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Louisa Reynolds

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Guatemalan Army Colonel, Eight Soldiers Will Stand Trial for Totonicapán Massacre

By Louisa Reynolds

Infantry Col. Juan Chiroy Sal, 45, and eight soldiers will stand trial for the killing of seven indigenous protestors in the highland department of Totonicapán, on Oct. 4, 2012.

Angered by seemingly arbitrary price hikes imposed by British-owned electricity company ENERGUATE, indigenous leaders erected two blockades on the Inter-American Highway at a point known as Cumbre de Alaska (km 170) and a busy junction known as Cuatro Caminos (km 188). Dozens of police vehicles and at least two Army vehicles were sent in to clear the area, and, during the confrontation that ensued, seven protestors were killed and 41 were injured.

During a preliminary hearing on Feb. 8, the Ministerio Público (MP) delivered a presentation with maps and photographs of the area where the conflict broke out. Chiroy Sal, a member of the Segundo Escuadrón de Seguridad Ciudadana, did not heed a warning issued by deputy chief of police Hugo Catalán, who had informed him that the situation was already under control and that Army presence was not required.

"The colonel ordered the soldiers under his command to get out of their vehicles, and protestors saw this as provocation," said prosecutor Isabel Jordán.

Chiroy Sal and the soldiers under his command—Edín Adolfo Agustín Vásquez, 28; Dimas García Pérez, 30; Abner Enrique Cruz Pérez, 23; Marcos Sun Sacul, 32; Manuel Lima Vásquez, 22; Felipe Chub Coc, 26; Ana Rosa Cervantes Aguilar, 31; and Abraham Gua Cojoc, 25—are accused of the extrajudicial execution of seven protestors and the attempted extrajudicial execution of those who were wounded.

The infantry colonel has asked for the charges to be changed from extrajudicial execution to breach of duty. "I'm also indigenous; I would never commit such an atrocity against my own people. I also lived in poverty and walked barefoot," he said.

Government cover-up

After the Totonicapán massacre, different versions of events emerged, and the government made a number of serious contradictions in an attempt to justify the use of military troops to disperse unarmed protestors.

Interior Minister Mauricio López Bonilla initially said that, as protestors refused to leave the area, the police were forced to use tear gas to clear the area and the Army was sent in to help. However, he claimed that the soldiers were unarmed and that most of the wounded had suffered shotgun and machete wounds, meaning that a scuffle had broken out among the protestors and that seven people had been killed in the ensuing chaos. He also claimed that protestors had pelted the police with stones and torched several Army and police vehicles.

However, the next day, Guatemalan newspapers El Periódico and Prensa Libre published a photograph supplied by the Spanish news agency EFE showing a soldier pointing an Israeli-manufactured Galil rifle at protestors.

After it became clear that López Bonilla had lied, President Otto Pérez Molina was forced to offer a different version of events: a private security guard from a cement truck that had been caught up in the midst of the protest had fired at the crowd. The ten Army soldiers who arrived at the scene were armed, contrary to what López Bonilla had initially said, and seven of them had fired into the air in self-defense "because they feared for their lives, as the crowd was preventing their driver from getting out of the vehicle, which had been set on fire."

The protestors' side of the story was very different, with indigenous leaders claiming that they were unarmed and that the Army had opened fire on them.

Added to this, the body of protestor Domingo Puac Vásquez, 49, who was reported missing after the clash with anti-riot police and Army soldiers, was found twenty-three days later in a nearby river in the village of Xesacabaj, in Totonicapán. Puac Vásquez was an artisanal weaver and a member of several folk-music associations. Family members and indigenous leader Mario Itzep, of the Observatorio Indígena, claim that his hands and feet had been tied and that his body showed signs of torture.

Although a forensic report issued by the Instituto Nacional de Ciencias Forenses (INACIF) concluded that Puac Vásquez died as a result of a hemorrhage caused by a head injury and that he had not been shot, Totonicapán's indigenous communities suspect that he was abducted and murdered.

Are Juan Chiroy Sal and his soldiers scapegoats?

Both President Pérez Molina and Interior Minister López Bonilla are retired Army officers; in 1982, during the bloodiest phase of Guatemala's 36-year-long civil war, Pérez Molina served as an infantry major in the Gumarcaj Task Force. He was stationed in the municipality of Chajul, in the highland department of Quiché, where 26 villages were totally or partially destroyed, there were 10 massacres, 317 unarmed civilians were killed, and 9,000 people were displaced.

For human rights activists, the Totonicapán massacre is a sinister echo of wartime atrocities. "Those who ordered the massacre did so to remind people how they ought to behave, as they [the Army] did during the civil war," said sociologist Carlos Guzmán Böckler during an interview with the online magazine Plaza Pública.

The MP's investigation, which led to the arrest and trial of Chiroy Sal and his eight soldiers, was detailed and conclusively proved that they had shot protestors at point-blank range. However, Chiroy Sal has borne the blame for not heeding the warning issued by deputy chief of police Hugo Catalán. But Guzmán Böckler points out that it is unlikely that Chiroy Sal would have opened fire unless he was specifically ordered to do so.

"Soldiers do not act on their own volition. The Army is a hierarchical institution, and a soldier cannot use his initiative, he must obey orders. I think that it [the massacre] was meant to set an example, to send the message, 'These are the rules, we imposed those rules for many years and we can do so again.' They [the Army] were fighting against defenseless civilians as they did before—indigenous people, including many women carrying children," Guzmán Böckler said.

Anthropologist and Jesuit priest Ricardo Falla, author of a number of books on the Army's wartime massacres, added, "Although the MP carried out an unprecedented investigation into the troops' role in the massacre, it severs the chain of command by solely blaming the colonel for disobeying police orders."