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## **Panicking Ex-officers Threaten Assassinations As Guatemala's President Orders Opening Of Civil War Archives**

*by LADB Staff*

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The Guatemalan military has delivered on a year-old order from their commander in chief, President Alvaro Colom. Colom had ordered the declassification of documents relating to human rights violations of the 1960-1996 civil war. On Feb. 25, Defense Minister Gen. Abraham Valenzuela Gonzalez delivered a number of such documents to the court hearing the case against senior officers accused of torture and murder. The defendants include former President Oscar Mejia Victores (1983-1986) and the de facto president he toppled by coup, Gen. Efraim Rios Montt (1981-1983). The case has been in the courts for years, and the court, the Juzgado Segundo de Primera Instancia Penal, had first asked for the records four years ago, but defense motions against declassification froze the process until March 2008, when the Corte de Constitucionalidad (CC) threw out the motions and ordered the Army to come up with the files. Defense Minister Valenzuela's handover came on the observance of the National Day of Commemoration for War Victims. That was the due date on Colom's order, which he issued in response to public outcry against cover-up and impunity. The specific documents subpoenaed in this case were the plans for campaigns, Victoria 82, Sofia 82, Ixil 82, and Firmeza 83. But Judge Mario Valenzuela refused the documents. The defense minister only brought two of the four, leaving the judge to rule that the minister should hold the documents under guard until March 6, stipulating, "If the authorities of this ministry do not bring the four military plans, they will be found in disobedience, because there is an order from the Corte de Constitucionalidad that orders it." Minister Valenzuela pleaded ignorance. "The other two plans are not available. I don't know their whereabouts. I didn't know of their existence until now that I am minister." As he made his plea, thousands marching in the streets outside made theirs: they wanted justice, and they wanted the archival evidence that would produce it. A few days later, the defense minister had more to worry about. President Colom let it be known that Valenzuela and his family had been threatened with death for having given up the files. "Family members of the minister have been threatened by ex-officers who are worried about the declassification of the archives," said Colom. The president claimed not to know the names of the retired officers, but he said he wanted to let them know he was not going to withdraw his declassification order. "The decision is already made, and there's no going back," he said. "The minister still has his boots on, and he remains firm in his resolve to obey this order." Colom is also under threat, although not from the same quarter, and his security guard has been increased. He has been put on notice by the Zetas, the military wing of the Mexican Gulf cartel of drug traffickers. But then, the ex-officers are threatened, too, Colom noted. He denied knowing who specifically was behind the warnings to his minister but did know that "there's nervousness among a group of retired officers," because of what the archives could bring to light about them. Lifting the veil The officers will have to get used to a new reality, it appears. Colom has decided that there is no reason for any more secrets, and he announced a commission charged with declassifying military archives from 1954 to 1996. Despite reams of research and countless hours of testimony, the record will always be incomplete, and much will go unrevealed and unconfirmed, until those archives are opened. The commission

will be composed of a presidential delegate, the Defense Ministry, the office of the attorney general, the Peace Secretariat, and the Comision Presidencial de Derechos Humanos (COPREDEH). Although the president's premise is that there is nothing left to be a state secret, the commission will scrutinize the record to make certain there is nothing to keep under wraps for legitimate reasons. After being declassified, the archives will all be available as trial evidence. Another duty, tacked on at the last minute, will be to uncover what happened to Sofia 82 and Ixil 82, the missing files. Rios Montt on defense The voluminous archive is a lot to get out in front of, but Rios Montt has indicated his intention to try. He told the media on March 5 that he neither signed nor approved any of the four plans under subpoena. This is not unlike the defense he has raised for years, that he did not issue any written orders for which he could be held guilty of genocide, murder, torture, or of a number of other charges that might be leveled at someone who had been both a general and de facto president during the height of the war. He characterized the four documents as "simple plans of the Defense Ministry" drawn up as a matter of course during the Cold War. He admitted seeing the plans, but denied approving them. "I was the chief of state, but those plans were of defense," he said in clarification of the issue. Strangely, there may be some weight to his protestations. Rios Montt was never elected but rather named himself president after being installed in a leadership position by Army coup leaders to avoid the succession of Gen. Angel Anibal Guevara, who was picked for the presidency by Gen. Fernando Romeo Lucas Garcia (1978-1982), the president they had just overthrown. Before electing himself, however, Rios had formed a junta that annulled the 1965 Constitution, dissolved the Congress, suspended political parties, and canceled the electoral law. So, de facto, there was no Constitution, no document, no institution to say authoritatively that the presidency was anything other than what Rios Montt said it was. So maybe he was not commander in chief after all, just head of state. Among those taking exception to this version of the record was Spanish Judge Baltasar Garzon, who took the case of genocide brought by indigenous leader Rigoberta Menchu. But that case is going nowhere because the CC ruled against execution of an order from Spain for the arrest of Rios and others. The Spanish judge visited Guatemala in March and met with Colom and with several magistrates. At a news conference, he said the case would remain weak as long as impunity reigns in Guatemala, and he recommended that such cases become the jurisdiction of international courts when sovereign countries are unable to support their own judicial institutions. All is not hopelessly lost in the quest for supporting documentation. On March 11, Procurador de Derechos Humanos Sergio Morales delivered a set of records to the attorney general that, said his office, implicate security forces in disappearances during the war. The evidence consists of hundreds of records of disappearances of student leaders, unionists and others during the first two years of the Lucas Garcia presidency. These files were found among the cache of police records accidentally discovered in 2005 (see NotiCen, 2005-07-21). The dates covered are probably a little early for Rios Montt, but Attorney General Amilcar Velasquez said they contained valuable evidence that could be used in court. As for the documents in the current case, Judge Mario Valenzuela had a look at the two records he ordered the Defense Ministry to keep, Victoria 82 and Firmeza 83, under the eyes of a panel of witnesses of honor, diplomats from Sweden, the Netherlands, and the US. After doing so, he ordered that they remain under seal and issued a gag order in force until he lifts it. According to the attorney general, Defense Minister Valenzuela has told him the other two files are still missing.

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