

1-18-2018

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## Recommended Citation

Witte-Lebhar, Benjamin. "Nicaraguan Army Accused of Committing Summary Executions." (2018).  
<https://digitalrepository.unm.edu/noticen/10489>

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## Nicaraguan Army Accused of Committing Summary Executions

by Benjamin Witte-Lebhar

Category/Department: Nicaragua

Published: 2018-01-18

A bereaved campesina (agrarian worker) woman has emerged as an unlikely champion for human rights following a deadly military operation carried out two months ago in a remote corner of Nicaragua's Región Autónoma de la Costa Caribe Sur (South Caribbean Coast Autonomous Region, RACCS).

The violence occurred early on the morning of Nov. 12—exactly one week after nationwide municipal elections took place ([NotiCen, Nov. 30, 2017](#))—and left six people dead, including a man named Rafael Dávila Pérez. The people responsible for the killings were soldiers with the Army's Sexto Comando Militar Regional (Sixth Regional Military Command, SCMR). On that, all sides with an interest in the events agree. From there, though, accounts of what exactly transpired that morning, in the La Cruz de Río Grande district of the RACCS, vary significantly.

Speaking the next day with reporters, the SCMR's commanding officer, Col. Marvin Paniagua, confirmed the six deaths but only identified one of the victims, Dávila Pérez. He said the fatalities were the result of a "shoot-out" between soldiers and "criminal elements" suspected of extortion, rape, growing and selling marijuana, and other crimes. Asked by the daily *La Prensa* to identify specific cases or wrongdoing by the victims, Col. Paniagua declined "for security reasons."

"All of the farmers in this area are happy," he insisted, "because they now say they can rest assured that their women won't be raped anymore, that they won't be told to pay any more money."

From the outset, the Army's "criminal element" explanation rang hollow for some observers, in large part because Dávila Pérez, also known as Comandante Coloco, is a former Contra, as the US-backed, counter-revolutionary fighters from the 1980s are known. He is believed to have rearmed in recent years in opposition to the government of President Daniel Ortega. Coloco, *La Prensa* suggested in its initial report on the killings filed on Nov. 12, may have taken over leadership of a local rearmed Contra group following the death of Enrique Aguinaga, also known as Comandante Invisible. Aguinaga died on April 30, 2016, in what military officials also called a "shootout." Family members said he was executed.

But what really turned the official story of the La Cruz de Río Grande killings on its head was the testimony, given several days after the events, of a 38-year-old campesina named Elea Valle, a mother of five with almost nothing in the way of formal education, whose late husband, Francisco Pérez, was the brother of Dávila Pérez.

On the evening of the supposed shootout, Valle received a devastating phone call, *La Prensa* journalist Eduardo Cruz wrote in a detailed account published Jan. 7. "Listen, it hurts me to tell you this, but something's happened," a friend in the area where the killings took place told her. Starting early the next morning—the same day Col. Paniagua confirmed the Army operation—Valle made her way on horseback to the site of the killings and there confirmed her worst fears. Examining the already decomposing bodies of the victims, the woman not only identified Dávila Pérez, who was

her brother-in-law, but also her husband, Francisco Pérez, and two of her five children: Yojeisel Elizabeth, 16, and Francisco Alexander, 12.

Both adolescents were barely recognizable, she later told the Managua-based Centro Nicaragüense de Derechos Humanos (CENIDH), a leading human rights group. The boy had knife wounds around his ribs and gunshot holes in his chest, arm, and head. The girl, area residents told Valle, had been raped, beaten, and hung from a tree. "My daughter's whole body was purple," she told CENIDH. "Her face, like that of my son, was unrecognizable. The people there told me she was wearing pants only because they [the locals] had put them on her, because [the soldiers] left her completely naked except for a military-style shirt meant to make it look like she, too, had taken up arms."

### *Speaking out*

Valle says that her family, because of its ties to Dávila Pérez, had been harassed by soldiers for the past several years, and that her husband, fearing for his life, eventually but reluctantly agreed to join his brother "in the mountains." That was two years ago. From then on, she had almost no contact with Francisco Pérez until Nov. 9, when he called requesting a chance to see his two oldest children. Valle agreed and sent Yojeisel Elizabeth and Francisco Alexander off the next morning, on foot, for what would be a two-day trek.

The decision proved to be a fateful one, and for the children a tragic case of being in the wrong place at the wrong time. They were neither criminals nor armed rebels, their mother insists. They just wanted to see their father. And now they're dead.

More than a week after the killings, Valle made her way to the capital, Managua, to share her story with CENIDH, which helped her file formal complaints with the police, the national prosecutor's office, and the Army. Since then, she has participated in a number of press conferences and protest demonstrations, including a Dec. 10 march in Managua commemorating Human Rights Day. Joining her for the event was another outspoken campesina, Francisca Ramírez, leader of a grassroots movement against the Ortega government's plan to bisect the country with a US\$50 billion, ocean-to-ocean canal.

"It's sad, what's happening in this country," Ramírez told reporters. "And [Valle] is a walking testimony of the current situation." Ramírez has become something of a prominent figure in Nicaragua over the past two years, filling a vacuum, in some regards, left by the near absence a formal, political opposition to the Ortega regime ([NotiCen, March 16, 2017](#)).

CENIDH is demanding a formal investigation of the La Cruz de Río Grande massacre, as it's come to be known. The group has also filed paperwork to present the case before the Inter-American Commission on Human Rights in Washington, DC, calling it a clear case of extra-judicial killing on the part of state security forces. Regardless of whether the victims were common criminals, political outlaws, or innocent bystanders, CENIDH and others rights advocates argue, they ought to have been detained rather than simply gunned down.

"The current condition of the Army is incredibly troubling, because it's now in the same position as the Somoza-era [National] Guard was when it operated on behalf of the Somoza family," former Sandinista guerrilla fighter Dora María Téllez said in a recent interview with *La Prensa*. "In this case, we're talking about an Army that carries out summary executions; that doesn't answer to the public; that pursues enemies of the Ortega family rather than defending the country's sovereignty."

## *'Killing the truth'*

Valle, for her part, wants more than anything to be reunited with the bodies of her loved ones so that she can give them a proper burial. A number of Catholic Church leaders support her quest.

"We all have the right to a Christian burial," Silvio Báez, an auxiliary bishop with the Archdiocese of Managua, was quoted as saying earlier this month by the independent news site and magazine *Confidencial*. "Out of respect for the institutions themselves, both the police and the Army ought to give the public an explanation."

The grieving mother says the locals who met her at the massacre site had been ordered by soldiers to bury the bodies there, in a common grave, but held off long enough for her to arrive. Where the remains are now is unclear. In late November, the Army said it had given the bodies over to the *Policía Nacional* (PN), the national police force. After weeks of conspicuous silence on the matter, the PN issued a statement in mid-December confirming that claim and promising to return the remains to the corresponding family members. To date, that hasn't happened. The PN statement identified Valle's two children as being among the victims but made no mention of their ages. Like the Army, it characterized the victims as being "criminal elements."

With the exception of the one PN statement, authorities—from President Ortega on down—have simply ignored the issue. The same goes for Nicaragua's many government-controlled media outlets. This is not the first time, furthermore, that state security forces have been involved in armed engagements with people who are widely suspected of being rearmed Contras but whom the government refers to only as "criminals." The 2016 killing of Comandante Invisible is a case in point, as was the killing in 2014 of Contra-fighter-turned-rural-opposition-leader Carlos García just days after coordinated ambushes on Ortega supporters left five people dead ([NotiCen, Aug. 21, 2014](#)).

"The Army knows down deep that these are armed groups with political motives, and that capturing them and bringing them to justice gives them an opening, a stage on which to express their frustration with the current government, the lack of democracy, the lack of transparency, the electoral fraud," security expert Roberto Cajina told the Spanish daily *El País* in December.

The convoluted communications approach is characteristic, critics say, of a system of government that Ortega and his wife, Rosario Murillo—now in their third consecutive five-year term—have come to control absolutely, with virtually nothing left in the way of checks and balances ([NotiCen, Aug. 25, 2016](#)). Even leading rights advocates, for that reason, have little hope that the La Cruz de Río Grande killings will be properly investigated, or that authorities will offer anything close to transparency on the matter.

And yet, without that, there is nothing to stop the regime and its security forces (the PN and the military) from committing more abuses in the future, warn people like *Confidencial* publisher Carlos F. Chamorro. "This regime is already governing without democracy or transparency. Now, if we remain silent, they will be able to kill with impunity, even minors," he argued in a Nov. 27 editorial titled "They also Want to Kill the Truth."

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