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LADB Staff

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Guatemala Court Convicts Five of Six Rio Negro Massacre Defendants

by LADB Staff

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On March 13, 1982, on the banks of the Rio Chixoy, in the community of Rio Negro in the municipality of Rabinal in the department of Baja Verapaz in Guatemala, approximately 177 people were massacred because they objected to being displaced by a World Bank-financed hydroelectric dam. On Oct. 20, 2004, six people from among the many soldiers and civilians who participated went on trial for the crime. On that same date, the government of Guatemala agreed to pay the thousands of members of the civil self-defense patrols (Patrullas de Autodefensa Civil, PAC), who committed this and many other massacres, a minimum of US\$420 million for their service during the 36-year civil war that ended formally on Dec. 29, 1996.

On May 29, 2008, five members of the PAC were found guilty of the Rio Negro massacre and each sentenced to 780 years in prison. PAC members Macario Alvarado Toj, Pablo Ruiz Alvarado, Francisco Alvarado Laiu, Tomas Dino Alvarado, and Lucas Laiu Alvarado will not serve more than 30 years apiece, because the court, the Tribunal de Sentencia de Salama, applied the law in effect at the time of the crime. A 1969 law limited any and all sentences to 30 years. The 780-year sentence was determined by giving each defendant 30 years for each of 26 victims that the court recognized. The court further ordered that the defendants pay each family of the 26 victims 100,000 quetzals (1Q = \$0.134).

According to the report of the Commission for Historic Clarification Annex 1, Chapter 10, Elimination and Slaughter of the Commonwealth of Rio Negro, Guatemala (see NotiCen, 1999-03-04), on the mentioned date, 12 soldiers and 15 PAC members from the town of Xococ entered Rio Negro, a town of 800, and went door-to-door looking for the men, who were not there. So they rounded up the women and children, marched them 3 km up the nearby mountain, and murdered them, the children by smashing them against the rocks. Despite the ongoing civil war, the people of Rio Negro lived in relative peace.

The problems leading to the massacre started with the dam, the Hydro-Quizal Pueblo Viejo, as the Chixoy dam is called. The country had a power shortage, so in 1975 the Instituto Nacional de Electrificación (INDE) sought funding from the Inter-American Development Bank (IDB), the International Bank for Reconstruction and Development (IBRD), and the World Bank. The dam would flood the river for 50 miles, necessitating relocating some 3,500 people from the area. In 1978, the government declared the area a national emergency.

INDE promised new lands to the communities ordered to leave. The people of Rio Negro said no. They had been offered relocation at Pacux, an arid place with nowhere near the quality of the land by the river. They were offered housing not in keeping with the cultural scheme. They had been ordered to give up what a witness said "was the model community of the area, with the best organization and which was the most prosperous in the region, and that was one of the reasons why

this community was not as easy to fool as the others." Instead, many in the community just moved their homes higher, where the water would not reach.

In testimony before the commission, INDE acknowledged that part of the people's attachment to the area was that it "was inhabited from the Maya Classic period [330 BC to 900 AD] by indigenous people and there were several religious-ceremony places. INDE noted the existence of 50 religious-ceremony ancestral sites distributed throughout the valley, on the terraces bordering the river, which would be flooded." The holdouts subsequently sued INDE for the right to stay, receiving advice from human rights groups.

In 1979 the Ejercito Guerrillero de los Pobres (EGP) moved into the area. They held meetings with Rio Negro leaders. Said a witness, "They [the EGP] said that it was a struggle to make the government leave and the Army leave and that we must fight with machetes, with hot water, and that we were going to get farms if we did the revolution." In 1980, following an altercation between Rio Negro members and military police in which a policeman shot and killed seven people and the community killed him, the Army began visiting the community, searching houses, and questioning people about a gun left by the other soldier in the incident. In 1981, Rio Negro leaders began disappearing. Community representatives went to the local Army base to apologize for the incident, but, said a witness, the captain accused them of being trained by the guerrillas and told them unless they turned in weapons, which they never had, "they were going to make ash of Rio Negro."

In February 1982, as a result of a confrontation with possible guerrillas, five people were killed in neighboring Xococ. The people of that town knew the Army suspected Rio Negro of guerrilla activity, so they broke trade relations and, to improve relations with the Army, asked to organize a PAC. "Father Melchor [the priest of Rabinal] said there was a pact so that the people of Xococ were to cooperate fully, in exchange of not being killed," said a witness. Once organized as a PAC, the people of Xococ extracted a promise from the people of Rio Negro to rebuild their market, which they accused the Rio Negro people of having burned. The PAC took their identification cards to make sure they would show up to rebuild the market. On Feb. 13, 1982, 74 people from Rio Negro, 55 men and 19 women, went to Xococ to get their cards back and the PAC killed them.

On March 13, the Xococ PAC, along with the Army, came to Rio Negro. The soldiers forced some women to dance, raped them, tortured some, and then proceeded to massacre as described. While witnesses attest that 177 were killed, an exhumation 12 years later found, in three graves, only 143, of whom 85 were children, the rest women. Those who survived for one reason or another fled, some to the community of Agua Fria across the river. On Sept. 14, 1982, soldiers and the Xococ PAC went there, gathered everyone into one house, fired rifles through the walls, and burned it down, with the result that 92 were killed. Their deaths were not part of the recent trial in which five of the six original defendants were convicted. The sixth was exonerated for lack of evidence.

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