

@CHAPTER = GUATEMALA

Building on the foundations laid by the Reagan administration and the U.S. Congress, the Bush administration has significantly strengthened ties with the Guatemalan military at a time when human rights violations by that force are rising sharply. This increased cooperation with the Guatemalan military inevitably puts a stamp of tacit U.S. approval on ongoing military repression. While administration officials have issued strong statements deploring political violence in Guatemala and have reinstated a travel advisory because of the violence, the increased U.S. involvement with the military gives the impression of only token concern, particularly when the administration has resisted attributing abuses to the military. The high level of political violence in which the military and security forces are implicated -- violence into which the Guatemalan government almost never launches vigorous investigations -- demands a cutback, if not a cutoff, in U.S. military assistance. President Vinicio Cerezo's credentials as a fairly elected civilian head-of-state are not sufficient reason for Washington to continue funding a military establishment that he is unable to control, particularly when that military bears major responsibility for the dramatic recent increase in violent abuses.

Elements of the Bush administration's growing ties with the Guatemalan military include:

@BULLET = the commercial sale, after approval by the State Department, of approximately 16,000 M-16 rifles for the Guatemalan army in 1988-89; Guatemala is reportedly seeking another 20,000 rifles at the time of this writing;

@BULLET = the construction by U.S. Army engineers and the Guatemalan military of a road circling Lake Atitlán, an area of active insurgency;

@BULLET = the training of Guatemalan paratroopers in marksmanship, tactics and night-patrolling by U.S. Green Berets, beginning in March;<\$FLee Hockstader, "U.S. Raises Its Profile in Guatemala," *The Washington Post*, August 18, 1989.>

@BULLET = a series of civic-action exercises by armed and uniformed National Guard units from Kentucky, Georgia, Iowa, Oklahoma, and Hawaii, mostly in Chimaltenango, a department with considerable rebel activity;<\$FMemorandum to the Senate Foreign Relations Committee by Bonnie Tenneriello, Washington Office on Latin America ("WOLA"), September 19, 1989.>

@BULLET = the ferrying of supplies and medical personnel by U.S. helicopters to areas of forced relocation in the department of El Quiché;

@BULLET = parachute and jungle-survival training by U.S. Special Forces for Guatemala's elite Kaibil counterinsurgency troops in the Petén in November 1988;

@BULLET = training Guatemalans to fly A-37 attack planes and to repair C-47 transport planes;<\$F WOLA, *ibid.*> and

@BULLET = the provision of \$9 million in "nonlethal" military aid in the 1989 and 1990 fiscal years.

Most of these forms of military support are a significant departure from previous U.S. policy toward Guatemala. Since military aid to Guatemala was renewed in 1985 for the first time in eight years, that aid has been limited to what is termed "nonlethal" assistance. The State Department's 1988 approval of a \$13.8 million commercial sale of M-16 rifles for the Guatemalan army marked a clear shift away from that policy. Congressional objections delayed, but did not stop, delivery of the weapons. Some democratic members of the House of Representatives also sought unsuccessfully to ban further lethal commercial arms sales to Guatemala in the 1990 Foreign Aid Authorization bill.

The Bush administration's actions are based on a perception that increased U.S.- Guatemalan military cooperation will yield increased accountability on

the part of the Guatemalan military. Yet this theory is clearly not working, and it cannot work until the Bush administration demonstrates a willingness to cut the aid when military violations continue, let alone increase.

Reliable statistics on political violence are not available in Guatemala, due to the extreme danger of monitoring human rights violations. That danger was driven home by the disappearance of five human rights activists in 1989 and the murder of another. However, figures put together from press accounts and cases investigated by human rights groups suggest a worsening trend since the fall of 1987, following nearly two years in which improvement had been noted. Noticeable surges in political violence followed two military coup attempts, in May 1988 and May 1989. While these coup attempts failed, at least nominally, they appeared to signal a strengthening of those sectors in the army least disposed to allow a modicum of respect for human rights. Among the cases in which suspicion has been cast on the army or security forces over the past year or so are the following:

@BULLET = In April, soldiers seized four members of the rural human rights group known as the Council of Ethnic Communities "We Are All Equal" ("CERJ") in two separate incidents at the Trinidad Miramar coffee plantation near Patulúl, Suchitepéquez. The military has refused to account for the whereabouts of the four, who remain disappeared.

@BULLET = In July, a member of the Mutual Support Group ("GAM"), an association of relatives of the disappeared toward which the government and the army have a long history of hostility, was murdered and another disappeared. On August 15, the GAM office in Guatemala City was partially destroyed by an explosive device. Later that month, a GAM director, Miguel Morales Morales, was abducted, held and interrogated in a secret location for 40 hours.

@BULLET = Also on August 15, unknown assailants threw an incendiary device in front of the office and residence of a U.S.-based peace group, Peace Brigades International, shattering several windows. On December 20, two unidentified men stabbed three Peace Brigade members as they were returning to their Guatemala City offices. The attack appeared politically motivated because nothing was taken. A guerrilla deserter at a government press conference in January 1989 had accused the Peace Brigade of supporting the guerrillas.

@BULLET = Several incidents in which soldiers or military commissioners threatened GAM and CERJ members in hamlets in Quiché province were reported throughout the year. The army repeatedly showed videotapes in these communities alleging that GAM and CERJ leaders were guerrilla commanders, and it also forbade community members from joining those rights groups.

@BULLET = Armed men dressed in uniforms typical of the Treasury Police killed five civilians in the tiny village of Sanquín, near Patzicía, Chimaltenango, on May 18. Although President Cerezo and an army spokesman blamed guerrillas for the massacre, witnesses interviewed by Americas Watch held government forces to blame.

@BULLET = Armed men driving a grey and black jeep with tinted glass windows abducted José Rolando Pantaleón, a trade unionist and actor in a political theatre group known for its anti-military satire. Pantaleón's body was found that afternoon. He and other members of the theatre group had been threatened repeatedly by armed plainclothesmen believed to be members of the security forces. Three of the group's players, including Pantaleón's brother Fladio, have since fled the country.

@BULLET = Since August 1989, at least fourteen members of the university community have been abducted; seven of them were later found dead. Evidence in several of the cases, detailed below, points to security-force acquiescence, if not complicity.

@BULLET = Three men, one of them apparently a uniformed police officer, kidnapped, interrogated and tortured U.S. Ursuline nun Sister Diana Ortiz for more than 24 hours on November 2-3. Two of the men took Ortiz from the courtyard of a Catholic retreat in Antigua on the morning of November 2. Ortiz recognized one as a man who had accosted and threatened her in July. The men forced her to board a bus, where they showed her a grenade and vowed that "innocent people would die" if she called for help or tried to escape. Getting off the bus, the men were met by a uniformed police officer in a white police car. They blindfolded Ortiz and took her to what she believed to be the basement of a large building, where she heard men moaning and a woman screaming in pain. The men interrogated her, beat her, repeatedly burned her with cigarettes, and sexually molested her. They stopped only when a fourth man entered the room, swearing, to announce that Ortiz was a North American and that her abduction was on the news. This man removed her blindfold and drove her away in a grey Suzuki jeep, saying that they would go talk to a friend in the U.S. embassy who would help her. When the jeep stopped in heavy traffic, Ortiz opened the door and escaped.

@BULLET = In November 1988, twenty-one peasants and one unidentified man were slain near El Aguacate, a hamlet in the department of Chimaltenango. The case remains unsolved, but some domestic groups have blamed the army. An Americas Watch investigation found insufficient evidence to assign blame, although some support was found for the contention that the army had carried out the massacre and little was found to support the government's contention that the guerrillas were to blame. The military has thwarted independent investigations into the slayings.

After the surge in violence in the months following the May 1989 coup attempt, the State Department and the U.S. embassy in Guatemala issued several strong statements condemning the violence, and reinstated an advisory against travel to Guatemala. On September 14, after the bodies of four of the disappeared university students had been found, State Department spokesman Richard Boucher opened the daily noon briefing with an announcement condemning political violence in Guatemala. The State Department's use of announcements, as opposed to the more common practice of preparing answers in anticipation of questions from the press, was appropriately used to convey the administration's serious concern. The statement read:

@QUOTENOIND = Extremist violence has been on the rise in Guatemala. In recent months, a number of bombs were exploded in the capital and several days ago, the bodies of four missing university students were found.

@QUOTENOIND = We condemn these acts in the strongest possible terms. We have expressed our concern at the highest levels of the Guatemalan government and our Ambassador in Guatemala has publicly condemned these acts on various occasions.

In response to questions, however, Boucher then undercut much of the impact of this statement by suggesting that the Guatemalan government bore no responsibility for the violence. Asked who was responsible, Boucher said: "We don't have information that would fix responsibility to individuals or groups." Asked what he expected the Guatemalan government to do, Boucher said: "The government is working hard to reduce the violence<%-20> <%0>.<%-20> <%0>.<%-20> <%0>.<%-20> <%0>.<%-20> <%0>.<%-20> <%0>I guess I'd say we are hoping that the perpetrators of the violence would think twice, and that we could, in that way, assist the government in stopping the violence."

In addition to this announcement, U.S. Chargé d'Affairs Phil Taylor delivered a speech on September 13 at a ceremony involving the U.S. Agency for International Development and the Guatemalan Ministry of Education which

condemned the killings of four members of the university community and called on those holding the other victims to release them. Taylor has reportedly spoken out about these and other cases on several occasions, although, again, he has not assigned responsibility. In December, U.S. Ambassador to Guatemala Tom Stroock met with President Cerezo to urge strongly a serious investigation into the violence against the university community, according to the State Department desk officer for Guatemala.

We welcome this heightened attention to the political violence in Guatemala. We are also pleased that the Bush administration has raised the issue "at the highest levels" of the Guatemalan government. We disagree, however, with the administration's claim that there is insufficient information to assign blame. In the case of at least some of the university students, as in many violent abuses in 1989, there is circumstantial evidence that government forces -- most likely members of the army and security forces -- have been responsible. For example:

@BULLET = In the case of Víctor Hugo Rodríguez Jaramillo and his wife, Silvia María Azurdía Utrera, abducted on August 21 and found dead on September 10, witnesses said that the eight heavily armed men who kidnapped the two in Guatemala City showed their weapons openly without being questioned by police who passed by the spot.

@BULLET = In the case of Mario René Hernández Centeno and Roberto Mazariegos, both were seized by the National Police at a checkpoint in Escuintla on August 9. Although the authorities have denied holding the young men, Hernández smuggled a note to a friend saying that the two were being held at the prison in Escuintla. Witnesses saw the men in custody there, and members of local human rights groups said that they had seen the missing men's car in the police headquarters in Escuintla.<\$FAlthough Hernández and Mazariegos have been treated as members of the university community, recent investigation reveals that in fact they appear to have had no connection to it.>

@BULLET = The *modus operandi* used in several of the other kidnapping cases conforms to that used by the security forces and death squads.

Moreover, at the very least, government forces have done nothing to prevent or investigate the killings and kidnappings. To the extent that the Bush administration's statements shy away from assigning blame in such cases, they allow the Cerezo government to remain unaccountable for abuses which appear to have been committed or permitted by its own security forces.

Recent abuses attributed to the police also merit a strong response from Washington, such as the suspension of police aid programs administered by the U.S. Department of Justice. (Washington's police training program was suspended after military officials replaced U.S.-trained civilians at the head of the police Office of Professional Responsibility this summer. The program was reinstated after U.S.-trained civilians returned to these posts.) For example, the kidnapping and torture of Sister Diana Ortiz by a group of men including a uniformed police officer, described above, ought to have brought about an immediate end to U.S. training programs with the Guatemalan police, at least pending prosecution of the police offenders. In addition, information published in September by the Washington Office on Latin America, which reported evidence of torture committed in the Zone 18 police precinct of Guatemala City and described torture victims being dropped off in the investigative office located in the National Police headquarters, provides additional justification for the U.S. to distance itself from the security forces.<\$FWOLA, *ibid.*; and Bonnie Tenneriello, "Abuse in Guatemala," *The Christian Science Monitor*, October 11, 1989.>

A major obstacle to investigations of political crimes is that the agency with

principal responsibility for such investigations, the police, remains under *de facto* control of the military, despite the Interior Ministry's nominal control. The derailing of the touted prosecution of Treasury Police agents for the infamous "White Van" killings in 1988 demonstrates the lack of will to prosecute members of the security forces responsible for political killings. Under these circumstances, U.S. aid to the Guatemalan police simply increases the efficiency and effectiveness of one of the nation's prime repressive forces.

Finally, we note that some U.S. embassy staff have made statements that endangered a Guatemalan human rights monitor. During a well-attended dinner in July at the home of the president of the American Chamber of Commerce in Guatemala City, Lewis Anselme, the human rights officer at the U.S. embassy, loudly challenged an Americas Watch representative to prove that CERJ leader Amílcar Méndez was not a guerrilla. This allegation was first put forward by the Guatemalan army in January 1989 with the presentation of an alleged guerrilla deserter who claimed in conclusory terms that Méndez belonged to the Guerrilla Army of the Poor (EGP).<F See *Persecuting Human Rights Monitors: The CERJ in Guatemala*, Americas Watch, May 1989.> Officials of the civilian government of Vinicio Cerezo Arévalo have also made this accusation. The charge has never been supported by a shred of evidence. We deplore these unsupported charges, not only because they unfairly smear a dedicated human rights activist, but also, and more important, because the label "guerrilla" in the violent climate of Guatemala is tantamount to a death sentence. We are appalled that the human rights officer of the U.S. embassy would involve the United States in such a campaign.

In a meeting with the Americas Watch staff in Washington a few weeks later, Ambassador Stroock articulated a more refined version of this accusation. He reported that embassy staff had informed him that Méndez, if not himself a guerrilla, at least shared the rebels' agenda. We thus take this opportunity to note that the agenda of CERJ, which Méndez leads, is to promote respect for the rights established in Guatemala's Constitution, particularly the right not to join civil patrols (Article 34). Military commanders consider this agenda to be subversive. The U.S. embassy's parroting of that line only reinforces the widespread view in the Guatemalan military that civilian institutions, including the fundamental rights set forth in the Guatemalan Constitution, are to be ignored if they prove inconvenient to the military's counterinsurgency campaign.