they could stop people trying to escape.

The soldiers in the market place were shooting indiscriminately at men, women, and children. The lieutenant shouted at them not to kill the women, just the men. They killed the old people first. The soldiers said, "You can't enjoy old people, they're no good for anything."

Some women had managed to get out of the market place and were running. Their skirts had fallen off and they were naked, but no one was think-

ing of looking at them. They didn't escape because the Army came from the other direction and surrounded them.

A soldier shot at me and the bullet went through my shirt but they didn't kill me. I threw myself on the ground and pretended to be dead. There was nowhere to hide because there was only tree cover on one side of the market place and the soldiers were standing around on all sides with their guns. They posted a soldier at every entrance.

I lay on my back in the market place all day. Soldiers were walking over me, and I could see their fierce faces. There were two or three dead people lying on either side of me, one of them the son of a woman I knew.

When the shooting started, about 15 women had stayed hidden in their shop in the cooperative. But the Army found them and took them to the school, where they locked them up. One of the women, Argentina, could speak Spanish. She wouldn't give her son to the Army and had him clasped to her chest, saying "First me, then my son." They took him away at night.

They had locked the women in the school. There were five soldiers for every two women. I heard the lieutenant tell them that in [the nearby community of] Pueblo Nuevo there would be a woman for every soldier, but in Cuarto Pueblo there were not enough. There were soldiers at every entrance to the school guarding them. They raped the women that night and every night after. I could hear the women crying, and saying, "We are going to die now. They killed María, and we are going die with her."

I hid under a trunk near the evangelical church. Ants were crawling all over and biting my face. I thought the



Army would go away at night and I could escape, but I had to stay there for three nights, with a guard soldier standing near me.

After the killing on Sunday, the Army ate biscuits from the cooperative. (There was a lot of good food in the cooperative.) They had not yet done anything with the dead. There were bodies strewn all around on the ground. They killed more than 300 people that day. At around 4:00 p.m. they began to collect all the bodies. They used a board for carrying them, and made a pile in the center of the market.

A helicopter arrived with gas from Playa Grande [military base] and they threw it over the bodies in the market place and also in the shop and the car-damom dryer. Then they brought sticks of wood and threw them on as well.

They said they were going to make sure the guerrillas burned. At 5:00 p.m. they started to burn everything; the fire in the market place was 20 meters high. I could smell the burning flesh. They also burnt people in the church.

Some of the children were still alive. They were crying. The soldiers taped their noses and mouths and doused them with gas. Then they threw them in the fire. They picked up babies by their legs and started to smash them on the



Left: Shoes found during the Cuarto Pueblo exhumation.

Behind: Charred bone fragments from same site. Photos by Frida Berrigan.

concrete posts of the cardamom dryer. The soldiers didn't want to do that but they were forced to by the commander.

Later they killed a cow and each soldier had a chunk of meat. They cooked it in the fire.

On Monday and Tuesday they took cardamom, clothes, jars, machetes, money--everything from the cooperative. They emptied the warehouse and loaded up a plane to take it away. I could see them as they did it because I was up by the church and could see down onto the airstrip.

The soldiers asked the lieutenant if they could have the women. The lieutenant said, "On the 17th we're going to leave. We must kill all the women on the 16th; we can't take them with us. One soldier said he wanted to take the women with him because they were pretty. He was speaking *Kakchiquel*, but I could understand a bit. The lieutenant told him off for speaking in his indigenous language.

Finally, three days later, I took off my boots and held them in my teeth. And I crawled through the undergrowth. It was nighttime. Some of the soldiers heard me and asked each other what was making that noise. They thought I was an animal eating bananas. I arrived at the path near the evangelical church.

As I walked I was bitten by mosquitoes because I only had a short sleeved T-shirt on.

I went to the 'Centro Maravilla' and I slept in the lot that belonged to Don Victor. After that I went to the houses to see if I could find any people, but there was no one there. I stayed there for 4-5 days. Then I walked to Mexico to search for my family.

On the way to Mexico, I walked through Nueva Concepción. I thought I would be able to get corn from the field because I knew there was little corn in Mexico. I arrived there at 8:00 am. It was five or six days after their massacre, so the dogs and cats were eating the remains. I didn't find anyone alive.

When I got to Mexico, people saw me and asked what had happened because my face was black with bites from ants and mosquitoes. There wasn't any food or work in Mexico and I thought my family was dead. Then the Army and government of Mexico came and asked me the story of what had happened. They took me to a refugee camp. Six days later I found my family--I cried when I saw that they were alive.

I wasn't afraid to come back because I heard on the radio that the war was over and the Army is not going to kill anyone now. But I know the Army is still all around us. We're all still afraid.

We cannot forget what happened. If we just leave it, our children will never know. When Ríos Montt came into power, that is when people began to die. We have to be ready to stop it from happening again.

Juan Balthazar is referred to in Ricardo Falla's Massacres in the Jungle as his principal witness. He returned to Cuarto Pueblo with the first group of returnees in May 1994. He lives on his own in a tiny hut in the settlement, without his wife or children--who all preferred to stay in Mexico. He gave this testimony during an interview in October 1994.

the dry season (October-April) because daily rains can make the work next to impossible. The duration of the dig is anywhere from a few days to, more likely, a few months.

The EAFG spends the entire day digging and sifting through dirt and rock, recovering and cataloguing bones, other bodily remains and evidence. Surviving family and community members are usually present, and continue to give important data as to the victims and the details of the massacre. In some cases, clothing, jewelry and other personal belongings found in the grave may be identified by a surviving relative.

It is very difficult to make a positive identification, even with extensive *ante mortem* information. However, some findings such as a personal identity card found in the grave will almost certainly lead to positive identification, as will specific dental characteristics. In the case of women who were pregnant at the time of death, the EAFG looks for fetal bones located over the womb area of a female skeleton.

Laboratory Analysis

Once the dig is complete, the EAFG transports the bones, remains, and other evidence to a laboratory where they will then scientifically examine them. This step may last up to six months. In the case of a massacre after which the bodies were burned and there are few skeletons, the ashes and fragments are sent away for a more complicated procedure to analyze the DNA content of the remains. The EAFG then produces a report with a full scientific analysis of the forensic findings from the exhumation.

A Proper End

Finally, the bones and remains are returned to the surviving family

and community members who, after waiting many years can finally give their loved ones a proper, dignified burial. Some communities have built Monuments to Truth to commemorate the names and lives of their dead, and to tell the true story of how they died. (See story on page 18.)

These burials are momentous occasions attended by people from all over the country. Often there is an international presence. The ceremonies may last for days on end. There are Mayan and Catholic services, wreaths are laid, candles lit, and all night vigils as the surviving victims reclaim their dead, the graves, the past, the truth, and their power.

Summary

Exhumations involve legal and technical processes that are often lengthy and complex. But the results are

worth the cumbersome nature of the exhumations.

By exposing the truth and demanding justice, the exhumations have a strong effect; they present a political, legal and moral challenge to the powerful sectors of Guatemala that have planned, carried out and benefited from the repression.



Top: Caring hands have laid out the skeletons exhumed from Dos Erres. The small coffins await the remains and accompanying clothing. Photo courtesy of FAMDEGUA.

At right: The remains of a massacred woman from Río Negro. Photo by Gilmar Simoes, EAFG.



CHAPTER 5

THE EXHUMATIONS IN THE CURRENT CONTEXT

We are never going to accept that an official of the Armed Forces be put on trial for having fought against people who wanted to impose a Marxist-Leninist system.

--Colonel Alvaro Rivas¹

For years the government and military buried the truth, through killing and forced disappearances of those who spoke out against the injustices. This guaranteed that most of the rest of the population would be too afraid to speak out or take action. As the Guatemalan people overcome their fear, the political landscape reacts accordingly.

Impunity Today in the Military

Reformist sectors within the Guatemalan government and military have been aware of the need to "clean up their image." For them, the exhumations are a necessary, if not uncomfortable, step in that direction. This may be the only reason that the government allowed the exhumation process to begin.

But the desire of a better reputation is not shared by all. There are sectors in the Army, referred to as the "hard liners," who are not prepared to compromise and accept human rights requirements and standards. Because of this resistance, the reformists' efforts to curtail repression as a means of societal control has been a slow process since the first civilian presidency (Vinicio Cerezo) in 1986, which allowed a small space for human rights and popular movements to work in. Since that time the space has been forced open more, but the parameters have always been and still are controlled by the Army, politicians, and large landholding and business sectors. Impunity is still well ensconced.

The February 1996 Fourth Report of the United Nations Human Rights Observer Mission (MINUGUA) concludes that the Guatemalan State does not have a commitment to fight impunity. The Report claims that one of "the root causes of impunity is the autonomy enjoyed by the Army in its counterinsurgency and anti-subversive activities."²

This autonomy is not easily overcome. However, the negotiated peace process, the pending U.N. Truth Commission, MINUGUA, the Guatemalan popular movement and non-governmental human rights groups have placed the government and military under increasing vigilance and pressure.

Backlash

As the exhumations expose the truth about the State's massacre policy, and as more exhumations are being called for, the Army and Civil Defense Patrollers seem to feel threatened. In some cases, they are resorting to the old mechanisms of intimidation and repression to try and scare people back into silence.

In July 1994, soldiers entered the community of Pacux (where the Río Negro massacre survivors live) and asked the women and children, "Who has been promoting the exhumations?" They warned the women not to continue with the digs and to stay away from church and human rights organizations involved in the exhumation process. The soldiers ripped human rights posters from their walls.

A number of Pacux women have been physically beaten by former Civil Defense Patrollers from the community of Xococ. To this day, Xococ Patrollers continue to threaten them with death if they continue with the exhumations and human rights work.³

In the northern department of Petén, FAMDEGUA denounced the firing of heavy weaponry by military commissioners and civilians around the site of the Dos Erres exhumation. Surviving family members of the victims of this massacre have given testimony that the leader of the PACs, along with an Army official named Carlos Carías, directed the massacre. (See Annex 2 for a case study on the Dos Erres massacre.) The soldiers and Patrollers fear that after the exhumations they will be put on trial.

The Army and Civil Defense Patrollers are resorting to the old mechanisms of intimidation and repression to try and scare people back into silence.

The Civil Defense Patrollers have always presumed that they are protected by State-sponsored impunity. The exhumations are shaking that assumption.

The Catholic Church's Human Rights Office (ODHA) publically condemned anonymous threats against members of the EAFG in August 1994. Jorge Mario García LaGuardia, Guatemalan Human Rights Ombudsman, denounced threats against priests in the area of Rabinal who had been supporting the exhumation process by local military officials and members of Civil Defense Patrols. Army personnel and Patrollers are trying to prevent people from exercising their right to provide their loved ones with a dignified burial, the priests stated.⁴

PAC Impunity

The Civil Defense Patrollers have long been held responsible by national and international human rights groups for some of the worst massacres and other violations in Guatemala.⁵ The PACs and soldiers have always presumed that their power and control are protected by State-sponsored impunity. The exhumations are shaking that assumption.

The Civil Defense Patrollers are becoming especially nervous. In a very real sense, they were the servants of a military structure that could now abandon them to face the consequences. The military is using the Patroller as a way to shed the blame, pretending that PACs were acting alone as the intellectual and material authors of the crimes. It is interesting to note that the Army stops short of cooperating to secure their arrests, however.

In June 1995, Civil Defense Patrollers in the Ixcán municipality held five international human rights workers hostage for over 24 hours in a much publicized kidnapping. The incident was under the control of Raúl Martínez who has long held close ties with the local military base in Playa Grande. Even though there are three capture orders against Martínez (for the hostage taking and other human rights violations) he continues to act with impunity in the Ixcán region.

PAC leaders like Martínez are useful for the Army. They allow it to publicly dissociate itself from such figures while the same person helps pursue the military's strategy.

The Massacres Continue

On October 5, 1995, the Army showed that it is still intent on indiscriminate killing.

The Aurora 8 de octubre community (also known as the Finca Xamán), in northern Alta Verapaz, was planning the first anniversary celebration of their return from the refugee camps in Mexico. They had fled the massacres of the early 1980s.

An Army patrol of 27 soldiers arrived on foot at their isolated community. After an exchange of words with community members, the Army opened fire. Eleven people were killed and 30 more seriously wounded. Minister of Defense Mario Enríquez, who has since resigned, publicly stated that the soldiers were lured into a trap by the Xamán community, provoked, and then opened fire--acting in self-defense. His argument is absurd, given that the only injuries sustained by the soldiers were from "friendly fire," according to the Archbishop's Human Rights Office.⁶

Then-President Ramiro de León Carpio formed a special commission to investigate the event. But judging from the past, one suspects that little will be done about this massacre, despite the President's assurances; there is little new in this case, except the names of the victims and the date.

The Guilty in High Places

An indication that the present situation has changed little is the fact that many high ranking Army officials who ordered the worst atrocities of the 1980s are still present, powerful and active in Guatemalan political life.

The most notorious example is that of ex-General Efraín Ríos Montt, under whose military government (1982-1983) the use of massacres was policy. First, he was elected to the National Congress, then to the Congressional Human Rights Commission, and recently to be the presidency of the Congress, the second most important political position in the country. Ríos Montt is known to be the power holder behind the FRG (*Frente Republicano de Guatemala*) presidential candidate who placed a close second in the 1995 presidential elections.

His return to the forefront of political life is not an individual aberration but rather an example of how the structures of power remain largely in place.

Negotiation Process

Nevertheless, the exhumations are taking

ARMY PRESSURES TO STOP EXHUMATIONS

Juan Manuel told how the exhumations are threatening the military:

On July 21, 1994, Lucas Tecu, military commissioner from the village of Xococ, advised all Rabinal commissioners that the Army wanted to speak with all men and boys over the age of 18 at the local military base. It was the first time since 1983 that the Army had called such a meeting. In the early and mid-1980s the Army regularly forced local inhabitants to attend "meetings."

"What happened here, in this area, in the early 1980s?" asked Colonel Alvaro Fabriel Rivas Cifuentes, Second Military Commander of the Salamá Military Base. No one answered. He continued: "I don't know if it is because of your pain or feelings about the past, but recently many denunciations have appeared in the national and international press against the Guatemalan Army, the military commissioners, and against the Civil Defense Patrols."

"Who were the people who came here and caused so many problems in the early 1980s? The Army? Or the guerrillas?"

Some men from the crowd answered: "The guerrillas."

Colonel Rivas continued: "The guerrillas are planting lies in the community. These guerrillas, from the capital and from the international community, are shameless. They came here to take your land from you, your women and your children. How many times has the Army ever come to take your land, women and children from you?"

"Never!" shouted some men.

"The guerrillas couldn't gain power militarily; now they want to gain power politically by using the exhumation process," continued the Colonel.

Juan Manuel, telling this story, asks rhetorically:

What guerrillas? We didn't see any guerrillas here. It was the Army that committed all these massacres. If the guerrillas had

been here, all these unarmed people would not have been massacred. The Army came to our communities because they knew the people were unarmed.

As the Second Commander asked all the questions, there was nothing that Juan Manuel and the others could do. They couldn't speak out or disagree. They stood there, silent.

The Second Commander warned us: "Suspend the exhumations ... Stop pointing the finger at the Army, the PACs.... If you continue with the exhumations the fighting might resume. Think about your children, your wives, your future. Forget what happened in the past."

Juan Manuel ends with a question:

How can one forget what happened? All we are asking for is the truth.

Juan Manuel is a survivor of the Plan de Sánchez massacre. He related this story in an August 1994 interview.

place in a time of transition in Guatemala. A negotiated peace process to end the 35 year armed conflict has been under way since 1991, but there are still difficult issues to be worked out. The recently-negotiated agrarian and socio-economic topics aroused strong opposition among rightist members of the private sector and Army during the discussions.

Former president Ramiro de León's government signed four accords with the URNG guerrillas: a comprehensive accord on human rights; an agreement to ensure the safe return of refugees in Mexico and other countries; an accord on the rights of indigenous peoples of Guatemala; and an accord authorizing the estab-

lishment of a Truth Commission to investigate abuses committed by both sides during the conflict.

Four points are still pending: measures to fortify civilian power and redefine the army's role in the country; constitutional reforms and changes in the electoral system; the terms for a final cease-fire; and a calendar for the URNG's reincorporation into civilian life combined with verification measures to guarantee that all accords are respected. It is the task of the newly-elected President Arzú to continue these negotiations. In his January 14, 1996 inaugural address, Arzú promised to make the peace negotiations a top priority of his government, and

Guatemalans from the department of Quiché protest forced conscription into the Civil Defense Patrols in a demonstration. Photo courtesy of NISGUA.



Rios Montt's return to the forefront of political life is not an aberration but rather an example of how the structures of power remain largely in place.

predicted that a final agreement to end the war could be reached by the end of 1996.

Negotiated Peace versus Real Peace

Beyond the particulars of the negotiations that are taking place at a political and diplomatic level, there are great differences between “peace negotiations” and “real peace.” How can there be peace when human rights violations continue unabated and impunity is still the norm? “They are reconciling among themselves, achieving their own objectives, forgetting about a population for whom real reconciliation is difficult,” commented Miguel Angel Albizuere.⁷

Real peace is still a distant aspiration is evidenced by the number of human rights violations still committed systematically by death squads and State security forces--violations like the massacre described above. Over the past two years, national and international human rights organizations have published reports concluding that the human rights situation is not improving and that impunity is still the norm.⁸

In its *World Report 1996*, Human Rights Watch concurs: “The Guatemalan security forces and their agents continued to commit egregious human rights violations with impunity.” As has been the case for many years, Human Rights Watch finds that the government of Guatemala failed to investigate or punish those responsible. Under these conditions, human rights violators

feel “no compunction” about their behavior. The current judicial system does not provide a solution, however. Human Rights Watch notes that there is a clandestine system in place to retaliate against those who attempt to pursue their cases through the courts:

Not only were witnesses, plaintiffs, and relatives of victims of human rights violations targeted for violence and intimidation, but prosecutors, judges, and police who attempted to bring violators to justice also suffered reprisals.⁹

Summary

Although this on-going repression demonstrates that the changes in Guatemala are superficial, backlash shows that the exhumation process is threatening to the Army and powerful sectors whose impunity and monopoly on power are dependent upon the fear and silence of the people.

As the bones and pieces of clothing emerge from the earth, that wall of intimidation is cracking. By providing a graphic picture of the repression, the exhumations provide the foundation of truth so necessary in fighting impunity. As more and more people overcome their fear, there will be more demands for exhumations, demands for justice.

CHAPTER 6

*It happened, therefore it can happen again.
This is the core of what we have to say.*

—Primo Levi, Italian
Holocaust survivor.¹

BEYOND TRUTH: JUSTICE AND RECONCILIATION

The exhumations provide political empowerment to the surviving families, community members, and other repressed sectors of society. This empowerment opens a new stage, a stage of working to construct a country in which the repression of the past will never again be repeated, so that all citizens may have the opportunity to attain a life free from poverty and racism.

The challenge of achieving this type of society requires, at a minimum, an open accounting of the past. This accounting must include seeing some measure of justice is done for the repression of the past in order to achieve reconciliation.

Achieving Justice

While "reconciliation" is a term often used in connection with the peace process, "justice" is

the most avoided. Justice would include an end to military impunity, a dismantling of the repressive structures, and reparations for the families of the victims. Claudette Weirleigh, former Haitian Foreign Minister, makes the point that reconciliation can come only after justice has been done.

Few ever proposed that the way for Germany and Europe to reestablish democracy was to forgive and forget the crimes of the Nazi regime and leave its legacy intact. Why should there be different standards for Haiti when justice calls for accountability?²

Why should there be different standards for Guatemala?

By unearthing the mass graves around the country and exposing the massacred remains, the exhumations point to issues that cannot be



A women's meeting in the Ixcán. Photo by Jonathan Moller.



Men from the Communities of Resistance (CPRs) sit in front of the hundreds of crosses they made in remembrance of all those in their region who have been killed during the repression. Photo by Jim Harney.

superficially reconciled; a genuine attempt at justice must be made.

Not to challenge the impunity of the military and dismantle the repressive structures responsible for such crimes condemns the innocent survivors to further trauma and imposed silence, perpetuates the impunity of the guilty and strictly limits the possibility of building a Guatemala based on the rule of law.

The Rule of Law

Even though the possibility of justice seems remote, Fermina López of CONAVIGUA makes the point, "If we want to arrive at a State governed by the rule of law, we must attempt to create it. Otherwise, we will be tolerating impunity."³

Within Guatemala there are two clearly discernible positions in the justice debate. On one side are powerful sectors of society that planned, ordered and sometimes even committed the crimes. These sectors have benefited from the maintenance of the economic and political status quo which depends on either breaking or ignoring the law. On the other side are the victims, survivors, and human rights and religious workers insisting that justice be done

and that transformations be brought about in a very unjust society. They want to do that through legal means.

Investigation and Prosecution

Despite the overwhelming evidence from the exhumations, the State has made next to no attempt to investigate--let alone prosecute--responsibility for the hundreds of thousands of dead, tortured, raped and massacred Guatemalans. Neither have the national power holders and foreign governments exerted any effective political pressure--such as the War Crimes Tribunal trying the perpetrators of crimes against humanity in Bosnia and Ruanda--to hold individuals or institutions accountable for the crimes committed.

In Guatemala, the same people who gave the orders are still in power today, enjoying the spoils of the status quo that they created and defended. They have no reason to change how they act.

The fact that real justice is highly improbable does not deter the Guatemalan people from pursuing it. The Guatemala-based Center for Human Rights Legal Action (CHRLA)⁴ is giving legal counsel to witnesses of massacres.

Using testimonies and exhumed evidence, CHRLA has filed legal proceedings in Guatemala's courts against the material and intellectual authors of the massacres. Although beset by military impunity and the looming question of whether Guatemala will grant amnesty to military officials, the exhumation cases offer massacre survivors a means to demand justice and provide the Guatemalan justice system with a fundamental test of its degree of independence from and authority over the military.

A complicating factor in rendering justice is the determination of the degree of responsibility and guilt among those involved. The hierarchy of the security forces descends from the highest office of the Armed Forces down to the often forcibly recruited, underage soldiers, plus the approximately 1,000,000 men and boys forced to participate in the armed Civil Defense Patrols. How will responsibility be assessed? The presiding Judge at the Nazi war crimes trial of Adolph Eichman in the Jerusalem District Court in 1961, reasoned:

In a complicated and enormous trial such as the one that we are now deliberating, ... the degree of responsibility increases the further away that we get from the man who, with his own hands, used the instrument of death.⁵

In the few human rights cases processed in Guatemala that have ended in convictions, it is only those at the bottom of the ladder who have been punished, further protecting the intellectual authors of the crimes.

With obstacles to legal justice coming from within and outside the country, a better question might be: "Will *any* justice be done?" When a country like Guatemala is trying to make a transition from the calculated use of institutionalized violence and terror towards real democracy and the rule of law, arguably it is may not be possible to have justice done in every case. There are too many disappearances, assassinations, rapes and massacres to try each one.

Paving the Road to the Future

While convictions might not be realistic for each of the hundreds of thousands of violations, the failure to achieve a minimum of justice

paves the way for continued repression in the future. After the release of the U.N. Truth Commission Report on El Salvador, a *Boston Globe* editorial insisted that political crimes be punished.

In 1932, the Salvadoran military suppressed a [*campesino*] revolt with tactics that pre-figured the slaughter of the 1980s. Far from being penalized, the perpetrators gained wealth and power for their crimes.⁶

A measure of justice in Guatemala would set an historical precedent to help prevent future abuses. The challenge that this country faces is that while real justice is unlikely for the crimes of the past, unless it is achieved, what guarantees are there that the same crimes won't be repeated in the future? To ensure that these crimes never again occur, the exhumations and all efforts to publicly tell the truth about the past must name the guilty.

The Step of Reconciliation

By unearthing the truth about the massacres, and providing concrete evidence for future legal proceedings to bring the guilty parties to justice, the exhumations are making a significant contribution to potential reconciliation. Reconciliation refers to the notion that now, as the civil war is coming to an end, each side of the divided Guatemalan society has to reconcile itself to the other. This may sound like a reasonable proposition. But the major difficulty in carrying it out is that the issues around reconciliation have different meanings and implications for different persons and sectors of society. How does each sector of Guatemala's society define it? What does reconciliation imply in real terms?

Former Minister of Defense General Mario Enríquez, disregarding the fact that the wounds of the past *are* open, argues against an airing of the truth: "Re-opening wounds about what happened between 1980 and 1982 won't help anything; it will just serve to further polarize Guatemalan society."⁷

A better question might be: "Will any justice be done?"

Not to Forget or Avenge

FAMDEGUA's Antonio Valdez insists that to ignore or forget the past is impossible. "We shouldn't use the word 'forget' in a process of reconciliation. I have friends whose family members were kidnapped and disappeared in 1975. They haven't been able to forget what happened."⁸ How can the surviving victims forget about the destruction of their villages and

religious groups have criticized governments that have committed human rights violations or been negligent in putting an end to them, enacting amnesty laws that serve to further entrench the impunity of the guilty.

The issues around pardoning are confusing, especially given the fact that many guilty individuals (particularly lower ranking soldiers and Civil Defense Patrollers) were presented with a cruel option: victimize others or be victimized. Many chose to kill and not be killed, to rape and not see their sisters, wives, daughters and mothers raped.

If, through threats and intimidation, the victimizers wish to prolong the silence and cover-up history, then they are resisting repentance and prefer living in sin.'

Local Confessions

A concrete achievement of reconciliation, particularly in the rural communities, would be to arrive at the point where some community members could say, "Yes, I was involved in that massacre. I did not do it willingly, nevertheless I did participate in this atrocity. And I apologize for my actions."

Confessing guilt, accepting responsibility, and seeking forgiveness are the beginning of the process of reconciliation. This would start to build trust and compassion, and perhaps allow the recognition of the victimization of the unwilling victimizers.

the massacre of their loved ones?

Beyond forgetting about the past, some sectors fear that vengeance, not reconciliation, will follow from the exposure of the truth. Columnist Nery Villatoro counters that notion.

We do not want to apply the rule "an eye for an eye, a tooth for a tooth." That would mean that we were acting in the same way as they who, for decades, have been the executioners of the Guatemalan people. We want the people to know who has been responsible for so much suffering that has occurred.¹⁰

Another position is that reconciliation will happen once the truth is known and the guilty have been pardoned and forgiven. Yet, even if the full truth is exposed—including the names of the guilty parties—this position begs the question of who should pardon and forgive? Should it be the State by law or decree, when the State by omission or commission is responsible for the crimes and violations?

Across the Americas, human rights and

Although difficult, it is not impossible that former killers, torturers and rapists would come forward. In March 1995, during the unveiling of a monument commemorating the 177 victims of the Río Negro massacre, a former member of the Xococ Civil Defense Patrols (responsible, along with soldiers, for the massacre) spoke of how he had participated in two massacres. Asked why he was giving his testimony, he responded that he felt it was "a sin before God."¹¹

But confessing guilt and accepting responsibility, and seeking forgiveness are only the beginning of reconciliation. There must be justice, too. As in the case of the Río Negro massacre, that means dismantling the Civil Defense Patrols and indemnifying the families of the victims. Reconciliation, if it happens at all, is more likely at the community level.

A Nation Unreconciled

Since the Conquest, Guatemala has been a racially divided, repressive, and economically unjust country; it could be said that it has never

been "conciliated." Guatemalan Bishop Juan Gerardi insists that for real reconciliation to take place, the society must be radically transformed:

There is no possible peace or reconciliation if the Armed Forces think that what they did was right or good. The crimes and atrocities of the past will repeat themselves if they don't recognize that what they did was illegal. There will be no peace or reconciliation if the wealthy economic sectors don't recognize that they have failed, that they have brought our country to this point.¹²

In fact, the society manifests so many economic inequalities that columnist John Neumaier makes the case for a new kind of decree:

What is called for is not an amnesty for the *junta* that has murdered so many [Guatemalans], but an amnesty for the millions condemned to a life of economic misery and political terror.¹³

Yet the Guatemalan State and its elites are not alone in their duty to admit responsibility for the violent and unjust history of their country.

International Responsibility

Changes in the status quo are necessary not only at the national level, but also internationally. The United State's diplomatic encouragement of the Guatemalan peace process cannot atone for, nor negate its passive complicity with and active involvement in the 35 years of conflict and repression.

It is time for the U.S. government to stop all overt and covert aid to Guatemala until the war crimes are investigated and human rights violations are curbed. It is time for a U.S. Truth Commission to investigate its own past and current involvement in the atrocities. This means a full accounting of such investigations to the public and the declassification of thousands of government documents that refer to violations throughout Latin America and the Caribbean.

Bishop Gerardi carries the international factor beyond that of the often-criticized U.S. military role. He insists that Guatemala's possible reconciliation is intertwined with interna-



Sister Dianna Ortiz was joined by many other U.S. citizens in asking for the declassification of documents that show U.S. involvement in human rights violations in Guatemala. She was tortured there in 1989 with the participation of a U.S. citizen named "Alejandro." Photo by Rick Reinhard, April 1996.

tional structural socio-economic inequalities within Guatemala and throughout the world.

How can we create a democracy based on social justice with all the international financial institutions imposing reforms that are contributing to a worsening of the living situation of the poor majority?¹⁴

There is much work to be done to make the international lending institutions transparent, inclusive and just, so that they understand how their policies contribute directly to the declining living standards of the already impoverished. Exposing their policies is a first step in this arena as well.

Summary

Within Guatemala and abroad, the answer to war crimes is not to hide them under the ground, but to bring them out into the light of justice so that real reconciliation can take place. Only through this process can Guatemala can begin to heal from its terrible trauma.

It is time for a U.S. Truth Commission to investigate its own past and current involvement in the atrocities.

THE SADDEST MOMENT IN THE HISTORY OF CHICHUPAC

*Testimony by Rosa**

What I can tell you is about the death of my husband that took place during a massacre in Chichupac, January 8, 1982. Before that, on September 15, 1981, there was a huge massacre in the town of Rabinal. The soldiers weren't looking at the people they killed, they killed any and everyone. There were persons who were carrying their bags of corn; wives who were carrying their market wares.

That day in September, I hadn't gone to the market, My daughter who was nine years old at the time went instead. When she came back, she was very frightened and told us about the great killing. She had been buying medicine in the pharmacy and they had just shut it around 11:30 for their midday break when the massacre began.

It was not long after this that the Army called on all the people--not only the men, but all the families--to come. Everybody from the *aldea* [rural community] of Chichupac was there. And Chichupac was a large community!

When we were gathered there in front of the church, a Commander said to everyone that if the people wanted peace, well then, he would bring them peace. But if the people were involved in "bad things, in bullshit," well then, he would bring them bullets.

Later in September, the men and boys of Chichupac were obliged to begin serving in the Civil Defense Patrols. I didn't even know what these Patrols were. I remember that everyone had to carry signs stating what each person's job was. Almost everyone. So that day they were told they had to patrol at night. What were they going to be watching out for? Well, nothing. We hadn't seen anything here. And how

were they going to defend themselves? The Army told them to just make themselves some wooden sticks. They never saw anything at night.

In December, about two weeks before the massacre the Army obliged all the men to go to Rabinal to have their photos taken. I don't know why they had the photos taken. The Army told them that when the photos were ready it was going to give them to them, but we never heard anything else about those photos.

Then, after that, came an order from the military zone for the townspeople to decorate the main Chichupac road leading up to the medical clinic. We were then told that everyone, men, women and children, had to be present on January 8 because the Army was going to give out gifts to everyone at the clinic. So that is what we did; the road was decorated, and we hired a marimba band. It was going to be a party!

I didn't feel very good about all this. I'd had a dream that made me very sad, and it was like I was foreseeing that something bad was going to happen. On the morning of January 8, I told my husband that we shouldn't go, that we should go cut coffee instead. But he said no, that he, as a member of the local Community Improvement Committee, had to attend the meeting. Until the massacre, the people in my town had lived more or less well, and it was quite peaceful.

But the Army said that every member of the Committee and all other men of the town had to be present at the January 8 party. As I'd said, I didn't want to go. I had a 6 month-old baby. All my children went. Twice they came to get me. The first time my daughter came alone, but I didn't go with her; the

second time she came back with a soldier, and I had to go.

As I started to get closer to the clinic, I was surprised because I could hear all the dogs barking. When I got there, I saw that my husband and all the men were seated there in the sun, in three rows. And the Commander was there.

A soldier gave me a little plastic car--this was the gift that they'd promised us. I didn't move. I was looking at my husband's face. All the men looked so sad, their faces so pale.

I can't remember how long I'd been there when finally the Commander spoke. He told us women and children to go to hell. He said that they didn't want anything to do with the women and children, but only with the men. He told us that if we didn't leave the area of the Clinic that they were going to kick and beat us. They ran us out of there.

We left, but I didn't go home. I took another road that went towards my mother's house. I felt something really bad was going to happen. I'd walked about six blocks when I walked into a corn field and hid there behind a tree. There, I heard the soldiers were beating someone.

It was a deaf man who lived in the *aldea*--an orphan. He didn't have his identification papers with him, and since the Army was asking to see everybody's I.D., my father had sent the deaf man to go and get his papers. But when he went running off, the Army thought that he was fleeing so they took off after him. When they caught up with him, they began to kick him. But because he was deaf and could only communicate with signs. He couldn't explain to them what he was doing.

In the midst of the corn field there was a little abandoned house, with an avocado tree beside it so I climbed into the tree to try and see what was going on. From up in the tree, I could hear the men up by the clinic screaming and crying out in pain. I was there for maybe a half an hour. Then, after crying up in the tree, I climbed down and went over to my mother's house. It was from there, in her house, that we first heard the shots.

Her house is about 10 blocks from the clinic. We saw a boy running by, and he shouted at me that my brother and my husband were there. And he ran off. All those men and boys whose names weren't on the list were allowed to go. That day they only killed 35 men—no women or children.

Around 6:00 p.m. that evening all the women got together and were asking for their husbands, because none of the men had returned. I went home and spent the night crying with my children, feeling that my husband wasn't going to come back. He hadn't even said good-bye.

The next day, my only son who was seven-years-old at the time told me that he wanted to go see what happened to his father. So very early in the morning, I told him yes, we would go. We went by my parent's house again.

My father told me it was a good idea for us to go to the clinic, but not with my 7 year-old son. So I told my son a lie; I told him we were going to go to the store first to buy some candy, and that after that we'd go to the clinic.

I went with my father really early in the morning. When we arrived at the clinic we saw a belt that had been all cut to pieces in a barrel of water. And we saw blood splattered around everywhere; it looked as if they had been taken away bleeding.

We spoke with some Civil Defense Patrollers who told us that the Army hadn't killed them there by the clinic. They took them away alive, up the mountain—the men had their hands

tide behind their backs. They only killed two men there by the clinic, and they buried them beside a huge tank of water that belongs to the community.

The Patrollers told us that after they had taken the men away, around 6:00 in the afternoon, three soldiers came back and told the Patrollers that

*I'd had a dream that
made me very sad,
and it was like I was
foreseeing that
something bad was
going to happen.*

they had to clean up all the blood. If they didn't clean up the blood then the soldiers would come back another day and deal with them, the Patrollers, as well.

But the Patrollers told us that there was so much blood there, by the clinic. They told us that one of the soldiers had placed his hand in the blood and then put his hand on the wall of the clinic, leaving his bloody hand mark there for all to see.

So my father and I, we weren't afraid. We went following the signs of where it looked like bodies had been dragged. After walking for about a distance of six blocks up the hill, in the woods, we came across the shoe of my husband. A little bit further we came across the hat of someone else and more drops of blood.

When we got to the top of the hill, where it was flat, we came across a path that our people used to go to their fields, and my father said, 'Here is where something bad happened. Look at all the signs.' We found more hats and bits and pieces of clothing. We arrived at a place where there were two not very thick trees, and all the lower branches had been cut off it. It was here where they

had strangled some of the men. There were a whole lot of sticks and we saw that they had tied the men to the trees—there were pieces of tree and rope everywhere.

"Where are they?" we wondered, because we couldn't find their bodies. We looked all around and couldn't find anything. We were surrounded by brush and woods. But we saw some more signs and followed them about 7 or 8 meters down into some brush that was much thicker than by the trees where they killed them.

There we found them, and, oh God, it looked as if some of them had been thrown there alive; some of them, piled up, had their arms sticking out of the pit as if they had been reaching out to try and grab onto something. We saw that their shirts were sweaty and covered in dirt and it made me think that they had been ordered to dig the holes themselves.

There were two holes dug but they were only partially covered with leaves, branches and a bit of dirt. After looking at the holes my father said 'well we have found where they are, there is no reason to stay here any longer.' We went back down to Chichupac, crying and trying to figure out what had happened. What had these poor people done? What did they owe? Where is the justice in all this?

We were very afraid, and we didn't want to tell anyone what we had found. All this was on Saturday, January 9. My friend Carmen ended up doing the same thing. On Sunday she went with her mother to find out what happened to the men, and she found them the same way my father and I had.

This is how we discovered that the men had been tortured and killed and left there half buried. The soldiers didn't even bury them well!

It wasn't until six days later that I spoke with the other women in our *aldea* and told them about what I'd found. I told them that we should go and

(continued on next page)

CONCLUSION

BEARING THE FRUITS OF THE TRUTH

To forget our past is to risk our future.
 --Bishop Juan Gerardi¹

The exhumation of mass graves has stunned the people of Guatemala, but it has only begun to stun the world. We have tried, through the words and photos of this report, to express the significance of this process. To work for a dignified future, Guatemala must deal openly with the repression of the past, remembering the victims and naming the guilty parties. Unless the truth of the massacres is unearthed, there is little hope for justice and reconciliation in Guatemala.

The need of the surviving victims to deal honestly with the past has been met with the desire of the powerful sectors to avoid such a confrontation. The sectors responsible for the violence resist these topics for several reasons. Some believe in justifying the repression in the name of a war against Communism. Some do not want to pay for their crimes. And many sectors benefit from the unjust economic-political structure that the repression has helped to keep in place. They do not want to change the status quo.

Perhaps the strongest reason they resist an open accounting for the past is that a full appraisal of the past, including the calculated use of genocide to perpetuate oppression, would present a morally devastating portrayal of the military and economic sectors who control and dominate the indigenous majority of Guatemalan society.

In Guatemala, the truth lies under the ground. We began this report examining the exhumation process as a people's attempt to recover their past in order to achieve a measure of justice and heal. However, much work remains to be done before the unearthed truth can bear the fruits of justice and reconciliation in Guatemalan society. Our hope is that this report will be a step in that direction.



People from Cuarto Pueblo gather around the many bags of ash exhumed from the massacre and burning sites. Photo by Gilmar Simoes, EAFG.

The Saddest Moment
 (continued from last page)

give them a proper burial because dogs and vultures had found them and begun to drag them from their shallow graves and eat them.

About six of the women agreed with me that we had to do something, but we decided that we should advise the *Auxiliar*, the governmental representative in our *aldea*, that we wanted to bury them properly. I had already told some other men--fathers and brothers of the dead men--about all this. They'd agreed that we should do bury them properly.

The *Auxiliar* told us that though he agreed with what we wanted to do, he wasn't going to be responsible because the Army wouldn't respect his life nor ours. He told us that this was our affair.

We saw that their shirts were sweaty and covered in dirt. It made me think that they had been ordered to dig the holes themselves.

So we went ahead and did it, and I went with some of my children, and some of the women and about ten men and we dug a bigger hole lower down the hillside.

This was the saddest story that the *aldea* of Chichupac ever had to live through.

Rosa's husband was one of the 35 men and boys massacred by the Army in the community of Chichupac, Municipality of Rabinal, in the Department of Baja Verapaz. Rosa spearheaded the efforts to have their mass grave exhumed. She gave this testimony in July 1994.

ANNEX 1

THE TRUTH
COMMISSION¹

An important agreement emanating from the negotiations was the decision to form a U.N. Truth Commission to investigate and report on the past. The importance of understanding its strengths and weaknesses is that governments and much of the international press will conclude that the Truth Commission is "in some way producing the official history of what happened."³

Background to the Agreement

On June 23, 1994 in Oslo, Norway, the Truth Commission Agreement (formally titled the "Commission for the Historical Clarification of Human Rights Violations and Violent Acts Which Have Caused the Suffering of the Guatemalan People") was signed by representatives of the Government of Guatemala and the URNG.

Before the signing of the Agreement, Rosalina Tuyuc of CONAVIGUA and Nineth Montenegro of GAM (both are now members of the National Congress) travelled to Oslo to deliver to both negotiating parties a document expressing civil society's views regarding the creation of the Truth Commission.

Representing the popular movement, they argued that the crucial reasons for the establishment of a Truth Commission are: to fully account for systematic human rights violations; to explain how and why they were committed; and, most importantly, to identify by whom and what institutions they were committed.

They argued that the appropriate environment for reconciliation and a democratic transition will only be possible by official acknowledgment through those persons and institutions that bear responsibility for the commission of the crimes and violations.

Individuals and institutions that cover up their responsibility cannot be trusted to change

The powerful sectors of Guatemala fear the exhumation process more than the forthcoming Truth Commission because they believe that the Truth Commission is going to cover up certain issues that they wish to remain covered.

—Father Valencia²

their behavior and attitudes in the future. A nation cannot build its future if it does not fully acknowledge its past.

The purpose of the Truth Commission is:

I) to clarify with objectivity, equity and impartiality, violations of human rights and events of violence that have provoked the suffering of the population of Guatemala and that are linked with the armed confrontation.

The phrase "linked with the armed confrontation" is not clear. Will all human rights abuses committed within the past 35 years, during the period of the armed conflict, fall within the Commission's mandate? What factual connection will be necessary to demonstrate that a violation is "linked?"

While many political crimes and human rights violations were committed as a direct consequence of the armed conflict, others, including massacres, were committed for a myriad of reasons under the mantle of impunity that was created by and protects the security forces and death squads.

None Named Responsible

The Agreement establishes that the Commission will:

II) clarify fully and in detail [the violations of human rights and events of violence] and ... to impartially analyze the factors and circumstances that affect such cases.

This mandate is clear, but weakened considerably by the fact that the work of the Commission:

III) will not individualize responsibility

Individuals and institutions that cover up their responsibility cannot be trusted to change their behavior and attitudes in the future.

ties, nor will [it] have judicial intent or effect.

How can the Guatemalan Truth Commission properly carry out its mandate "to clarify fully and in detail" these events when it is hindered by the prohibition to "not individualize" responsibility?

Telling the truth about human rights violations and political crimes (massacres, disappearances, rape, etc.) demands not only the names of the victims, but also the names of the victimizers (individuals, institutions, nations), otherwise one is left with a partial truth.

This is perhaps the greatest weakness of the June 23 Agreement and presents the greatest impediment to the investigating and telling of the full truth about the past.

Political Concerns

As in the case of the U.N. Truth Commission in El Salvador, it is suspected that for a few weeks after its release the Truth Commission's Final Report will be debated and discussed. There will be editorials in the press; it might even cause a stir in the United States and diplomatic circles. Then, it is feared, attention on the past will dwindle. The report may well sit on the shelf.

This short term focus on the crimes and problems of the past contrasts with the long term nature of the challenges Guatemala faces to transform its society.

In both Argentina and Chile, after the end of their military regimes, democratic govern-

ments came into power that were committed to putting an end to impunity and addressing, to a certain degree, the crimes of the past. Moreover, both countries had a past experience of civil society to which they could return.

In Guatemala there has been little structural change; today the military, police, executive, judicial and legislative structures are much the same as during the worst years of repression. Moreover, except for the aborted ten years of incipient democracy between 1944 and 1954, Guatemala has no lasting experience of civil society to which it can return.

Bishop Juan Gerardi concludes that the Truth Commission Agreement is weak due "to the fact that international pressure surrounding the debates related to that Agreement was weak. The international community is more interested in having agreements signed than in the content."⁴

Despite perceived short-comings of the Truth Commission, victims of repression, family members of victims, the popular movement and human rights groups are looking forward to collaborating with the Commission in order to make its report as comprehensive as possible.

The exhumation process is complimentary to and goes beyond the Truth Commission; it is driven by and provides comfort to surviving family and community members; it provides direct evidence that can be used in future legal proceedings; and, it confronts directly and explicitly--nothing being more explicit than skeletons, bones, and bits of clothing and cloth laid out for crying family members to see--the most important question for Guatemala's future: the relation between the past and the future.

This short term focus on the crimes and problems of the past contrasts with the long term nature of the challenges Guatemala faces to transform its society.

ANNEX 2

by Trish O'Kane

TERROR IS SPELLED
WITH TWO RS:
A CASE STUDY

In the 1960s and 1970s tens of thousands of Guatemalan *campesinos* (poor, usually landless farmers) emigrated to the Petén in search of land. Federico Aquino Ruano, known as Don Lico, and Marcos Reyes were two of the people who asked for 100 *caballerías* of land, close by the *aldea* (small rural community) of Las Cruces, in the municipality of La Libertad, in western Petén. Dos Erres takes its name from Ruano and Reyes.

When the families arrived with their machetes, sheer will, and sweat, they carved homes and fields out of the virgin jungle, establishing the community in 1978. Dos Erres was populated initially by some 43 families, most from the area of La Maquina in the department of Suchitepéquez. Their new home was inhabited by jaguars and *saraguates*, large monkeys that howled all night long from the surrounding treetops.

The inhabitants had to bring their water all the way from the neighboring *aldea* of Las Cruces, a two hour walk along a dirt trail which was often muddy. It wasn't until later that Ruano dug a deep well that provided the whole community with water.

Don Juanito (Juan Arévalo), another Dos Erres inhabitant, tried to dig another well near the center of the *aldea*. He dug for three years without finding water. Neither he nor anyone else could have imagined that he was digging the future "clandestine" grave for the entire village.

Despite the many difficulties that the pioneers of Dos Erres faced in their new jungle home in Petén, they were happy to have land for the first times in their lives. Abel Granados, who came from Santa Rosa with his wife and children, was very pleased with what he was able to produce on the land in his new home: chiles, bananas, pineapple, plantains, corn, beans, and squash.

Dos Erres was a small village with no

This is the story of "Las Dos Erres" (the Two Rs) massacre, the worst known to have occurred in the department of Petén, in northeastern Guatemala. At least 250 were killed, mostly young children. Most of them were ladinos from southeastern Guatemala.

ethnic, religious or land conflicts to speak of. A former resident of Dos Erres said, "They were good people, good neighbors; there weren't any problems. It shouldn't have ended this way."

The harsh conditions in Petén brought the pioneers together and in a few years the bustling new community boasted two churches, a school and three small dry goods stores.

Afternoons were quiet and peaceful in Dos Erres. "Many of the children would go visit Don Juanito because he would give them pineapples and sugar cane. They'd hang around while he dug away at his well and joke about how he would dig his way to China before he'd find any water," said a former resident of Dos Erres.

Don Lalo (Estanislao Galicia) was the auxiliary Mayor of Dos Erres. A tall gaunt man from La Maquina, Don Lalo lived with his wife Josefina, and in the evenings they would read the Bible together by candlelight. Perhaps for this reason, they both wore glasses.

"Most of the neighbors were very religious and spent hours every Sunday, in church," a former resident said. Every month there was an evangelical festival, and people from the neighboring town of Las Cruces would arrive, with guitars and violins. "No liquor was sold, but Don Lico (Ruano) loved his beer, and every Saturday he'd go down to Las Cruces to drink with his buddies."

Guns and Beans

The witnesses interviewed do not remember any visits by guerrilla fighters until 1982. Early in the year, a group of some 100 guerrillas came into Las Cruces, and held a public meeting to explain their struggle to the townspeople. The guerrillas, most of them young men and women, paid cash for food supplies and left the town without incident.

On March 23, 1982, General Efraín Ríos Montt became the *de facto* leader of Guatemala

He dug for three years without finding water. Neither he nor anyone else could have imagined that he was digging the future "clandestine" grave for the entire village.

after a military coup. At that time the Army was carrying out a devastating counterinsurgency campaign to try and wipe out the guerrillas, and their civilian base of support. As part of this "scorched earth" campaign, Ríos Montt put two strategies into effect that were to have serious repercussions for the civilian population: the *fusiles y frijoles* (guns and beans) program and the creation of the Civil Defense Patrols, known by their Spanish acronym as PACs.

Soon afterward, the Army built a military outpost in Las Cruces, commanded by Lieutenant Carlos Carías.

While Dos Erres seemed far from the conflict that was ravaging much of the countryside, some members of the community began to feel the tension. "Perhaps this Ríos Montt is going to take our lands from us," Abel Granados said one night to his wife Hilda in a worried tone.

On April 29, 1982, guerrillas killed a person in the nearby aldea of Josefinos, according to Celso Cuxil, leader of the CPR of Petén. Cuxil said that the victim was allegedly an Army informant, responsible for the kidnapping and disappearances of several villagers. "That same day the Army arrived in Josefinos, cut the throats of 24 people and burned all the houses," continued Cuxil. Most people were able to escape across the river to Mexico, "but still today in Josefinos there is a mass grave where these people were buried."

Harris Whitbeck, an advisor to former General Ríos Montt, claims that the General has been unfairly accused of committing atrocities such as these. "People mention the scorched earth campaign, but they don't give dates. All this happened before the General's time," Whitbeck explained. "Another factor is that the General could not change the Army's mentality overnight."

According to Whitbeck, Ríos' program really began on June 1, 1982, with the implementation of the guns and beans campaign. "Ríos Montt changed the attitude of the Army, from that of an army of occupation to an army of integration, with very defined chains of command and very strict orders. Between June and November of 1982 the guerrillas were completely eliminated."

In the months following the ascension of Ríos Montt to power, Lieutenant Carías organized a Civil Defense Patrol of 800 men in Las Cruces, and he tried to do the same thing in Dos

Erres, but the inhabitants of Dos Erres refused.

"Why should we have to walk two hours to defend the homes of people in Las Cruces, who are better off than we are?" the inhabitants of Dos Erres complained. Representatives of Dos Erres went to the military outpost and told Carías that they would only defend their own property and homes.

On November 22, 1982, a boy arrived in Dos Erres with a warning: "Lieutenant Carías sent me here to tell you all to abandon your plots of land, because the Army is going to come and they don't want any problems."

Don Abel and some others left for Las Cruces. Don Lalo and Don Lico (Ruano) went to the outpost to speak with Lieutenant Carías. According to the testimony, Carías was furious and denied that he had given this order. He ordered his soldiers to escort the Dos Erres residents back to Dos Erres, but a few remained in Las Cruces out of fear.

"The people didn't want to leave Dos Erres. They had confidence in the Army and therefore didn't pay attention to the warnings," relates a villager who tried to convince them not to return to their homes.

The Terror Begins

On the night of December 5, 1982, townspeople from Las Cruces remember that the dogs never stopped barking as they saw trucks drive by, on the road to Dos Erres. The trucks were full of soldiers dressed as guerrillas. They entered Dos Erres disguised, presented themselves as guerrillas, and asked the villagers for food.

"*Campesinos* generally don't argue with armed men, so they obeyed, and killed their animals and fed the armed men. After eating, the soldiers told the villagers that they were really from the Army, and that they now knew that Dos Erres supported the guerrillas. Then they began to separate the men from the women," a witness said.

On Monday, December 6, neighbors and relatives of those living in Dos Erres tried to enter the village but soldiers blocked all the paths leading to the community.

"Something strange is going on in Dos Erres," the people from surrounding areas began to say.

A soldier who participated in the massacre

He grabbed me by my chin and said, "What is happening is a cleansing. The dirty ones must go to the fire."

later shared his terrible story with a person living in Las Cruces. The soldier told the person that troops had taken some of the victims into the bushes and cut their throats.

That person shared the contents of their conversation: “[The soldier] said they also raped 14 girls. He told me, ‘After that we smashed the children’s heads with logs, and threw them in the well.’ I think this soldier was somewhat regretful about what he had done. He told me that he had no choice but to participate. If he didn’t obey, the Army would kill him, too.”

This same person from Las Cruces added that two different units within the Army carried out the massacre: one group of Kaibiles entered Dos Erres from the direction of La Polvora and the other group were soldiers from the military outpost in Las Cruces.

Another witness places the famous elite Kaibiles unit at the forefront of the massacre, “All of them were cruelly assassinated with absolutely no chance to defend themselves by a Kaibiles squad. This massacre was ordered and engineered by Lieutenant Carías, who was in charge of the Las Cruces military outpost at that time.”

There are slight differences in the testimonies regarding the actual date of the massacre. It probably happened on Wednesday, December 8; one witness locates the date because it was also the Catholic holiday of the Virgin of the Immaculate Conception. He remembers he tried to get it into Dos Erres that day but could not because of the road blocks. He was so anxious that by 8:00 that morning, he swallowed his fear and went to speak with Lieutenant Carías at the military outpost. “He grabbed me by my chin and said, ‘What is happening is a cleansing. As it says in the Bible, those who are unclean will die, and those who are clean will live; the dirty ones must go to the fire.’”

At 3:00 p.m., presumably on December 8, the people of Las Cruces heard explosions and a lot of gunfire. After that, no one came out of Dos Erres. Although no one is sure of the exact date, several of those interviewed remembered that two or three days after the massacre, a helicopter flew over Dos Erres--as if inspecting the site.

On December 9, a neighbor of the Dos Erres community decided to go and borrow a fumigating pump from his friend Don Lalo (Estanislao Galicia). In Dos Erres, he found no

sign of life. The doors of Don Lico’s home were wide open, and everything inside was strewn all over the floor. When he arrived at Don Lalo’s home, he found the same.

The Aftermath

Forty-eight hours after the massacre, a small group of people entered Dos Erres. “We saw blood where the children used to sit to do their school work. There were ropes, torn clothes strewn everywhere. The place filled us with fear and we fled.”

The same group walked about 20 minutes from the school, to a bushy knoll on the outskirts of the community. It was there, in the leafy jungle, that they found some of their neighbors: “There were many decapitated bodies. Some heads were lying under the roots of trees. We were afraid because dogs were eating the remains. It is very painful for me to remember this. We couldn’t count the heads; there were too many.”

As the group walked out of the area, they passed Army trucks and tractors that were on their way to Dos Erres. Soon afterward, they saw these vehicles return on the same path, on

The people didn’t want to leave Dos Erres. They had confidence in the Army and therefore didn’t pay attention to the warnings.



the way back to the military outpost in Las Cruces. They were loaded down with all the belongings of those massacred: their furniture, chickens, zinc roofing, corn, cattle, and other personal belongings.

The last soldiers to remain in Dos Erres set what was left on fire. Today, 14 years later, there is no sign whatsoever of the small rural village--no charred ruins, just a huge green

A man's remains discovered in the exhumed well in Dos Erres. Photo by Curt Wands.

Argentine forensics lower experts down to exhume Don Juanito's well in Dos Erres, July 1994. Photo by Curt Wands.



empty field that is slowly being reclaimed by the jungle. Dos Erres is a community that exists only in the memory of those survivors whose loved ones were murdered there.

Don Juanito's Well

On July 4, 1994, almost 14 years after the massacre, FAMDEGUA and ODHA asked the Argentine Forensic Team to come and exhume Don Juanito's well. They knew where to excavate because a few days after the massacre, some community members had returned to Dos Erres and found his well recently filled in. It was surrounded by mounds of dirt. They also found three hats lying on the ground beside the well, but could not recognize who they belonged to. A huge sadness, and a terrible sense of loss came over them.

On the second day of forensic work, just seven meters down into the well, the first remains were uncovered. The first item was the shirt of a small boy, perhaps four or five years old; then two skulls, a mass of bones mixed and twisted with clothing and personal belongings, some eyeglasses, a tooth brush, some documents, a woman's apron. Later, an aging photo wrapped in plastic was found in another shirt pocket: the sad serious eyes of a young man stared out. The shirt the young man wore in the photo matched the shirt found on the skeleton.

The exhumations had to be suspended soon after this macabre beginning due to heavy rains in Petén. The Argentine Team left, to carry out jobs elsewhere, with promises to return. The uncompleted job, thus far, has turned up 10 complete and four incomplete skeletons in just over one meter of digging. If Don Juanito's well

is as deep as neighbors think, and there are at least 25 meters more to dig up with an average of 10–15 skeletons per meter, then at least 250 people were buried in this well. The majority of them were young children and adolescents.

The position of the skeletons found also made the forensic teams' work more difficult. After eight meters down the human remains were packed tightly together, the skeletons practically standing on their heads with their feet facing the sky. "It's a bone sandwich," commented anthropologist Patricia

Bernardi. The anthropologists think the victims were unceremoniously tossed into the well head first.

Who was the young man in the photo whose short life ended in a dry well? Could he have been one of Don Lico's sons, or a son of Abel Granados, or perhaps the relative of someone that no one remembers? And the eyeglasses; could they have been the same ones that Don Lalo and his wife Josefina used to read the Bible on a quiet evening in Las Dos Erres?

Editor's Note

On May 9, 1995, the Argentine Forensic Team, working with FAMDEGUA and the Archbishop's Human Rights Office, returned to the Petén and resumed the dig. FAMDEGUA reported threats made against the team, including shots fired. Also of concern that year was a July robbery of one skeleton and various tools.

The exhumation was never carried to completion, due to the dangerous nature of the site. The walls of the well collapsed often, posing a risk to the forensic team inside. The danger only increased as the team dug deeper. A total of 162 cadavers were exhumed.

Trish O'Kane is a free-lance journalist working in Central America. Her story is based on interviews with 11 people: family members of the victims, witnesses who arrived at the massacre site soon after the killings, and other people who live in the Petén. Their names have been changed for reasons of personal security. All the people mentioned by name died in the massacre with the exception of ex-General Ríos Montt, Carlos Carías, Harris Whitbeck, and Celso Cuxil.

Dos Erres is a community that exists only in the memory of those survivors whose loved ones were murdered there.

ENDNOTES

Table of Exhumations

- ¹ For data on Rabinal see pp. 139, 181 in EAFG book: *Las Masacres en Rabinal: Estudio Histórico Antropológico de las Masacres de Plan de Sánchez, Chichupac y Río Negro 1995* (EAFG); for *Cuarto Pueblo*, see *Massacres in the Jungle*, by Ricardo Falla, SJ (Westview Press). Data on Dos Erres comes from FAMDEGUA's bulletin: *Nunca Más. Introduction: Truth Lies Under...*
- ¹ Miguel Angel Albizuere, *Siglo XXI*, May 18, 1994.
- ² *Ibid.*
- ³ Interview with Forensic Team Leader, Plan de Sánchez, July 1994.
- ⁴ *Verdad y Vida*, Catholic Church's Human Rights Office, No. 6, April-June, 1995.
- Chapter One: A Context of Violence**
- ¹ Amnesty International, "GUATEMALA: The Human Rights Record." London: 1987, AMR 34/04/87.
- ² For more information about how the United States financed, armed, trained, and worked closely with security forces and death squads in Guatemala, see *The Battle for Guatemala: Rebels, Death Squads, and U.S. Power*, by Suzanne Jonas (Westview Press) 1991; and *The American Connection, Volume II, State Terror and Popular Resistance in Guatemala*, by Michael McClintock (Zed Books Ltd.) 1985.
- ³ School of the Americas graduate General Benedicto Lucas García speaks about the direct link with Vietnam in the "Winds of Memory" video directed by Felix Zurita (Montreal: ALTER-CINE) 1992; Jonas, p. 70.
- ⁴ Interview with Rolando Alecio, Guatemala City, March 27, 1995; See also his chapter in *The New Politics of Survival: Grassroots Movements in Central America: "Uncovering the Truth: Political Violence and Indigenous Organizations,"* pp. 26-45 (EPICA), 1995.
- ⁵ *Ibid.*
- ⁶ Interview with Forensic Team Leader.
- ⁷ Alecio.
- Chapter Two: The Impact of Repression**
- ¹ Interview with Fr. Valencia, September 1994. Fr. Valencia is a priest who used to live and work in the Municipality of Rabinal.
- ² Interview with Karen Burns, Guatemala City, January 27, 1995.
- ³ Valencia.
- ⁴ See Shelton Davis, "Introduction: Sowing the Seeds of Violence," and Carol Smith, "Destruction of the Material Bases for Indigenous Culture: Economic Changes in Totonicapan," in *Harvest of Violence*, Robert M. Carmack, ed., (University of Oklahoma Press) 1988.
- ⁵ Alecio.
- ⁶ Interview with Alonso Portillo, January 1995. Alonso Portillo works for Defensoría Maya, a non-governmental organization dedicated to the defense and promotion of human rights, focusing mainly but not exclusively on the indigenous Mayan majority.
- ⁷ Alecio.
- ⁸ *Ibid.*
- ⁹ "Reconciliation with the Dead and Restitution amongst the Living: The Psychological Importance of Exhumations," by Judith Zur, published in *Guatemala: The Right to Dream*, Edited by Cynthia Kee and Reggie Norton (Association for Artists for Guatemala), 1995.
- ¹⁰ Interview with Alice Jay, a former investigator with CHRLA, the Center for Human Rights Legal Action, November 1995.
- ¹¹ Cited in *Jesuit Refugee Update*, December 11, 1995.
- ¹² Alecio; he speaks of these findings turning up in other countries, including Northern Ireland, Israel/Palestine, and El Salvador.
- Gender Specific Violence Against Women**
- ¹ The investigation of gender specific violations is a relatively new phenomena in the human rights arena, though the problem has existed through the centuries. In the case of Guatemala, no international human rights organization has made any substantial effort to investigate, expose and denounce these gender specific violations, including the systematic use of rape and gang rape, often before executing the victims.
- ² Aron, Adrienne, et al. "Post-traumatic Stress Disorder in Central American Refugee Women." Committee for Health Rights in Central America (CHRICA), presented at Convention of the American Psychological Association, New Orleans: August 1989.
- ³ *Ibid.*
- ⁴ *Guatemalan Human Rights Commission/USA. Information Bulletin*, Washington, D.C.: March 1990, Vol. VIII, No. 1.
- ⁵ Testimony of Juan Manuel, a survivor of Plan de Sánchez, Spring 1995.
- ⁶ Testimony of Ana, a Río Negro survivor, Spring 1995.
- ⁷ "Guatemala: Massive extrajudicial executions in rural areas under the Government of General Efraín Ríos Montt." Amnesty International Special Briefing, London: July 1982, AMR 34/34/82.
- ⁸ Carmack.
- ⁹ Bunch, Charlotte and Niamh Reilly. *Demanding Accountability: The Global Campaign and Vienna Tribunal for Women's Human Rights*, New Jersey and New York: Rutgers University Center for Women's Global Leadership and United Nations Development Fund for Women (UNIFEM), 1994.
- Chapter Three: Why People Want to Dig**
- ¹ Interview with Juan Manuel, August 1994.
- ² Portillo.
- ³ Similarly, after the massacre in Río Negro, survivors secretly returned a few days later to place a small cross at the site of the slaughter. They too then left the site for almost 12 years. The cross, however, endured, marking the community's most horrendous and sacred place.
- In the mountain top community of Plan de Sánchez, as the years went by the community began to bury other members of the community, who died later on of natural deaths, in the same place as the massacre took place, where the bodies of their loved ones lay in mass graves.
- ⁴ Clyde Snow, *International Miami Herald*, August 9, 1992.
- ⁵ Juan Manuel.
- ⁶ *Ibid.*
- ⁷ Snow.
- Chapter Five: The Current Context**
- ¹ *La Hora* Guatemalan newspaper, December 9, 1993.
- ² *Fourth Report of the Director of the United Nations Mission for the Verification of Human Rights and of Compliance with the Commitments of the Comprehensive Agreement on Human Rights in Guatemala*, A/50/878, p. 29, February 24, 1996.
- ³ Interview with the Widows Council of Pacux, March 12, 1995.
- ⁴ *Siglo XXI*, August 3, 1994.
- ⁵ For further information, see the 1996 Human Rights Watch report: *Guatemala: Return to Violence, Refugees, Civil Patrollers and Impunity and the 1993 Robert F. Kennedy Memorial Human Rights Center report: Persecution by Proxy: The Civil Patrols in Guatemala*.
- ⁶ "Informe Preliminar," Guatemalan Archdiocesan Human Rights Office, October 1995. See also "Guatemalan Troops Open Fire on Resettled Indians, Killing 10," *New York Times*, p. 5, October 7, 1995.
- ⁷ Albizuere.
- ⁸ MINUGUA has the same concerns as: "the Independent Human Rights Expert of the U.N., the Inter-American Commission of Human Rights, the Guatemalan Human Rights Ombudsman's Office and the

Endnotes Continued

Archbishop's Human Rights Office. Despite some recent institutional improvements, it is evident that structural problems continue to seriously limit the possibility of properly protecting human rights.... Impunity in Guatemala is a phenomenon that transcends the field of human rights and affects other aspects of national life."

Second Report of the Director of the United Nations Mission for the Verification of Human Rights and of Compliance with the Commitments of the Comprehensive Agreement on Human Rights in Guatemala, A/49/929 June 29, 1995.

⁹ Human Rights Watch World Report 1996, Human Rights Watch/Americas, p. 41.

Chapter 6: Beyond the Truth

¹ Levi, Primo, The Drowned and the Saved, Vintage International, 1989.

² In Claudette Weirleigh's Statement before the House Western Hemisphere Affairs Subcommittee, as Director of the Washington Office on Haiti, July 21, 1993.

³ Interview with Fermína López, Spring, 1996.

⁴ Known in Spanish as Centro de Acción Legal en Derechos Humanos or CALDH.

⁵ Morley, Jefferson, Outlook, Washington Post, March 28, 1993.

⁶ The Boston Globe, March 16, 1993. For further information on the results of the findings on El Salvador, see De la Locura a la Esperanza, the Truth Commission's report on human rights violations there, March 15, 1993.

⁷ El Gráfico Guatemalan newspaper, February 13, 1994.

⁸ Valdez.

⁹ Verdad y Vida, No. 6, April-June, 1995.

¹⁰ La República Guatemalan newspaper, March 4, 1994.

¹¹ Interview with Xococ Patroller, Pacux, March 13, 1995.

¹² EPICA delegation meeting with Bishop Juan Gerardi, March 14, 1995.

¹³ John Neumaier, Sunday Freeman, (Kingston, NY), October 2, 1994.

¹⁴ EPICA meeting.

Conclusion¹ Verdad y Vida, No. 6.

Annex 1: The Truth Commission

¹ This section is based on information from the Center for Human Rights Legal Action based in Washington, DC, published on July 11, 1994 after the June 1994 Truth Commission accords were made public.

² Father Valencia.

³ Verdad y Vida, No. 6.

⁴ EPICA meeting.

RECOMMENDED RESOURCES

The New Politics of Survival: Grassroots Movements in Central America, Edited by Minor Sinclair (EPICA) 1995. This timely anthology about the political and economic crisis in Central America includes a chapter by Guatemalan Anthropologist Rolando Alecio: "Uncovering the Truth: Political Violence and Indigenous Organizations." \$15.00

Guatemala: The Right to Dream, Edited by Cynthia Kee and Reggie Norton (Association for Artists for Guatemala) 1995. With a broad scope of Guatemalan, British, and North American contributors, this book was based on a delegation of artists that traveled to Guatemala during the June 1994 Plan de Sánchez exhumation. Order from EPICA. \$10.00

A People Damned: The Impact of the World Bank Chixoy Hydroelectric Project in Guatemala, Julie Stewart et al (Witness for Peace) 1996. This recently-released report focuses on Río Negro, the construction of a World Bank financed hydroelectric project, and the ensuing massacre. (See address on facing page.) \$5.00

Monuments to Truth, by Jonathan Treat (Sun Productions/Campaign for Peace and Life in Guatemala) 1996. An accessible, moving video that shows the Mayan struggle to make known the truth about the massacres in Guatemala. Includes footage from Río Negro and Plan de Sánchez. 25 minutes. Order through EPICA. \$24.95

Massacres in the Jungle, Ricardo Falla, S.J. (Westview Press). Falla provides the only anthropologically documented account of the Army massacres in Cuarto Pueblo and the surrounding area in 1982.

We Are Guatemalans, narrated by E.G. Marshall (Maryknoll World Productions) 1995. This documentary video focuses on the repatriation from Mexico of the people of Cuarto Pueblo. Order by calling 1-800-227-8523. \$14.95

Las Masacres en Rabinal, Estudio Histórico Antropológico de las Masacres de Plan de Sánchez, Chichupac y Río Negro (EAFG) 1995.

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- EPICA: Ecumenical Program on Central America and the Caribbean
- FAMDEGUA: Family Members of the Disappeared in Guatemala
- FRG: Guatemalan Republican Front
- GAM: Mutual Support Group
- ODHA: The Archbishop's Human Rights Office
- PAC: Civil Defense Patrol
- REMHI: The Recovery of the Historic Memory Project of the ODHA
- URNG: National Guatemalan Revolutionary Unity guerrillas

This report, better than anything I have read, explains *how* and *why* the survivors of Guatemala's hidden horrors are moved--despite ongoing repression--to demand that the complete truth about the crimes of the past be literally dug up and made public.

--Jennifer Harbury

Ms. Harbury, a U.S. lawyer and author, has spent three years trying to uncover the truth about the execution of her Guatemalan husband, Everardo Bámaca, by the Guatemalan Army and the complicit role played by the CIA in his torture and murder. She is presently pushing to get his body exhumed from a mass grave located on or near a military outpost in the western department of San Marcos.

The excruciating journey of the Guatemalan people has brought them to the brink of truth and possibly to a measure of healing. This excellent report on the exhumation process tells a story of great import to a world in pursuit of social justice and reconciliation.

--Marie Dennis

Maryknoll Society Justice & Peace Office

A woman kneels beside the exhumation pit in Cuarto Pueblo. The Guatemalan Forensic Anthropology Team could only recover ashes and bone fragments from this site. Photo by Gilmar Simoes, EAFG.



AN EPICA/CHRLA REPORT

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