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Guatemala: Judge Issues Sentence In Mirna Mack Killing

by Deborah Tyroler

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In a ruling handed down on Feb. 12, judge Carmen Ellgutter sentenced Noel de Jesus Beteta to 25 years in prison after finding him guilty in the September 1990 murder of anthropologist Mirna Mack (for previous coverage see CAU 03/20/92, 12/04/92.) For the past two years, efforts to prosecute the Mack case have served as a focal point for those attempting to confront military impunity. If the verdict stands, Beteta will become the first ranking member of the military to be convicted of a politically motivated crime. In its 25-page ruling, the court imposed an additional five year sentence against Beteta in connection with an assault on a minor. Under terms of the sentence, Beteta will be ineligible for parole. With the verdicts, Judge Ellgutter pronounced the Mack case closed, indicating there was insufficient evidence to launch an official investigation to determine if Beteta was acting under orders from his superiors. "I am not saying that [Beteta's superiors] did it or that they did not do it," Ellgutter declared. "You have to name concrete names in the investigation and at this point they are not there." Mack's sister, Helen Mack, celebrated the sentence as "the beginning of the end of military impunity in Guatemala." However, she confirmed plans to appeal the judge's decision to close the case, insisting that Beteta's superiors should be brought to justice as well. Beteta, a former member of the presidential security staff, had pleaded innocent. Speaking from prison with reporters, Beteta said he plans to appeal the verdict. "I've been used as a scapegoat," Beteta declared. "They gave me 30 years, while the real assassin is probably laughing right now as he walks the streets." Ronald Ochaeta, director of the Catholic Church's human rights office, assisted the Mack family in prosecuting the case. "We are very satisfied with the sentence, above all because of the courage of [Judge Carmen Ellgutter], who was under intense pressure to give an acquittal," Ochaeta said. (Sources: Agence France-Presse, Agencia Centroamericana de Noticias-Spanish news service EFE, United Press International, Reuter 02/12/93)

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