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Guatemalan Court Orders Arrest of Military Officers in Bishop Girardi Case

by LADB Staff

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The court-ordered arrest of military officers charged with the 1998 assassination of Bishop Juan Gerardi indicates that state prosecutors have accepted the theory, advocated by Catholic church leaders, that members of the elite presidential guard (Estado Mayor Presidencial, EMP) orchestrated the crime.

Prosecutors in the administration of former President Alvaro Arzu rejected that theory and went to ludicrous lengths to blame indigents, a priest, and a dog (see NotiCen, 1998-04-30, 1998-08-20).

Under pressure from the church's archdiocesan human rights offices (ODHA), state prosecutor Calvin Galindo ordered tissue samples for DNA tests from 17 suspects, including 12 military officers, in April 1999. No arrests were made, however, and in October Galindo resigned and went into exile, (see NotiCen, 1999-10-21).

No progress in the investigation was reported until President Alfonso Portillo ordered prosecutors to continue Galindo's inquiries into possible military involvement.

Portillo pledged during his election campaign that he would resolve the case or resign the presidency (see NotiCen, 2000-01-20). He said he could fulfill that promise within 180 days. Government spokeswoman Fernanda Castejon said on Jan. 21 that police had arrested two officers believed to have been involved in the Gerardi assassination.

Arrested were retired Col. Byron Disrael Lima and his son Capt. Byron Lima Oliva, a former EMP member. They were charged with extrajudicial execution. Warrants for the arrest of at least 11 officers have been issued.

Both men have been repeatedly mentioned by Catholic church officials as possible suspects, but until now, no action was taken against them. An arrest warrant was also issued for Mario Orantes, the priest who was arrested in July 1998 but released for lack of evidence (see NotiCen, 1999-02-25).

Orantes' lawyer said he is undergoing medical care in Houston but will return to Guatemala if ordered to do so. On Jan. 22, police arrested Obdulio Villanueva, who was also a member of the EMP, and Gerardi's former cook, Margarita Lopez. She, like Orantes, was detained in 1998 but later released (see NotiCen, 1998-08-20).

In 1996, while a member of President Arzu's guard, Villanueva shot and killed Pedro Aroldo Sas Rompich. He said the man intended to assassinate President Arzu. Villanueva was sentenced in 1998 to four years in prison for the shooting, but the sentence was commuted.

Close observers of the Gerardi case say evidence against the suspects that had been ignored now forms the basis of the investigation. That evidence includes an eyewitness account by Ruben Chanax Sontay, an indigent, who says he saw Byron Lima Oliva in the bishop's garage after the murder filming the murder scene with a video camera.

Chanax says Byron told him to keep quiet or he would also be killed. Other witness say they saw one of the officers in an EMP vehicle near the house and that Lima Oliva was accompanied by a man named Hugo and three other men. It is believed that Hugo is the man later seen exiting the house around the time of the murder and that he did the actual killing.

Files reported missing

On Jan. 25, Edgar Gutierrez, the new head of the Secretaria de Analisis Estrategico de la Presidencia (SAE), said that a file pertaining to the Gerardi case was missing from the office as well as material relating to the 1990 assassination of anthropologist Myrna Mack (see NotiCen, 1999-02-11). A prime suspect in the theft is Gutierrez's predecessor, Howard Yang Luke.

Gutierrez said both Yang Luke and Arzu must have known of the missing files. Gutierrez said the missing file was only one of a series of irregularities he found in the office after taking over from Yang Luke. These included the presence of six members of the EMP, whereas the office was supposed to employ only civilians. [Sources: Reuters, 01/21/00, 01/22/00; Agence France-Presse, 01/24/00; Excelsior (Mexico), 01/25/00; Prensa Libre (Guatemala), 01/17/00, 01/20/00, 01/23/00, 01/25/00; Siglo Veintiuno (Guatemala), 01/21/00, 01/22/00, 01/23/00, 01/24/00, 01/25/00, 01/26/00, 01/31/00]

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