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OAS Court Finds Guatemalan Government Guilty in Death of Guerrilla Leader

by LADB Staff

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On Dec. 6, the Inter-American Court of Human Rights in San Jose, Costa Rica, ruled that the Guatemalan military was guilty of the disappearance, torture, and extrajudicial execution of guerrilla commander Efraim Bamaca Velazquez.

The ruling also said the military was guilty of obstruction of justice. Bamaca was a commander in the Organizacion del Pueblo en Armas (ORPA), a guerrilla organization belonging to the umbrella group Unidad Revolucionaria Nacional Guatemalteca (URNG). A suit brought against the military in 1996 charged that Bamaca was captured in March 1992 by the Guatemalan military, interrogated at various military bases, tortured, and executed.

The military has maintained that Bamaca was killed in combat, but his wife, attorney Jennifer Harbury, cited witness who said Bamaca was captured and executed. Since 1992, Harbury, a US citizen, has staged hunger strikes in Guatemala and the US, prodding both governments to investigate her husband's death (see NotiSur, 1994-12-02, 1995-03-31, 1995-04-14).

In 1998, she told the Inter-American Commission on Human Rights (IACHR) that she had evidence that high-ranking officers were involved in Bamaca's disappearance (see NotiCen, 1998-07-23).

In 1995, Rep. Robert Torricelli (D-NJ) released documents indicating the involvement of Col. Julio Roberto Alpirez, but Alpirez was never tried.

In 1996, a White House panel found that suspected human rights violators in the military, including Alpirez, had been on the Central Intelligence Agency (CIA) payroll. The panel said Alpirez was one of the military men who took part in the interrogation and murder of Bamaca.

Harbury said the December ruling was a message to the military everywhere in the Americas as well as to the CIA. She said the next step should be the initiation of legal processes to try those responsible for the crimes, whether in Guatemala or in international tribunals.

The Inter-American Court also ruled that the Guatemalan government should begin an investigation and should compensate Bamaca's family. [Sources: Spanish News Service EFE, 11/12/00; The New York Times, 12/07/00; Spanish News Service EFE, 12/06/00, 12/07/00, 12/08/00; Prensa Libre (Guatemala), 11/02/00, 12/11/00]

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