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First-ever Arrests In Wartime Repression As Guatemala Opens Recently Discovered Police Archives To The Public

by LADB Staff

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The enormous piles of fetid paper that Guatemala's human rights ombudsman Sergio Morales called "one of the most important discoveries in recent times" (see NotiCen, 2005-07-21) have begun to show promise of living up to that billing. The mountain of records is the estimated eight linear km of papers, along with audiotapes and photographs, discovered in an abandoned Guatemala City munitions depot. Not known to exist prior to its 2005 discovery, the material constitutes the archives of the Policia Nacional (PN), one of the main engines of official repression, violence, and death during the country's long civil war. So steeped in these activities was the PN that it was disbanded as part of the peace agreements that ended the war and replaced by a revamped Policia Nacional Civil (PNC). The change proved more cosmetic than substantive, and many people expressed doubt that, with the discovery of the records, much would be revealed or that any revelations would lead to indictments. Recently, however, there have been some important revelations, and even arrests, as new details on a well-known case from the 1980s were discovered in the records. The case was the disappearance of unionist and labor leader Edgar Fernando Garcia. Nothing was ever heard of him again after his 1984 apparent kidnapping until just weeks ago, when the PNC arrested two former PN officers and said they were looking for three more, based on evidence in the files. The National Security Archive (NSA) has researched these documents, and, at the same time, the George Washington University-based institution has secured related documents from the US government through use of Freedom of Information Act (FOIA) mechanisms. The NSA has now amassed and posted documentation that US government officials knew that the Guatemalan government it was supporting with arms and money was kidnapping, torturing, and murdering its own citizens by the thousands. One FOIA document, a 1984 State Department report, read, "[Guatemalan] government security forces have employed assassination to eliminate persons suspected of involvement with the guerrillas or who are otherwise leftwing in orientation." Corroboration of the report turned up in a 1984 cable from then US ambassador Frederic Chapin, who wrote, "The government is obviously rounding up people connected with the extreme left-wing labor movement for interrogation." The cable mentioned Edgar Fernando Garcia, with Chapin asserting that the activist was alive and was to be released, contradicting reports of his death. The NSA notes that the US Embassy "considered the wave of state-sponsored kidnappings part of an effort to gather information on Marxist-Leninist trade unions." Garcia was a member of an entire generation of leadership that included academics, intellectuals, unionists, and others that was wiped out by these systematic "roundups" as part of a grand strategy to destroy every vestige of popular movement. After Garcia's death, his wife, Nineth Garcia, co-founded Grupo de Apoyo Mutuo (GAM), then a support group for widows, orphans, and families the disappeared left behind. GAM has since become one of Guatemala's foremost nongovernmental organizations (NGOs) militating for human rights. Nineth Garcia, now Nineth Montenegro, her birth name, has become a powerful deputy in the Guatemalan Congress. Long remarried (to GAM director Mario Polanco), she nevertheless is reported to have cried bitter tears at the news of the turn in her late husband's case. The period the archive treats is not history for those who lived it; it is just the past, the prelude to the present. The violence that governed then

continues to rule, although it is no longer government policy, say more recent reports (see NotiCen, 2009-03-05). But in 1984, according to the NSA, "The documents show that Garcia's capture was an organized political abduction orchestrated at the highest levels of the Guatemalan government." Trudging on through a blizzard of threats A quarter-century later, on March 5, 2009, former police agent Hector Roderico Ramirez was arrested in Quetzaltenango, the first person ever to feel the arm of the law in connection with this case. The next day, in Guatemala City, a second PN officer, Abraham Lancerio, was apprehended. Subsequently, PNC officials announced warrants for two others, Hugo Rolando Gomez and Alfonso Guillermo Marroquin, both of whom were agents of the PN's notorious Brigada de Operaciones Especiales (BROE). Officials unequivocally attributed the arrests to archive evidence. The unchanging quality of the way things are done in Guatemala came through vividly as human rights ombudsman Morales charged that the chief of the Oficina de Averiguaciones Especiales had been attacked and brutally beaten by unknown assailants soon after the arrests. This was the unit working on the indictments. The victim's name was withheld. Morales said the person had received death threats soon after the arrests of the two officers. Since then, Morales said, cars have passed by the Procuraduria de los Derechos Humanos (PDH) headquarters taking photos of people working on the disappearance cases. Morales said he had requested increased security from the PNC, for what that might be worth, and has also formally denounced the situation to the Inter-American Commission on Human Rights (IACHR). Undeterred, Morales has delivered reams more of archive files to the Public Ministry, with equally damning evidence of 50 other, lesser-known disappearances. These, in turn, are expected to become a great wave of documented denunciations as, on March 24, the archive was opened to the public. Family members and other interested parties will not have to pore over the stinking pile of papers; more than 12 million files are now on computer. Available are countless formal complaints, police records, operational plans, reports, arrest warrants, and other documents that reveal what happened to people, and who was responsible. Some cases, like that of Garcia, are paradigmatic and will attract the attention of a wider audience of scholars and prosecutors. These would include the case of law professor and student leader Santiago Lopez Aguilar and Universidad de San Carlos (USAC) student Oliverio Casteneda de Leon. Other files could shed light on events predating the civil war. Some go back to the 19th century. The NSA continues to mine US government records and cross-validate them with PN materials. Records posted on its Web site in March revealed US figures estimating an average of 137 abductions a month during the presidency of Oscar Mejia Victores (1983-1986) when it reached a peak. This was in 1984, when Garcia was taken. A 1986 US State Department document NSA obtained and just posted outlined Guatemalan kidnapping methods and procedures, including the interrogation practices at military bases, police stations, government safe houses. Torture figured prominently as an inducement to talk. Information gained in this way was used for further joint police-military raids on homes in the capital, netting hundreds more suspects, whose tortured corpses were sometimes found, or who were never heard from again. Another document shows how those associated with victims became victims themselves. President Mejia Victores charged that GAM was a tool of the guerrillas and questioned the organization's funding. Two weeks later, GAM member Hector Gomez Calito was kidnapped, his tortured body recovered soon after. At his funeral, he was eulogized by GAM co-founder Rosario Godoy de Cuevas. She was found dead in a ditch with her 2-year-old son, whose fingernails had been torn out. Also found in the ditch was Godoy de Cuevas' 21-year-old brother. Godoy de Cuevas had been the wife of disappeared and murdered student leader Carlos Ernesto Cuevas Molina. And so it went, these stories multiplied by thousands with not a soul brought to account for any of them, until the arrests of these policemen because of the incriminating piles of paper in the archive. Remarkably, as

investigations go forward now, Sergio Molina's office has announced that retired and active police are still involved in organized kidnapping and that the current spate of lawlessness has its roots in the political savagery of years past. Prosecutors are, reports the NSA, currently investigating ten members of the police anti-kidnapping unit for involvement in present-day abductions. With the opening of the digitized data to the public, indictments and prosecutions might be expected to grow. The newly posted documents, briefly Meanwhile, the newly released documents on the NSA Web site will provide perspective and context. There are 11 documents relating to the disappearance of Garcia, the attacks on GAM, and the operations of death squads during the period. They include: 1. Feb. 23, 1984 US Embassy classified cable informing Washington of Garcia abduction, information on related incidents, and on Garcia, specifically his leadership in the industrial-glass union Sindicato de Trabajadores Industria CA de Vidrio SA (CAVISA), its affiliation with communist trade union confederation Federacion Autonoma Sindical de Guatemala (FASGUA). There is more information on other unions and disappearances associated with them. 2. Feb. 23, 1984 On the same day as the preceding, the State Department released this secret intelligence analysis and reveals that PN detectives (DIT) have been involved in extra-legal activities, working with the military presidential intelligence unit the Archivos. 3. March 19, 1984 A confidential cable from US deputy chief of mission Paul D. Taylor reporting on protests of kidnappings of labor leaders. Taylor reports that Guatemalan government is destabilizing the Marxist fraction of the labor movement with these kidnappings. He says the victims were targeted because of government suspicion that they were connected to the insurgency. 4. April 3, 1984 This classified cable reports on mounting international pressure for investigation of Garcia kidnapping and others. US Embassy resists, and Taylor claims lack of evidence that government forces were behind labor abductions. 5. April 1, 1985 A limited officials use cable reports on the death of Hector Orlando Gomez Calito, as described above. 6. April 3, 1985 A confidential cable describes meeting of Nineth Montenegro de Garcia and Father Alain Richard of Peace Brigades International (PBI) with Embassy officials. Richard asserted that Guatemalan government was directly responsible for the Gomez murder and that GAM would continue its work regardless of the threat and obvious surveillance of members. 7. April 4, 1985 This is a summary of GAM organizing and activities including road blocking and sit-ins. GAM had gone to the Embassy seeking help in locating 67 missing persons. There is mention in this document of the Embassy's previously informing Washington of GAM members receiving death threats. Hector Gomez was on the list sent. 8. April 6, 1985 This notifies Washington of the death of Maria Rosario Godoy de Cuevas, describing the scene as described above. 9. April 9, 1985 More information on the death of Maria Rosario and the report of the broadcast comments of Archbishop Prospero Penados. Archbishop calls this the holy week of shame and fear in Guatemala. The report says that the interior minister received an official report showing Godoy's death to be an accident. GAM planned protests, disregarding death threats. 10. April 9, 1985 Cable describes US Ambassador Alberto M. Piedra expressing US concern about the Godoy death to Mejia Victores and explaining how this sort of thing made it difficult to defend Guatemala's position in the US Congress, endangering efforts to increase aid to the government. 11. March 28, 1986 This is a secret report from the State Department Bureau of Inter-American Affairs providing details on the use of forced disappearance over the decade prior and its institutionalization under Mejia Victores. It attributes the evolution of the tactic to government frustration at the judiciary's reluctance to convict alleged insurgents and their belief that the kidnappings would destroy the urban guerrilla. This is the document that provides the monthly figure on disappearances cited above.

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