

Paramilitary Men Charged with Rio Negro Murders: Part I

Under the Radar

As the international community processes the December 2007 Guatemalan court decision that refused to grant Spain's extradition request for defendants charged with genocide and other crimes against humanity, a landmark legal trial began in Salamá, Baja Verapaz under international radar. On 19 December 2007, a local Salamá judge announced the continuation of a suspended court trial (suspended since October of 2004) that charges six former members of the Xococ civil defense patrols (PAC) with murder for their roles in the 13 March 1982 massacre of 177 women and children from the neighboring village of Río Negro, Rabinal, Alta Verapaz.

The six accused are being charged by the Guatemalan state-appointed public prosecutor (MP) and by a local war survivor's organization, ADIVIMA (La Asociación de Desarrollo Integral de las Víctimas de la Violencia en las Verapaces, Ethnía Maya Achi). ADIVIMA is based in Rabinal, Baja Verapaz. Three leaders of the defense patrols, paramilitary groups directed by the Guatemalan military, were sentenced in 1999 to 50 years in prison for their role in the said Río Negro massacre. The sentencing of the three men marked the first and only time in Guatemalan history in which Guatemalan military or paramilitary men responsible for the violence during the scorched-earth campaigns under the dictators General Lucas García and General Efraín Ríos Montt were convicted under a court of law.

The six accused, all previously convicted of giving false testimony in the previous legal trial in 1999, have already given their declarations and statements in December of 2007 and January of 2008. On 13 February 2008 the first massacre witness gave her testimony in the legal trial. There are 17 others to follow.

A Thing Called Genocide

Most of the witnesses live in the village of Pacux, a former "model village" set by the Guatemalan army in order to monitor Río Negro and nearby residents considered "subversive" by the State due to their opposition to the State Electricity Institute's (INDE) plan to transplant the residents with the construction of the Chixoy Hydroelectric Dam. The construction of the dam was part of the government's economic development plan for the Transversal del Norte zone, where many military officials, including then dictator General Romeo Lucas García and his brother, General Manuel Benedicto Lucas García, owned large estates. The resettlement to Pacux occurred after a campaign of state repression and terror, which included five massacres that killed around 440 inhabitants in 1982 alone, the vast majority of the Río Negro population. With the residents killed off or in hiding, the construction of the hydroelectric dam, financed by the World Bank and the Inter-American Development Bank, commenced in January of 1983.

It is extraordinary to note the entrenched impunity and immunity that exists in Guatemala, especially for military men responsible for atrocious war crimes. One only need look at the one conviction of three paramilitary men responsible for the widespread carnage during scorched-earth campaigns of the early 1980s, which were directed at the indigenous Maya populations in the Guatemalan highlands. The UN-sponsored truth commission (la Comisión de Esclarecimiento Histórico [CEH]) uncovered 626 massacres committed against rural Mayan villages during the 36-year internal conflict. According to the CEH, over 200,000 deaths occurred during Guatemala's 36-year internal armed conflict (along with 1.5 million displaced by the violence, and more than 150,000 driven to refuge in Mexico). The CEH placed 93% of the blame at the hands of the Guatemalan army and described the state-sponsored violence as nothing short of "genocide" in their 1999 report, Guatemala Memory of Silence (<http://shr.aas.org/guatemala/report/english/toc.html>). It is estimated by the CEH that around 132,000 deaths occurred under the scorched-earth campaigns under dictators Lucas García and Ríos Montt from 1981 to 1983.

The 1999 report documented that the Guatemalan state, led by the army and their PACs, extra judicially assassinated over 4,000 people in the Rabinal municipality from 1981 to 1983, incorporating around one-fifth the population. Of the victims in the Rabinal municipality, 99.8% were indigenous Maya Achí. It is believed that 28 massacres were committed by the State near the department of Rabinal, Baja Verapaz.

Doña Magdalena Testifies

“I am just happy to have given my testimony,” stated the timid, yet talkative doña Magdalena of Pacux. “No matter what the defendants and their lawyers say, I know I told the truth. How could I make such a story up?” Doña Magdalena adds, “This sadness and this depression that I carry will never leave. Not in this world. I will forever suffer from the deaths of my family, whether there is justice or not.”

Doña Magdalena was just a child when the Guatemala army and Xococ PAC entered Río Negro on 13 March 1982. Her father had previously been killed in the large-scale February 13th massacre of 74 Río Negro residents in neighboring Xococ. That March 13th her mother and her brothers were carried by soldiers and patrollers to the nearby hill called Pacoxom, where they were tortured and killed. Doña Magdalena, only a child at the time, was repeatedly raped by soldiers and patrollers and carried off to live with a family of a PAC member in Xococ. She and 17 other child survivors were forced to live as virtual slaves for two years.

After giving her testimony in the court trial against the six accused Xococ PAC members, doña Magdalena sat on the courthouse steps in Salamá, alone. Her eyes were irritated and red from crying during the recollection of the massacre events. A stunned look of sadness and bewilderment characterized doña Magdalena’s face and demeanor. As an international human rights accompanier in Guatemala, I likely crossed my role as an observer when I walked up to the doña, patting her lightly on the shoulder. I wanted to thank her for her testimony and give her my respects for the braveness in her act. Yet all that came out was “I just wanted to greet you, doña Magdalena, that’s all.” She looked up, put her hand in my hand, and responded, “Thank you.” I sat down with the doña and said nothing. What could I say?

Manuel Tecun Describes Losing his Family

Another child survivor is Manuel Tecun, 10 years old when the March 13 massacre transpired. Tecun had been collecting firewood in the forest above Río Negro with a group of youths when the Guatemalan army and the Xococ PAC entered the village. From 200 to 300 meters above Río Negro, Tecun saw the patrollers and the soldiers enter houses and tie up women and children. “I wanted to hide in the *monte* (forest) and I told my brother this,” stated the emotional Tecun during the court trial. “We’re going to hide in the *monte* because they’re going to kill us,” stated Tecun to his brother. But Tecun decided to return on the advice of his brother, They hid in their abandoned house for only a short time before a soldier found them and demanded to know where the weapons, guns, and guerillas were.

Tecun described how he was united with the group of women and children and how young girls were being forced into the *monte* by the patrollers and soldiers “where they were likely raped.” Later he was forced with the others to the hilltop in Pacoxom. Many were beaten and tied along the way. In Pacoxom he witnessed a white sergeant from Jutiapa barking orders. Later he and the others were forced to lie down on the ground, faced down. That’s when the shots started. “I don’t know if they were from the army or [from] the guns that the patrollers carried,” reflected Tecun. It was in this moment that Tecun knew his minutes were numbered. The butchery was underway. Thus he and his little brother attempted to escape by moving towards the back of the grouped women, who numbered fewer and fewer by the minute, until he received permission to go into the *monte* in order to go to the bathroom. His plan to run to freedom was foisted when he happened upon a rape.

When he was forced to return with his little brother, there were only 10 women remaining. Tecun described how the remaining women begged the patrollers to take their sons and daughters so that their lives could be spared. Many patrollers accepted the “war booty” and later butchered the women. It is believed that 18 children from Río Negro were taken by the Xococ PAC back to their houses. Only one month after the 13 February 1982 massacre of 74 Río Negro residents in Xococ, which included Tecun’s mother and father, he lost five brothers, likely murdered with machetes and garrotes. His youngest brother, whom he was looking after, was ripped out of his arms by a PAC leader Pedro Gonzalez (previously sentenced to 50 years in prison) and smashed against rocks because his wife “wouldn’t like to care for such a small child.” Tecun was carried off by the same man who had killed his brother and forced to live in his house in Xococ for two years.

Don Pablo’s Life as a Slave

One witness, don Pablo, was only a child at the time of the massacre. Yet he suffers from high blood pressure, “a bad heart,” and respiratory problems despite being only 36 years old. Don Pablo remembers how girls were forced to dance with soldiers and patrollers before having their clothes torn off and before being repeatedly raped, tortured, and beaten. Don Pablo remembers the executions with tears in his eyes. The women, mostly young women and girls, were executed with machetes, garrotes, sticks, ropes, fists, and shots of firearms to the head. The witness remembers how the dead, bloodied girls would then be dragged to the ravine “and thrown over the edge like they were dirt.” Misty-eyed, he added how little babies were cut in half with machetes or thrown into boulders with their heads breaking upon impact. “What did these little girls, these babies, these mothers do to deserve so horrible a death?” asked don Pablo to the judge. “*Nothing*,” he continued.

Don Pablo was carried off by Fermín Lajuj Xitumul, one of the main leaders of the Xococ PAC. When don Pablo arrived in Xococ with Fermín, he met the PAC leader’s wife in his “new home.” Fermín’s advised him to forget his old family in Río Negro because “they won’t be coming back.” She instructed him to “start calling don Fermín, ‘papa,’ and ‘mama’ to me.” He was next instructed to go to sleep because he had a long day of work in the fields the following day.

Thus don Pablo began living with one of the convicted murderers of the Xococ PAC. It was during his time living with his “new family” in Xococ that don Pablo remembers how only one week after the massacre the convicted Fermín Lajuj Xitumul, and the accused Francisco Alvarado Lajuj and Macario Alvarado Toj, along with other leaders of the Xococ PAC, returned to the abandoned Río Negro to carry off war booty. According to don Pablo, they stole corrugated tin and aluminum roofs, horses, burrows, turkeys, chickens, cows, and other domesticated animals. Some they kept, some they handed over to the soldiers at the military base nearby. When don Pablo went with Fermín to Rabinal in order to sell some of the stolen goods, he first saw survivors from Río Negro who had been living in the military colony of Pacux. When Fermín noticed what don Pablo witnessed, he told him that “the people of Pacux are guerrillas...Here in Xococ were are safe with our guns...”

However, soon afterwards families of the children living as virtual slaves in Xococ began to arrive to the village, chasing tips and rumors of their loved ones’ whereabouts. After first rejecting his family out of fear, don Pablo eventually rejoined his surviving family in Pacux after living two years in Xococ.

Don Josue Hides in the Mountains

“I lived in the shit and the mountains for years,” stated the frank don Josue of Pacux, as he sipped his fresh coffee prepared by his wife. Don Josue thus far has not given his testimony in the current trial. But as a human rights accompanier in the Rabinal municipality, I visit him on a weekly basis. Don Josue had just returned from a two hour trip by foot in order to chop and carry firewood needed for cooking. “I had to eat roots, bark, and herbs hiding from the Xococ

patrollers and the army. When March 13th came, I had only been hiding for a month in the shit and the mountains. Some of us came down from hiding this day after the screams of our sons, our daughters, our mothers, and our wives went quiet. When we walked down in our bear feet from the shit,” continued don Josue as he stared tentatively at his coffee, “the fresh smell of coffee and of burned tortillas was in the air.” After a pause, he continued. “The houses were mostly destroyed and the clothes of our families were thrown about everywhere. We knew what had happened. We followed the trail of ripped clothes and saw the bodies, some covered in blood, in a nearby ravine at Pacoxom. They were thrown into the shit with no clothes.”

Don Juan lost loved ones in both the February and March 13th massacres. Fellow community member, Carlos Chen Osorio, lost a wife and two children in the March 13th massacre. Carlos Chen’s testimony was essential for the previous sentencing of the three Xococ PAC leaders since he could positively identify his wife after her exhumation due to the late stage of her pregnancy. Chen is currently a local human rights leader, directing the operations for ADIVIMA. Stated don Juan, with Carlos Chen nodding in approval during his advisory visit of the upcoming witness meeting, “I want these men to get the justice they deserve. What makes us good and screwed is the fact that the men who were truly responsible for the massacre, men like Commander Solares and Ríos Montt, continue to live in freedom... like nothing ever happened.”