

Summary of Genocide Proceedings before the Spanish Federal Court;
Round One February 4-8, 2008

Day 1

Monday, February 4, 2008

The international human rights case charging eight Guatemalan former military and police officials with genocide, state terrorism, torture and other crimes began on Monday, February 4, in Madrid. Judge Santiago Pedraz presided in his chambers in the Audiencia Nacional (Spanish federal court) as lawyers for the complainants – Almudena Bernabeu of the **Center for Accountability and Justice** and Manuel Ollé from the **Asociación Pro-Derechos Humanos** – presented their first two witnesses. The witnesses, who gave their testimony under protection of anonymity, focused their testimony on the effects of the Guatemalan army's counterinsurgency offensives that targeted the Mayan communities in the north of the province of Quiché beginning in 1980.

The first witness lived for many years in Nebaj, in the Maya-dominated Ixil triangle. In 1980, the Army began to raid villages systematically, kill those inhabitants suspected of subversion, and corral the remaining residents into controlled villages. As increasing numbers of the Ixil abandoned their homes for the mountains, the Army sent helicopters to drop thousands of pamphlets over the area, warning that if the people were not living in the Army-controlled villages, "You are animals living in the mountain, and we will treat you like animals." The witness's house was occupied, and he was interrogated and tortured. He joined residents fleeing their villages; by 1981, he said, 90 percent of the people who had survived the Army's scorched earth operations were living in the mountains in hiding.

The Army used the offensives to eject the Ixil people from their territory and occupy their land. The witness described how the military would sweep through an area and destroy anything in its path – killing the inhabitants who stayed behind, robbing their possessions, and burning their houses to the ground – in order to control the population while at the same time opening up vast tracts of land for development. The witness and his companions survived by organizing themselves into groups of resistance – what later became the Communities of Popular Resistance, or CPRs. They lived for 16 years in the mountains above their original territories, from 1980 until the peace accords were signed in 1996.

After the war ended, the witness recounted, he and some 400 Ixil Maya organized a project to study the causes behind their experience fleeing the Army operations. The witness ended his testimony by describing the findings of the study. He explained how the Army put into practice the military campaigns of the early 1980s, and the specific operations Ixil and Plan Sofia, which targeted the communities where he lived. In order to maximize the effect of the counterinsurgency sweeps, the military created "Task

Forces,” made up of troops drawn from military units all over the country and concentrating their power to destroy the Ixil communities and massacre their people.

The second witness told the judge that he was a survivor of the Ixil massacres. The witness was a child when the Army arrived in his town in 1978 and began a program of forced recruitment of the young men living in his and nearby communities. He recalled the appearance in 1980 of members of the CUC (Comité de la Unidad Campesino – Committee of Peasant Unity), their efforts to organize the people and their support for campesinos who no longer wanted to serve as migrant workers – maltreated and poorly paid – in the coffee and cotton plantations in the south. He remembered his first encounter with guerrillas from the EGP in 1981, and the Army massacres that followed.

In 1982, the violence ravaging his village and surrounding communities worsened. “That’s when the Army arrived for good.” They burnt the houses. They burnt the fields and the forests around them. Many people died. When people tried to flee into the mountains, the troops would pursue and kill them. The military told those remaining in the village that if they wanted to live peacefully they would have to carry an Army-issued ID. On March 9, 1982, the witness’s father was disappeared by the military after he went to the local base to collect his ID. The witness never saw him again.

The witness and his mother and two older brothers decided to continue living in the village, though it was occupied by the military. The witness’s most wrenching testimony described life inside the “strategic hamlet,” living under strict rules about how much food was permitted, what clothes one could wear, and when one was allowed to leave one’s house. It was a hard life, in which, he said, “You had to be silent, completely silent. You were not free.”

The Army forced the witness’s older brother to join the civil patrols, or PACs, as his mother and other brother continued to live in the village. The authorities used a local convent as a center for interrogation and torture. In mid-1982, the witness – then 10 years old – and his mother were tortured by the military inside the convent, his mother raped. They survived, but decided to flee into the mountains. There, life was harsh – thousands of Ixil had escaped to the sierra, without access to their homes, their clothes, their animals or food, surviving in the bitter cold. It was unbearable – so much so, that they finally returned to their village in 1983.

They lived under the brutal conditions of the Army occupation for years. Eventually, Domingo’s mother began to organize, becoming a member of CONAVIGUA (Coordinadora Nacional de Viudas de Guatemala). By doing so, she became a military target again. In 1990, the witness and his middle brother left town to attend a course in human rights. While they were gone, the Army killed their mother.

The witness ended his emotional testimony with a plea for justice. He pointed out that he and his brother had done everything in their power to bring the case of their mother’s assassination to the Guatemalan courts, without success. He said his experience mirrored the experience of all Ixil Maya who suffered the Army’s scorched earth policies. “When

you have lived with what we lived, it never leaves your head,” he said. “You can never forget.” He thanked the judge for permitting him to speak; “I feel free to say anything here,” he told him, “which I have never been allowed to do in Guatemala.”

Day 2

Tuesday, February 5, 2008

Day two of the Guatemalan genocide hearing before Judge Santiago Pedraz in Spain’s Audiencia Nacional continued on Tuesday, February 5, with testimony from three more survivors of the Quiché massacres, as well as testimony from expert witness Allan Nairn, an independent U.S. journalist who wrote extensively about the Guatemalan Army’s scorched earth policies in the 1980s.

The first witness described what happened to his aldea, near Nebaj, when the military began showing up in 1981. The first time they came, they kidnapped four leaders from his community. In 1982, they moved through the area accompanied by members of the civil patrols (PACs), burning houses and destroying crops. The witness’s house was burned to the ground on May 15, 1982. He and his family moved to an area they felt was remote enough that they would be safe and built a second house, but the Army found them and burned that too in December. They fled the area altogether. Neighbors who did not leave were killed; the witness listed their names

The family went into hiding in the mountains. In January 1983, the witness joined the guerrilla, but left six months later when he realized his wife and children were starving without him. He was able to sow a small, hidden milpa with other families and planted corn, beans, vegetables and fruit trees, but the Army found it and cut it down. “We had no more food,” remembered the witness. “We had to eat the leaves of trees in the forest, wild sweet potato and roots.” The Army would pass over the areas where the communities camped and bomb them; people also died of hunger and cold. The witness told of a clandestine cemetery organized by the refugee communities so they could bury their dead. When the soldiers retired to their bases for the night, the people would creep down from the mountains and pick up the bodies so they could bury them secretly.

On April 26, 1984, the Army set fire to the woods where the people were hiding, and on the following day troops captured the witness’s two sons, ages 12 and 9, and forced them to march with them carrying Army backpacks. He never saw them again. They also caught his mother-in-law, who was 65 years old, tortured her and burned her hands and feet, and left her corpse. The witness and other surviving refugees escaped. They spent years on the run from the Army, subject to constant attacks, bombing, and the destruction of the forest and fields. The witness remained in the mountains until 1992. “That is the story of what we lived.”

The second witness to testify said that in 1979 and 1980 his community heard tell of a guerrilla army operating in the area of Ixcán in northern Quiché. One day in 1980, a

group of people arrived in the market and said they were from the EGP. They spoke of a war that would last for 80 days and put up a banner in the marketplace, telling the people not to remove it. The Army arrived in the area shortly afterward. That is when the military occupation of Nebaj began, when the soldiers began controlling who came and who left the village. In March or April of that year, the Army ordered the community leaders to bring all the men 18 years and older to the nearby base to get their military IDs, but when they came many of them were captured and disappeared.

The witness described how the military swept through the valley, capturing and killing the residents. They ordered those who survived to live in controlled villages, and many people fled, including him. From July to September, the Army encircled the zone, below Chiantla, from Huehuetenago, up to the Finca La Perla – all of this area was surrounded. The communities survived in the mountains, but when the Army saw their smoke they would bomb them. When they came upon their crops, they would destroy them; when they found their animals they killed them. The witness's grandmother died of hunger in the mountains. "We all cried because what could we do? Even the dogs and the cats cried." He remained in hiding from February 1982 until 1995.

Allan Nairn was the third person to speak, appearing as an expert witness. Nairn visited Guatemala as a journalist in 1980-86, traveling to Nebaj, La Perla and other communities in the Ixil, among other places. He interviewed Presidents Ríos Montt, Mejía Vítores and Cerezo, Army officers, members of the PACs, military commissioners, and soldiers, as well as many Ixil Maya, massacre survivors, guerrillas, human rights workers, priests, catechists, political leaders, businessmen, and many others. Nairn told the judge that the Guatemalan armed forces had a program to eliminate all opposition and dissent, directed particularly against the Mayan peoples because of their history of resistance. The methods used included torture, state terrorism and genocide, and the program was executed through a strict chain of command. Much of Nairn's testimony echoed the stories told by the protected witnesses to Judge Pedraz.

Nairn gave examples of what he learned through his reporting about the Army's methods. He quoted soldiers who told him how they tortured people to make them talk: with a rope used as a garrote, by suffocation, near drowning, slicing with knives, burning with lit cigarettes, beating, electroshock and mutilation. One soldier standing over recently killed bodies demonstrated how he would press a wooden club against the victim's throat until he was on the edge of death as a means of persuading him to talk.

Nairn described state terrorism as the government's policy of killing civilians for political purposes. One Army corporal told him how the people would react when troops arrived in their village: "They run out of their houses into the mountains" Nairn: "And what do you do?" "We capture some of them alive but others we can't catch. When they run for the mountains we have to kill them." Nairn: "Why?" "Because they could be guerrillas."

Nairn talked about the Guatemalan state's effort to "annihilate" the Maya. Ríos Montt and his advisers openly suggested in interviews with Nairn that all Mayan people were potential subversives and therefore targets of the Army. Soldiers and massacre survivors

alike told Nairn that the Army was ordered to kill Mayan children, before they grew up to become subversives. The children were called “*delincuentes subversivos*” by the military. In addition to attacking Mayan communities, soldiers told him of killing their animals, burning their crops, and destroying their homes and possessions.

Finally, Nairn cited interviews with military officers confirming the Guatemalan Army’s strict adherence to the chain of command. Officers in the Ixil triangle, for example, told him that there were only three layers of command between themselves and Ríos Montt (during 1982 and 1983): the colonel, the army chief of staff and the Minister of Defense. They reported frequently to the colonels by radio-telephone during actions – receiving orders and approval in advance of attacks – and kept a daily log of operations which was later reviewed and critiqued by their superiors. Nairn extended that chain of command up to military officers, intelligence personnel and civilian politicians of the United States, who – he told Judge Pedraz – also played a role in aiding and abetting torture, state terrorism and genocide in Guatemala.

The last witness of the day was a former member of the civil patrols in the Ixcán in northern Quiché. He testified as to how the scorched earth operations of the Guatemalan Army arrived in his community in May of 1982, when he was 18 years old. Although some residents of his aldea decided to flee, his family and many others chose to stay in what became a military-controlled village. As a result, he and his brothers were forced to join the PAC. In 1983, the witness was taken as part of his group of civil patrollers to the military zone in Sta. Cruz de la Quiché to form part of a task force with other units. His company, headed by Captain Herlindo Velásquez Maldonado, received four months of special training. “They would tell us, you have to be trained to kill your own family; they said that everyone living in the Quiché was a guerrilla and so we had to kill all of them.”

The witness spoke about the military “task forces” that were created to sweep through the highlands: Iximché, Gumarcaj and Tigre. He participated in numerous operations with the task forces. He said the soldiers always operated through the chain of command: from military staff to senior officers, to junior officers, to troops, “the hierarchy was always followed.”

Day 3

Wednesday, February 6, 2008

Day three of the Guatemalan genocide case took place in the chambers of Judge Santiago Pedraz with three more witnesses from the Quiché and the first woman witness, who testified about the Army’s attacks on Rabinal, Alta Verapaz. Almudena Bernabeu, attorney for the complainants with the Center for Justice and Accountability attorney, questioned the witnesses.

The first man to speak was from Chajul, where the Army began harrassing and killing the people. In 1981 there were massacres near where he lived, and the communities began to

establish look-outs to watch for the soldiers. At the beginning of 1982, the witness was watching and saw soldiers hurrying up the path toward his village. He ran to the aldea and began banging on people's doors, telling them to run. People tried to flee. The soldiers arrived and chased some and killed them, they burned others in their houses. The witness recalled: "The soldiers surrounded the village. They were all over the village. They grabbed one señor who was a catechista, also the alcalde cancellar and another 8 people. Altogether 18 people died that day. The pain! All the people felt so frightened. The soldiers completely destroyed this village. The pigs, the chicken, the dogs, the animals, the trees with fruit – they killed all of them and cut down the plants and trees. There was nothing left. We were left with nothing, nothing, nothing."

The witness fled with other families and went to the mountain, where they lived for more than a year. But more and more troops were moving into the Ixil. In 1983, the Army built five new bases encircling the area. One day, when he and other refugees were trying to find food in the abandoned aldeas, the Army captured him. They took him to Nebaj in a helicopter to be interrogated. The commander of Nebaj, Otto Pérez Molina, questioned the witness and told him, "You people all deserve to die." The witness was tortured in Nebaj, then he was taken to Sta. Cruz del Quiché and tortured by men in civilian clothes carrying revolvers; he believes they were members of the G-2 (intelligence).

He was a prisoner of the military for many months, then he was forced to work on a finca for years. He was freed in 1984 with the amnesty. As the witness finished his story, he said to Judge Pedraz, "Sir I want to say one thing about our arrival in Spain. We're not here for the buildings and the beautiful streets. We came to appear in your good offices, bringing our testimony – we want the capture of these perpetrators; and not only in the department of Quiché, but in the other parts of the country."

The second witness also spoke about the arrival of the military in his village in the Ixil and the massacre of his family and neighbors. The Army came into his area in waves during 1982 and 1983 from Huehuetenango to Nebaj. His family died in August 1982 and he fled to the mountains, where he joined the Communities in Popular Resistance (CPR) and lived for a year and a half. He was captured by the military in 1984, but survived.

The third witness was 11 when the Army massacred his village. For months previously, soldiers had come to nearby aldeas and questioned people, capturing some, killing others. In 1982 they came to his village several times to rape and rob the people. One day the witness, who was learning how to farm the milpa, was walking home with his father when they passed a small community that seemed abandoned. It was silent. "My father said, Look, something happened here. We kept going, when we got to edge of our community, we saw a sombrero thrown in the path. My papa said, don't touch it, but we were children so we picked it up to put it on – but then we saw it was bloody inside and dropped it." They learned that the army had come over the hill while they were at the milpa. They killed seven people and burned two houses down.

In March the Army came to finish off the community. They gathered the people in the plaza and said, “today we are going to kill all the guerrillas here.” The lieutenant who commanded the troops spoke on his radio to his chief. He forced all of the men and children into the church; the women were put in the judicial building. The men were called out and some were shot and killed, including his father; others were saved. Eighty men died. The witness and his brothers were among the children forced to help bury the bodies. The soldiers gave the people 15 minutes to gather their belongings and then they burnt his house and all the houses. All the houses built with reeds and leaves [as the Maya there built them] were burnt. If the house was not built of leaves, they left them alone.

The witness was taken with other children to the property belonging to the finca “La Perla.” He was forced to work without salary for many months. There were hundreds of other children there and many of them died of hunger and cold and untreated illness. “We were slaves of the army.” He went from there to an Army base and worked there also – cutting wood for the military and patrolling with the PAC.

The lawyer Bernabeu questioned the witness: what is La Perla? It was the name of the finca – the colomos (laborers) lived there and worked the property – the patrono lived in the capital, not there. The “annex” of the finca La Perla was called finca Sta. Delfina, where the the witness was sent and worked for one year. The owner’s name was Enrique Arena. He would often come with the soldiers, so he knew very well what was happening on his property. The witness said that all the finqueros were paying money to the army to protect their property. And they wanted the campesinos off the land.

The final witness was from Rabinal. She began her testimony by recounting the crimes by committed by the Army against her and her people: she was raped by soldiers in Rabinal, her husband was forcibly disappeared, her mother was burned alive inside her house, her aunt and sister-in-law were raped, and the survivors fled the massacre in her village, where 32 people died.

The witness gave the judge the details of these crimes. She was taken to an Army base and kept there bound with rope and naked for 15 days, repeatedly raped by soldiers. Her uncle finally came to the base and rescued her, took her out of there. “I wanted to die.” She went to work in a woman’s house.

“Now we will never recover our land, we live in poverty. I was with my husband for 12 years and I loved him very much. I feel this sadness.”

Day 4

Thursday, February 7, 2008

Four witnesses spoke during the fourth day of the Guatemalan genocide hearing, held in the Audiencia Nacional (federal court) in Madrid, Spain. The first two, both women and

protected witnesses, talked about what happened to them and their families when the Army attacked their aldeas in Rabinal, Alta Verapaz. The third and fourth witnesses were men who have testified publicly about their experiences before: Juan Manuel Jerónimo, who lost 18 family members including his wife and four children in the Plan de Sánchez massacre of July 18, 1982, and Jesús Tecu Osorio, who survived the Río Negro massacre of March 13, 1982.

All of the witnesses coincided in their descriptions of the use of rape by the Guatemalan soldiers and members of the civil patrol to abuse and humiliate the Mayan women of Rabinal. The first witness said that when the Army began showing up in her village, they camped out in front of her neighbor's house for three days, and raped her in front of her children.

In 1982, the witness was at home on a Sunday, market day, while most of the aldea and surrounding communities were in the market doing their shopping. That morning she heard the sound of two bombs over Rabinal, and grew anxious. In the afternoon an enormous volley of gunfire broke out. The troops were in the plaza, where the people were shopping. The witness was able to watch what was happening from behind some small trees in front of her house. "I saw the soldiers enter the house of my neighbor, Maria Modesta, who lived with her children. They were shooting them." She took her baby and ran into the mountains with her sister-in-law, where they spent a miserable night under a tree in the cold and rain. They could hear the women and children screaming below. Later there was a huge plume of smoke from the village and a strong smell.

The witness returned to the aldea the next morning. "There were people outside their houses, crying. When we arrived in the center, I saw a huge pile of ashes and cinders, a pile of bodies, half of them still burning. ...The square was full of blood, I saw bullet shells scattered everywhere. We went back to my house again to get containers of water to try and put out the fire. We tried but could not put it out. It continued to burn and the smell of the poor people burning was like burned chicken feathers." The witness left the plaza and on the path encountered survivors, walking slowly, their clothes torn. She saw her neighbor and asked her what had happened? "She just looked at me and did not speak, because they had cut off her lips. This poor woman had been raped. She had no skirt, so I put a skirt on her and offered her water. She was like a child." They came upon corpses in the path, some half-eaten by dogs, and many other bodies lying face down next to the path.

The witness hid in the mountains for one year. After her return, she survived another series of Army attacks on her village, until she left Rabinal for the southern coast. She appealed to Judge Pedraz for support as she ended her testimony, saying she and her community wanted their rights as Maya Achí so that what happened to them would never happen again. "Thank you for listening. We have kept this story in darkness – it is time to bring it to light."

The second witness described the same massacre for the judge, but from a different vantage point. That Sunday morning, the witness was returning home from the market with her sister, when a group of about 30 soldiers caught up with them and surrounded them. The soldiers stopped others coming down the path and took everyone back to the plaza, where there was an enormous group of people gathered in front of the church. There was a helicopter overhead, and the soldiers spoke on their radios; one of them said, "We've arrived, don't worry." Three soldiers left to take the rest of the aldea's people out of their houses and bring them to the plaza. Once everyone was gathered, the troops grabbed the babies from their mothers and threw them to the ground. They forced as many people as they could into one house and the remaining people (about 35) into another house, among them the witness. "They threw bombs in that other house, there were terrible sounds, screams, people begging pardon, children crying. God help us! I was praying. Don't let them kill us! We could smell the poor people burning. My grandmother died there, my sisters and brothers. All my neighbors died."

The witness and the others heard the soldiers meeting outside their house; one said, "Everything's perfect. We're carrying out the orders of the commander in Cobán. There are only a few left and we are going to kill them." The witness saved herself by hiding under a pile of corn stalks in the corner of the room. The soldiers took the rest out and killed them with knives, and she was able to escape from the plaza by running down into a ravine. From there she walked many miles to the house of her parents-in-law.

Juan Manual Jerónimo, survivor of the Plan de Sánchez massacre, was the third witness of the day. On July 18, 1982, he and his family were with his mother when someone came running to the house to warn them that the Army was coming. His mother urged him and his brother-in-law to flee and not to worry about the women or the children: "You are the ones they are looking for, not us!" They left the aldea but hid nearby and heard much of what happened as the soldiers attacked. When they returned the next day, Jerónimo found his family's bodies in the home of one of his brothers. They were all there: his wife, four children, siblings, aunts and uncles, cousins, and mother. They were 18 of the 184 people who died in the massacre.

Jerónimo and his brother-in-law buried the bodies of their relatives and fled. He told Judge Pedraz, "We couldn't rest anywhere for thinking about our dead. When I thought of my house, I imagined my family there. It caused me tremendous pain. The soldiers killed them. They took our animals. They cooked our chickens right there and ate them, without shame, as though they were the owners of our things. When they had stolen everything they wanted, they burned our houses, including our clothes and our land documents." The witness remained in the mountains for the next three years, "but we never went far. We didn't want to leave our dear ones who died in our village."

When the witness had finished, one of the assistant lawyers asked him if in the years leading up to the massacre and after he returned in the amnesty of 1984, the military had placed any prohibitions on the Mayan way of life. Jerónimo said yes, "They prohibited everything connected to our culture. They didn't allow us to wear our *traje* (traditional clothing), they prevented our religious customs. We weren't allowed to gather, make

sacrifices and pray. Our mother language was Achí, but they no longer permitted us to talk in this dialect.”

The final witness to testify before Judge Pedraz was Jesús Tecu Osorio. Tecu was a child when the military began attacking the communities of Rabinal with increasing intensity during 1981 and into 1982. By the end of 1981, many people had moved into his village of Río Negro because of massacres in the zone. They came seeking refuge. The Army and the civil patrol (PAC) of nearby Xococ ordered the people to organize a PAC in Río Negro, and told them it was obligatory to capture and kill local men suspected of subversion – but the Río Negro PAC never did that, Tecu said, unlike PACs in other areas. This angered the military.

In February 1982, Tecu’s parents were disappeared when they reported to the nearby base as ordered to obtain his father’s military ID card (*cedula*). One month later, on March 13, 1982, the Army and Xococ patrollers arrived in Río Negro. Tecu recounted how they removed the women and children from their houses and forced them to climb for several hours up the hill beyond the aldea. The men were kept in the village and killed. Tecu, who was 10 years old, went with the women and carried his two-year-old brother during the climb.

The troops hit the children during the climb, abusing them, saying that their parents were with the guerrilla. When they came to a stop, the men raped the women there. “The people of Río Negro were completely surrounded by the soldiers and patrollers,” remembered Tecu. The troops began to kill the women. They shot some of them and strangled others and threw the bodies in the ravine. Tecu tried to withdraw with his baby brother to run away, but there were too many soldiers. By that afternoon, they finished the killing. Seventeen children remained alive. One civil patroller from Xococ, Pedro González Gómez, told Tecu that he was going to Xococ because González didn’t have children and he wanted to give Tecu to his wife. He refused to take Tecu’s brother, however, and so took the child from Tecu’s arms and smashed him against some rocks. When he was dead he threw him down in the ravine with the rest of the corpses.

Tecu survived as a prisoner of González Gómez – first with the Xococ patrol, and later in his home. He was freed in 1983. Under questioning after he completed his testimony, he told the judge that Pedro González Gómez was convicted to the death penalty for his crimes in 1999. But Tecu pointed out that the December 2007 decision of Guatemala’s Constitutional Court not to extradite senior military and police officers for the same crimes shows that “the government is willing to condemn an indigenous to the death penalty, but no one dares do that to the intellectual authors of the genocide. For that reason, we came to Spain.”

Day 5

Friday, February 8, 2008

The fifth and last day of the Guatemala genocide hearing took place on Friday, February 8, in the chambers of Judge Santiago Pedraz of the Audiencia Nacional in Madrid, Spain. Testimonies were heard in the morning from three protected witnesses.

The first witness described his experiences leading up to and following the Río Negro massacre of March 13, 1982. He was a young farmer growing corn, beans, tomatoes and jocote for market, when violence first began to destroy the life of his community during the regime of Gen. Romeo Lucas García. Lucas formed the civil patrols, and the patrollers entered the aldeas with soldiers and harassed the residents, accused them of being guerrillas, captured and killed them. The witness and other men in his family began hiding out in the mountains for days at a time to avoid the patrols. “We couldn’t work peacefully anymore. We would go to plant the seeds, but we couldn’t sow peacefully. We would take in the harvest but we couldn’t eat it peacefully.”

On March 13, 1982, the army and the Xococ PAC came to take away the women and children of Río Negro. The witness was not in the village that day but was in the mountains nearby. He learned afterwards that when the army and patrollers arrived, they went into the houses and asked the women, where are your men? They asked the children too, and when the children answered in Achí they would get mad. They pretended not to understand Achí so that they could hide the fact that they came from the same places as these people and were indigenous too. The soldiers and patrollers grabbed the women and children and killed many of them; 107 children died that day.

The witness stayed in the mountains for many months, trying to survive on the food gathered in the forest and reaped from hidden milpas. In 1983 an airplane flew overhead and dropped pamphlets over them saying the violence was over and there was an amnesty. The witness and his companions decided to present themselves at the nearby *destacamento* (base). But he was not freed; he was arrested and tied up and held on the base for three days. He was taken to the Cobán military base and imprisoned in a cell where they kept prisoners they planned to kill. Every three days they took him out to be tortured and interrogated. After 15 days, the witness was removed and sent into the mountains with soldiers. He was forced to carry food and radio equipment, and later medicine. The soldiers would enter villages and pretend to give the residents medical aid. They said the witness was a nurse, though he was not. “It was only a trick to get the people to talk.” While they were attending to the people they would ask them the whereabouts of certain suspects. He passed four months that way. Eventually, he was freed and given papers saying he had collaborated with Army.

The second witness was also from Río Negro, Rabinal, Baja Verapaz. He talked about the massacres carried out in and around the aldea of Río Negro – five massacres in all. He talked about the government’s construction project to build a hydro-electric dam in the area [the Chixoy Dam]. The first massacre took place on March 4, 1980, when soldiers and members of the Policía Militar Ambulante (a military police force) serving as security guards for the dam killed seven campesinos who refused to leave their land; the land was fertile but it had been expropriated for the project.

The violence mounted during 1981 and 1982. On February 13, 1982, a massacre near Xococ left 73 dead. On the morning of March 13, the witness was returning home from sleeping in the mountains for safety, when his wife screamed to him from inside their house, "Go back! The soldiers are coming!" He dropped the wood he was carrying and ran, but stayed close enough to see the women and children being corralled together. He heard the women and child crying as they were being marched up the hill. The next morning he and other men came to Pacoxom, the hill where the massacre had taken place. They saw clubs, machetes, bullet shells scattered on the ground. The bodies were piled there. Everyone in the witness's family was killed: his pregnant wife and two small children, his sister, his mother-in-law and her daughter.

The witness fled to the mountains with other survivors from the zone. They organized themselves into little groups so they couldn't all be killed at once. People who did not remain in the mountains were captured and pressed into service on the Cobán military base or imprisoned there. The witness remained in hiding until 1986.

Under questioning, the witness said that Captain José Antonio Solares was the officer who oversaw operations in the zone. Although the government knows this and there is an arrest warrant out for him, they have failed to capture him. Solares continues to receive his military pension and lives with impunity.

The last protected witness was an eyewitness and survivor of a massacre that took place in another part of Rabinal, Baja Verapaz, on July 29, 1982. He was tending to his animals on the hillside by his home when he heard shots and saw soldiers and patrollers enter his house. They came out with his wife and four children. His family members were corralled with others in a goat pen belonging to another house in the aldea. He watched as they were tied up and tortured, their faces and bodies cut, and then killed. The bodies were thrown down a well near the house; there were 27 in all. When the group of men left, the witness was able to count them: there were 10 soldiers and 15 patrollers. He named all those he recognized for Judge Pedraz.

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