

GUATEMALA



PAZ
PARA
EL
PUEBLO

A BRIEF HISTORY & HUMAN RIGHTS SUMMARY

GENERAL FACTS

Guatemala is a small Central American republic slightly smaller than Tennessee and with about 13 million inhabitants, about half of whom are indigenous Maya. 24 languages (Spanish, Garifuna, and 22 Mayan dialects) are spoken in the country. One of the most diverse rainforests in the Americas, El Petén, is in the northern region, and the landscape consists of interior highlands and coastal, tropical lowlands. Most people are peasant farmers, growing beans, corn, and coffee.

EARLY HISTORY AND SPANISH CONQUEST¹

Guatemala has been home to various highly civilized Mayan tribes for thousands of years. These tribes built amazing city structures, the ruins of which can still be seen today, as can the descendents of the ancient Maya tribes in the many living Mayan groups in Guatemala, including the Kanjobal, Caqchikel, Quiché, and Kekchi, to name a few. However, like in most of the Americas, the Spanish “discovered” them in the 1500’s when Pedro de Alvarado was sent by Henry Cortes from the newly “discovered” region we now call Mexico into the lands of today’s Guatemala in 1523. It took the Spanish between 10-15 years to gain control over a significant portion of the area, due to the Mayas’ fierce resistance and the rough terrain of the mountains. The Spanish army never fully brought the Mayans into domination; this was accomplished by the Catholic Church. Missionaries set up in Mayan villages and gained many converts to Catholicism, and today, while traditional Mayan spiritual ceremonies are strongly upheld, most people are also devout Christians. The Spanish presence was most powerfully felt with the influx of new diseases which killed, in some estimates, up to 85-90% of the indigenous population.



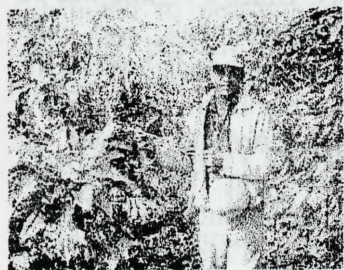
INDEPENDENCE, 4 TIMES OVER

In 1821, Guatemala gained Independence from Spain, but was annexed by the newly formed Mexico the next year. In 1823, though, Guatemala broke from Mexico and formed a loose federation with the other Central

¹ All historical names and dates were checked with the history section of Iain Stewart's *Rough Guide to Guatemala* published by Rough Guides, 2002.

American states. This Federation only lasted a year also, as an uprising of Mayans angry with living conditions marched on the capital and their leader, Rafael Carreras took control of an independent Guatemala.

THE COFFEE BOOM AND LAND GRAB



The next major event in Guatemalan history was the coffee boom of the mid 1800s. Many German immigrants had settled in Guatemala and set up large coffee *fincas* (farms). In 1872 Rufino Barrios came into power and was eager to "increase the economy." He supported the German *finca*-owners and attracted more investors by instituting a land policy that any "unused" or "unowned" land could be confiscated by the government and auctioned off. This meant that traditional Mayan communally owned lands and lands laying fallow or simply undeveloped forests, were sold to the highest bidder and turned into coffee *fincas*. The Mayans considered this a "second conquest" as their lands and livelihoods were stolen from them. President Barrios, under pressure from large landowners who complained of a lack of available labor, instituted a program of forced labor, requiring local police chiefs to send up to $\frac{1}{4}$ of a town's male population to the coffee fields to work for low wages. The coffee *fincas* were generally located in the lowlands and the highland Mayans used to mountain climates, often suffered and died

BANANA REPUBLIC

Because of the growing exports of coffee, railways and ports were springing up all over Central America. In 1904 a US company that had been building railways in other parts of Central America gained a contract to build a railway and port from Guatemala City to the Caribbean coast. This was the United Fruit Company (UFC), created when a railway builder ran out of money and so planted bananas along the narrow strip of land granted him to build railways on, and this was incredibly profitable. In Guatemala, the UFC grew bananas tax-free on the 100ft on either side of the railway, controlled the only Caribbean port, and soon came to take over the railway running to the Pacific Coast, so that they became the main producers of bananas, and in controlling the ports and railways, controlled export of coffee too. In 1930 Jorge Ubico became president of Guatemala, and began to heavily court US business interests, making the US their main export target and instituting a vagrancy law which required all landless peasants to work 150 days each year either in the coffee or

banana plantations, or in railway or road building, guaranteeing low-cost labor for the US businesses. In general, the will of the UFC became the will of the government.

THE 1944 REVOLUTION

The public began to raise their voices about the vagrancy law, conditions on the *fincas*, and the monopoly on land. In 1944, Ubico's regime was so unpopular, a coalition of university students, professionals, and even military officers formed and began a revolt so big it eventually ousted the government. A new Constitution was written, and in the ensuing elections, a progressive schoolteacher, Juan José Arévalo, gained the presidency. He called his platform "spiritual socialism" and began the most massive populist reforms Guatemala had seen, such as: devoting 1/3 of the federal budget to social welfare, schools and literacy programs,



and immunizations; creating and enforcing a labor code, striking out the vagrancy laws, turning abandoned and state-owned *fincas* into co-operatives, and protecting tenant farmers from eviction. He was immensely popular with the peasants, immensely unpopular with the businessmen and upper classes. His successor, Colonel Jacobo Arbenz,

continued in this spirit, putting agrarian reform into law (handing over 2 million acres over to 100,000 families), legalizing the Communist party, and beginning a program to achieve economic independence for Guatemala. This meant trying to break the monopolies, sue for unpaid corporate taxes, and pushing out US corporations, which controlled the majority of fruit, rail, electric, and port business in the country.

THE CIA COUP

Again, all this reforming was not appreciated by the US business owners, who had owned much of the land that was handed over to peasants, and when Allen Dulles, who not coincidentally was a board member of the United Fruit Company, became the director of the CIA, he got approval from President Eisenhower to overthrow the democratically elected Guatemalan government. This was the mid 50s, and Arbenz's leftist, pro-peasant policies and tolerance of the Communist Party made him a target of US Cold War propaganda. In 1954, the CIA, on the pretext of routing out the Communist threat, gathered an army across the border in Honduras and marched into Guatemala City. President Arbenz

abandoned the capitol as the army approached. The US flew over a hand-picked set of successors and flew over this new government to the capitol in a US Air Force plane. This new, military government immediately undid the past 10 years of reform, revoking the 1944 Constitution disenfranchising the illiterate majority, returning land that had been distributed to peasants, reopening the doors to foreign investors, and executing peasant organizers, activists, and dissenters. The era of repression had begun.

TURNING THE COUNTRY INTO A CEMETERY

In the early 1960s, the indigenous populations tired of the constant repression and horrific living conditions and began to form guerrilla army groups to fight for basic rights such as land ownership, fair wages, school, and health care. Four main guerilla groups formed, the PGT, FAR, ORPA, and EGP, waging warfare on the Guatemalan army who was in control of the country. The army responded with a fierce counterinsurgency



war, fighting the guerrillas and their supporters along with any dissenters. Death squads, such as *Mano Blanco* and *Ojo por Ojo*, comprised of army officials and right-wing militants, formed and carried out illegal political assassinations. Soon, anyone with leftist leanings was accused of supporting the illegal guerillas. This meant that university students and professors, liberal clergymen, social activists, peasant organizers, journalists became targets of the army and the death squads and terror reigned the land. The spirit of repression was expressed by Colonel Arana Osorio who had gained presidency via poorly attended elections in 1970: "If it is necessary to turn the country into a cemetery in order to pacify it, I will not hesitate to do so." An estimated 15,000 political assassinations were carried out in the first 3 years of Osorio's rule.

THE MASSACRES

Various military leaders controlled the country for the next few years and the cost of dissent continued to be death. The human rights situation was so bad, that US President Jimmy Carter suspended all military aid to Guatemala. In 1978, Brigadier General Fernando Lucas García became president. He began a new wave of terror, and this time just being indigenous (Maya) was cause enough for suspicion of collaboration with

the guerillas. Whole villages, accused of supporting the guerillas (physically or even just in spirit), began to be massacred by the army. The following is an account of one such massacre:

On the 4th of December 1981, a large group of Army patrollers arrived in the village of Panacal. They began to take approximately 58 unnamed men from their houses, saying their names appeared on a list. The patrollers took the men walking towards the village of Vegas de Santo Domingo. The army then attacked the men, cutting off the ears, tongues, and noses of various victims; they put these body parts into the victims' mouths and forced them to eat them; they forced them to eat other materials; they burned them. Finally they killed all of the men, strangling some, and buried them in the hamlet of Chialaguna.²

Because of this type of violence, arbitrarily inflicted upon innocent villagers, many people abandoned their villages out of fear, some seeking refuge in Mexico, some hiding out in the mountains or forming Resistance Communities (CPR) in the jungles of Petén, some gathering in Guatemala City hoping for anonymity. However in the city, conditions were just as bad, with many journalists, lawyers, students, and activists being "disappeared" or simply killed. Also, displaced villagers were easily identified since they wore the traditional clothing specific to their region. It is estimated that 25,000 people were killed and countless others displaced during Lucas García's regime.



His successor was not much better. General Efraín Ríos Montt, who took over the presidency by coup, belonged to the Christian Democrat party and promised to bring his Christian ethics into the rule of the country. He did institute a code of conduct for politicians and army members, forcing them to recite "I do not lie, I do not steal, I do not cheat." However these moral standards were flagrantly ignored, and furthermore, Ríos Montt, himself

deepened the repression. Besides continuing the massacres of villages, he instituted compulsory Civil Patrols (PACs), where indigenous villagers were forced to join armed patrol groups to route out guerrilla supporters. They were forced to march, kill any suspected guerrilla members they saw, and turn in lists of names of suspected guerillas supporters, in effect turning

² As described in Anselmo Roldan Aguilar's official Denunciation against Lucas García presented to the Attorney General of Guatemala on May 3, 2000.

the villagers against themselves. Again suspicion of guerrilla support was easily aroused: being found outside your own village without a pass from the PAC was cause for execution. Massacres continued. Another account follows:

On the 17th of July, 1982, the Guatemalan Army arrived at the village of the San Francisco Estate. The Commander of the Operation called the whole village population to a meeting in the centre of the village. The soldiers put the women and children into the Catholic church and the men into the Courthouse. They began to shoot into the church at the women; they took others out and put them in various houses where they were killed and then the houses set on fire. Afterwards, they killed the children who were still shut inside the church and were screaming and crying because their mothers had been shot. Some children's stomachs were cut open with knives; with others the soldiers grabbed them by the legs and smashed them against trees and the upright beams of the houses. Finally they killed the men starting with the elderly ones who they killed with machete blows. They then killed the adults and youths, taking them out in groups of ten to twenty. They were forced to lie face down on the ground and were shot in the head one by one. When there were only a few men left in the Courthouse, the soldiers fired into the building and threw in grenades. Four men managed to survive this massacre: three got out of the Courthouse and a fourth survived under the dead bodies of his family and neighbors.³

Amidst all this, US President Ronald Reagan, claiming that Guatemala had been given "a bum rap," reinstated military aid.

Ríos Montt was overthrown in 1983 by another military leader, General Mejía Víctores. The violence continued. The death toll now reached 100,000 and 440 villages had been destroyed by the scorched earth tactics employed by the military. "Model villages" were set up for the hundreds of thousands of displaced, where the villagers were dependent on the army for basic supplies (they were not given land on which to farm) and where they underwent political "re-education" to hate the guerillas and love the army.



"CIVILIAN" RULE

In 1985, the first civilian president in decades was elected. Vinicio Cerezo became the official head of state, but even he admitted that he was powerless against the army and at the end of his reign, he stated his greatest accomplishment as "surviving the presidency." The guerillas, now

³ As described in the querella presented by the Association for Justice and Reconociliator and published online at <http://www.justicefor-genocide.org/document5.html>

united as the URNG (National Revolutionary Union of Guatemala) were still fighting, journalists, lawyers, and human rights activists were still being kidnapped and tortured, but the pace slowed down. Cerezo was succeeded by Jorge Serrano, a former minister in Ríos Montt's administration.

ROAD TO PEACE

A major turning point in the human rights situation was the awarding in 1992 of the Nobel Prize to a Guatemalan Mayan woman, Rigoberta Menchú Tam. Menchú had published her story in a book called *I, Rigoberta Menchú*, detailing her experiences in the 70s and 80s in Guatemala, where she saw terrible violence. Her family had been involved with CUC, a major peasant organization that was on the army's hit list. Most of her family was killed by the army, but Rigoberta escaped into exile. There she published her book and traveled all over the world telling her story and gaining international attention for the atrocities in her country. This pressure on the government forced them to begin peace talks with representatives from URNG. In 1996, the newly elected president Álvaro Arzú pushed forward the talks and a final "firm and lasting" set of Peace Accords were signed on December 29, 1996. The Peace Accords included provisions such as:⁴



- Creation of MINUGUA, an in-country human rights verification mission to investigate and report on human rights abuses, and promise to let human rights investigators work freely and safely
- End of forced involvement in military or civil patrols (PACs)
- Commitment to aid the return of refugees and the internally displaced
- Recognition of the rights of indigenous people, including protection of rights to wear traditional clothing, speak indigenous dialects, creating indigenous legal rights offices through the country, and outlawing discrimination
- Distribution of land and assistance with establishing legal ownership of land
- Commitment to health care and education spending

⁴ from the Summary of the Guatemala Peace Accords as published online at <http://www-personal.engin.umich.edu/~pavr/harbury/archive/guatemala/>

- Reduction of army troops, restricting the army's activities to defending national borders instead of internal security, ending of PACs

A cease-fire was agreed upon; the civil war was officially over, with estimates of 150,000 dead, 50,000 "disappeared," and hundreds of thousands internally and externally displaced.

RECENT HUMAN RIGHTS VIOLATIONS

Although the guerilla lay down their arms and the URNG became an official political party, the violence and army repression was not over. To this day, the government had not fulfilled many of the commitments of the Peace Accords. Land reform has yet to happen on any large scale, the military is still powerful and intimidates civilians, and a key group, the EMP has yet to be disbanded. Human rights workers still face many threats.

A prime example is that of Bishop Juan José Gerardi, who had been a key force behind the Catholic Church's investigations into human rights violations of the civil war. The Church produced an extensive report called the Recuperation of Historical Memory (REMHI), placing the blame for an overwhelming number of the abuses on the Guatemalan army, its civilian auxiliaries, and the PACs, NOT on the guerilla forces which the army had always blamed for atrocities. Bishop Gerardi presided over the public presentation of the report in February 1998, and two days later was battered to death in his own home. In 2001, three military men and a priest were convicted of being involved with his murder, and they were sentenced to long prison terms. However, since then, those involved in the prosecution have been under attack: a judge and a prosecutor (who had received death threats and saw 5 army officers staking out his house) fled the country, 3 witnesses were murdered, 6 homeless people who had been sleeping outside of Gerardi's house the night of the murder were also killed, another judge presiding over the final stages of the trial suffered a grenade attack on her home and later saw a helicopter staking out her home and has since fled the country.⁵

Another instance of a winning legal case whose participants were later "punished" is that of Efraín Bámaca Velasquez, known as "Everardo". Everardo was a high commander for the OPRA guerilla army. He was captured by the Guatemalan Army in 1992, his death was faked for the

⁵ From Amnesty International's July 2001 report "Guatemala: Human Rights Community Under Siege," AI Index AMR 34/22/2001

public, after which he was subjected to torture for several months before being secretly killed and buried. Everardo's US wife, Jennifer Harbury, believing he was still alive, staged a series of protests against his captivity, but all Guatemalan and US Officials claimed they knew nothing of Everardo's whereabouts or his fate. She created lots of international publicity for the army's illegal torture of prisoners of war, undergoing herself 2 severe hunger strikes that left her very weak and close to death. It was only during her second hunger strike in 1995 that a US Congressman called her to a secret meeting to let her know that Everardo had been dead since 1992 and that the US Government had known about it all along, since the Guatemalan Army had reported it to the CIA a week after his capture and in fact, the man who oversaw Everardo's torture was a paid CIA informer.⁶ Harbury was enraged and sued the Guatemalan Army in the Inter-American Court. Her team won the case and the Guatemalan Government actually paid the reparations mandated by the court, although they ignored other orders. Almost immediately after the payment of the reparations, however, Everardo's family have been subjected to attacks, death threats, and other forms of intimidation.⁷

In June 2001, an Amnesty International research delegate Barbara Bocek was seized from her hotel room and, when the kidnap attempt was blocked, she was left bound and gagged for several hours.⁸ A year later, Bocek was attacked in the US by armed men who demanded that she stay out of Guatemala forever.

Thousands of others are being attacked, killed, or intimidated for their activity seeking justice. Being a human rights worker, union leader, social welfare worker, land activist, journalist, or peasant activist (among others) is still a dangerous job in Guatemala. The government often refuses to take action against these human rights violations and few cases have been resolved.

GENOCIDE TRIALS

In the last few years, several groups of made efforts to bring to justice those who have committed the atrocities of the last few decades. Like Jennifer Harbury, many victims have brought charges against various members of the Army or government for crimes in individual cases, going

⁶ From Jennifer Harbury's book, *Searching for Everardo*, published by Warner Books, 1997

⁷ From an email written by Jennifer Harbury in 2002 and sent through the NISGUA email network

⁸ From Amnesty International's July 2001 report "Guatemala: Human Rights Community Under Siege." AI Index AMR 34/22/2001

rough the Inter-American Court. Others have brought similar charges through the Guatemalan Court System. The Rigoberta Menchú foundation has filed a case in the Spanish High Court against 6 military officials and 2 civilians on charges of genocide, torture, terrorism, murder and illegal detention. A number of indigenous survivors of massacres have joined forces, forming the Association Reconciliation for Justice (ARJ) With the assistance of the Center for Legal Action on Human Rights (CALDH), a non-governmental organization of lawyers fighting for human rights, they have filed separate suits against the regimes of Lucas García and Ríos Montt with charges of genocide, war crimes, and crimes against humanity.⁹ The Lucas García case was officially presented in May 2000 and is based on the accounts of 10 massacres which killed over 800 indigenous civilians. The Ríos Montt case was presented in June 2001 and is based on the accounts of 11 massacres which killed approximately 1300 civilians.

History has shown that seeking legal justice in Guatemala is very dangerous and often comes with a high price. ARJ and CALDH have requested international accompaniment for witnesses and prosecutors. Groups like Amnesty International, Human Rights Watch, and the Network in Solidarity with the People of Guatemala (NISGUA) are providing accompaniers to live with the witnesses and prosecutors and keep the international community informed. It is yet to be seen how the courts will handle these cases and if the survivors of the brutal counterinsurgency war can find some form of closure. Only then can true peace be made.



⁹ From Amnesty International's Report "Guatemala: Breaking the Wall of Impunity," AI Index: AMR 34/20/00

WHAT YOU CAN DO

Stay Informed! There are many places to get accurate information about current events in Guatemala, and your newspaper is probably not one of them. With the signing of the Peace Accords, much of the world has acted like human rights in Guatemala is no longer “an issue,” so coverage has declined. Websites like those of Amnesty International, Human Rights Watch, and MINUGUA provide regular reports on human rights along with special reports when specific human rights violations occur. You can also contact your local media sources and demand better coverage of Guatemalan events or ask them to investigate an event you know about.

Join an Action Network NISGUA, Amnesty International, and Human Rights Watch all maintain action networks and send out informative alerts on current violations, legislation, court cases along with a directive to call or write to specific people (they include contact info) and oftentimes provide a sample letter which you can just sign and email/fax/mail. It is incredibly quick and easy and IT DOES MAKE A DIFFERENCE!

Support Organizations Your tax-deductible financial contributions to groups like NISGUA, CALDH, the Rigoberta Menchú Tam Foundation, and other grassroots organizations can go a long way in supporting the search for justice in Guatemala

Get Involved In your Local Community Many communities across the US have sizeable Guatemalan immigrant communities. Find out if there is a Guatemalan/Mayan organization in your community and go to their events. If you know any Guatemalans, ask them about their history in Guatemala. The violence in Guatemala was widespread; there are few who weren't affected by it.

CONTACTS

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Guatemalan Human Rights Commission/USA ♦ www.ghrc-usa.org ♦ 202-529-6599

Human Rights Watch ♦ www.hrw.org/americas/guatemala.php ♦ 212-290-4700

Justice For Genocide ♦ www.justicefor-genocide.org ♦ 011-502-221-1286

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