



THE PATH TO JUSTICE CONTINUES FOR MAYA ACHI WOMEN

On 22 and 23 April 2019, the hearings of the intermediate stage of the case of sexual violence against 36 Maya-Achi women from the region of Rabinal, Baja Verapaz took place in High Risk Court “A” in Guatemala City.

The accused in this case are six former members of the Civil Defense Patrols (PAC for its initials in Spanish) from the indigenous region of Rabinal: *Pedro Sánchez Cortez, Bembenuto Ruiz Aquino, Bernardo Ruiz Aquino, Damián Cuxum Alvarado, Simeón Enríquez Gómez, and Felix Tum Ramirez.*

During the hearings, the Public Prosecutor’s Office and the victims’ lawyers presented arguments on the participation of the six defendants in the in sexual violation of women and other crimes against humanity in the communities of Rabinal.

The hearings were initially scheduled for January 2019, but subsequently rescheduled in order to subpoena the Attorney General’s Office (PGN for its initials in Spanish). The incorporation of this institution is the result of an appeal filed by the victims, who demanded that the State’s representative be present in the criminal court

proceedings in order to respond civilly for the acts perpetrated by former members of the armed forces.

Between 2011 and 2012, 36 Maya Achi women denounced the acts of sexual violence they had suffered repeatedly in their homes, in the vicinity of their communities, or while they were illegally detained in the former military facilities of Rabinal.

The events occurred between 1981 and 1985, when State violence hit the indigenous communities of the country’s interior the hardest. The victims accuse not only the patrolmen, but also the military commissioners and members of the army as being the responsible parties.

The Commission for Historical Clarification (CEH for its initials in Spanish) stated that “the Civil Defense Patrols were legally recognised by Government Agreement 222-83 dated 14 April 1983. However, since 1981, they had begun to organise in several regions of the country [...] and since 1982 they acted in a coordinated



manner with the *Victoria 82* and *Firmeza 82* military campaign plans [...]”.¹

According to the CEH, “the municipalities that register the highest percentage of human rights violations committed by the PACs are, as presented in order of precedence: Rabinal, in the Department of Baja Verapaz; Chiché, Chajul, Barillas, Santa Cruz del Quiché and Zacualpa, in the Department of Quiché, and Cahabón in the Department of Alta Verapaz”.²

The events denounced by the women in this case coincide with the CEH data, because they evidence the power that the military gave to the patrolmen in Rabinal, which allowed them to act with total arbitrariness against the population, and they confirm the use of sexual violence as a weapon of war against indigenous women.

Regarding the participation of the PACs in acts of sexual violence, the CEH notes that the patrolmen committed numerous violations as part of the general strategy of terror in Guatemala. *“Many of them were part of the Scorched Earth operations or were carried out before massacres and in a public and massive way. In some cases, they were executed jointly by the military and the patrols; in other cases, the patrolmen acted alone, within the framework of power with impunity granted by the Army”*.³

Given the intensity of the violence against the Maya Achi people of Rabinal, the Inter-American Court of Human Rights (IACtHR) has sentenced the State of Guatemala on three occasions: On 29 April 2004, in the case of the Plan de Sanchez Massacre, on 4 September 2012 in the case of the Rio Negro Massacre, and on 30 November 2016, in the case of the members of the

Chichupac Village and the neighbouring communities of the Municipality of Rabinal.

In the Chichupac ruling, the IACtHR concluded that the State of Guatemala continues to fail to comply with its obligation to investigate the grave human rights violations against the Maya Achi people, ordering it to investigate these violations, including acts of genocide and **sexual violence against women**.

On 11 May 2018, six former patrolmen were captured, and a few weeks later a seventh person was captured. All were linked to criminal law proceedings and sent to the “Mariscal Zavala” Preventive Center, where on 24 August of the same year, the former patrolman Juan Cecilio Guzmán Torres died due to health problems.

The next hearing of this case will take place on 10 May 2019.

Images: Impunity Watch, MiMungo.org

¹ CEH (2006) *“Guatemala: Memory of Silence”*, PartII: Human Rights Violations, Acts of Violence and Assignment of Responsibility. Guatemala: F&G Editores, 2nd Edition, p. 182.

² *Ibid.*, p. 230.

³ *Ibid.*, p. 221