



Justice for the Rancho Bejuco massacre during the dictatorship of Ríos Montt

A Guatemalan court is trying another case of crimes against humanity committed during the dictatorship of Efraín Ríos Montt. On 7 June 2023, the trial against 9 former members of state security forces has begun. The defendants are accused of the 1982 Rancho Bejuco massacre in which 25 people were killed, among them 17 children, in the community of Rancho Bejuco, Pacoc, municipality of Santa Cruz El Chol, department of Baja Verapaz.

The Rancho Bejuco massacre demonstrates the cruelty with which the Army acted against the Maya Achi people during the internal armed conflict and the brutality of the scorched earth policy that was implemented under former dictator Efraín Ríos Montt (1982-1983). The crimes committed in this case are a serious affront to humanity; most of the victims were innocent children and security forces used extreme violence to eliminate the entire community.

The massacre

On the morning of 29 July, 1982, a patrol of soldiers, two military commissioners and 15 civil patrollers (patrulleros de auto-defensa civil - PAC) from Pacoc arrived in Rancho Bejuco. They gathered the women, men and children and locked them in a house. They separated Tiburcio Ixpatá Chajaj from the group, locked him in an enclosure, tortured him and then killed him ruthlessly. On the same afternoon, the soldiers killed the families by throwing explosives into the house where they were locked inside. Afterwards, they moved the bodies to a mass grave dug by the civil patrollers. The Army's justification for eliminating the entire community was that the men refused to join the civil patrols.

The report by the Commission for Historical Clarification (CEH) refers to this massacre in vague terms, citing it as an example of the systematic persecution aimed at eliminating Maya Achi communities. The report mentions that community members from Xesiguán had fled to Pacoc "where the community was massacred shortly after."¹ The massacre is also documented in local reports that mention the place and date of the massacre, the number of victims and their likely places of origin, and name the Army, military commissioners and the civil patrollers as those responsible.²

Paulina Ixpatá Alvarado, one of 36 survivors that participated in the Maya Achi women's case³, is also a survivor from the Rancho

Bejuco case. As she recalls, "That day, I was saved because I went to the plaza to shop."⁴ She recounts that she had traveled with her parents to Rabinal because it was market day.⁵ Paulina recalls, "at five in the afternoon we arrived at the house we had in Rancho Bejuco. We found the door open and no one was inside. At that moment I thought my family members had hidden. I didn't think anything bad had happened. Because they were just loaning us land to plant corn and beans, we decided to return to our house in Xesiguán."⁶

The victims

All the victims were Maya Achi people from Rabinal. The families lived in the community of Xesiguán and either owned or rented plots of land to cultivate in Rancho Bejuco. They had traveled to the area to escape military repression in their home community. In this case, the Public Prosecutor's Office (Ministerio Público) presented evidence for the murder of 25 people: 17 children (7 girls between the ages of 8 months and 17 years old, and 10 boys between the ages of 11 months and 15 years old) and 8 adults (5 women between 23 and 52 years old, and 3 men between 20 and 52 years old). In the formal charges presented, the prosecutor's office calculated that **88% of the victims were women and children**. To ensure the victims are not forgotten, the tables below include their names, sex and ages.

¹Commission for Historical Clarification - CEH (1999). Informe Guatemala: Memoria del Silencio, Tomo III: Las violaciones de los derechos humanos y los hechos de violencia, Guatemala, F&G Editores, paragraph 3384.

The exact location of the massacre was the community of Rancho Bejuco in the town of Pacoc in the municipality of Santa Cruz El Chol.

²Suazo López, Fernando (2012), Rabinal: Historia de un pueblo maya, Guatemala, page 93.

³The court sentenced five former civil patrollers in the Maya Achi women's case in January 2022. The sentence states that sexual violence was used as a weapon of war during the internal armed conflict and that it was a particularly serious practice in Rabinal, where the State's armed forces raped Maya Achi women in their homes, at the local military base, at a civil patrollers' encampment, and in public places. Many of the same women were forced to cook and provide other domestic services for the soldiers, under the threat of being killed. The Army used these practices of terror to bring Indigenous women and their communities under military control.

⁴Ixpatá Alvarado, Paulina (24 January 2012), interview, Rabinal.

⁵July 29, 1982, was a Thursday. Thursdays and Sundays are market days in Rabinal.

⁶Ixpatá, interview.

Table 1. Child Victims

	Victim	Sex		Age
		Mujer	Hombre	
1	Petronila Chun Ixpatá	♀		8 months old
2	Santiago Ixpatá Azumatán		♂	11 months old
3	Brígido Ixpatá Osorio		♂	2 years old
4	Roberto Chen Ixpatá		♂	2 years old
5	Lucía Ixpatá Azumatá	♀		4 years old
6	Feliciano Ixpatá Toj		♂	4 years old
7	Luis Ixpatá Osorio		♂	4 years old
8	Lucas Ixpatá Toj		♂	6 years old
9	Santos Ixpatá Azumatán		♂	6 years old
10	Juana Osorio Alvarado	♀		7 years old
11	Margarita Ixpatá Osorio	♀		7 years old
12	Eligio Ixpatá Toj		♂	8 years old
13	Guillerma Ixpatá Azumatán	♀		9 years old
14	Anastacio Ixpatá Alvarado		♂	11 years old
15	Vicenta Ixpatá Alvado	♀		13 years old
16	Sabino Ixpatá Alvarado		♂	15 years old
17	Paulina Ixpatá Alvado	♀		17 years old

Table 2. Adult Victims

	Victim	Sex		Age
		Mujer	Hombre	
1	Esteban Ramírez Sumpango		♂	20 years old
2	María Tomasa Osorio Tecú	♀		23 years old
3	Sofía Ixpatá Alvarado	♀		24 years old
4	Simona Asumatán Toj	♀		25 years old
5	Francisca Toj Morales	♀		28 years old
6	Tiburcio Ixpatá Chajaj		♂	33 years old
7	Margarita Alvarado Cajbón	♀		52 years old
8	Sebastián Ixpatá		♂	52 years old





The defendants on trial.
Photo: Juan Rosales/ Prensa Comunitaria

Jesús Tecú Osorio, director of the Rabinal Legal Clinic (Asociación Bufete Jurídico Popular - ABJP), has noted that the Public Prosecutor's Office did not include newborns whose birth had not yet been registered or unborn babies in the charges.

The number of children that were killed **(68% of the victims)** underscores the real intention to destroy the community. The babies and very young children did not represent a physical threat to the Army. Nevertheless, the children were killed in a cruel manner, along with their mothers, simply because they were from Rancho Bejuco.

The perpetrators

The Public Prosecutor's Office requested the arrest of 12 people charged in the Rancho Bejuco case. On 2 February 2022, the National Civil Police (PNC) detained 9 of the accused: 2 former military commissioners and 7 former civil

patrollers. Former civil patroller Santos Cojón Galeano turned himself in voluntarily.⁷ Former military commissioner Nicolás Orrego was not arrested because he was hospitalised at the time.⁸ Lieutenant colonel Juan Ovalle Salazar, the highest-ranking member of the military in this case, was already in pretrial detention for his involvement in the CREOMPAZ case.⁹ Ovalle Salazar was the commander of the First Infantry Battalion at the "Coronel Antonio José de Isarri (CAJDI)" military base, which in April 1983 became "Military Zone No. 21", in Cobán, Alta Verapaz.

During the armed conflict, military dictatorships involved the civilian population in counterinsurgency operations using two paramilitary structures: the military commissioners created by a government agreement on 9 July 1938, and the civil patrols, which started operating in 1981 and were legally recognised by Government Agreement 222-83 during the de facto government of Ríos Montt.

⁷Burt, Jo- Marie; Estrada, Paulo (14 febrero, 2022) No fuimos nosotros los que matamos. Fue el ejército. Agencia Ocote. Guatemala.

⁸Loc. cit.

Nicolás Orrego Orrego was the mayor of El Chol from 1983 to 1984, in addition to being a military commissioner.

⁹Juan Ovalle Salazar was charged and sent to trial in the CREOMPAZ case. This case refers to a detention center, the largest of its kind in Guatemala, used for illegal detentions, torture and extermination, at Military Zone No. 21, which currently houses the Regional Training Command for Peacekeeping Operations (CREOMPAZ). In 2012, the Forensic Anthropology Foundation of Guatemala (FAFG) recovered the remains of 565 people, among them women, men, girls and boys, from 85 clandestine graves.

Military commissioners

Military commissioners had *“the character of agents of military authority...within the territorial boundaries of communities and towns, importance which [was required] with the organization of the militias...”*¹⁰ In the Army hierarchy, military commissioners were under the command of the Army military reserves and the national government recognised them as “members of the Army.”¹¹

The Commission for Historical Clarification found that *“the commissioners became involved, even in scorched earth military operations,”*¹² as it was common for them to accompany the soldiers on counterinsurgency operations in Mayan communities.

The civil patrols (PAC)

The civil patrols were organised by the Army to provide surveillance and control the population in rural areas. The Army controlled the PACs and Army authorities gave the civil patrollers, particularly the most loyal ones, training, orders and weapons. According to official Army records, “in 1982 there were one million civil patrollers,”¹³ or in other words **“almost half of adult Guatemalan men were civil patrollers.”**¹⁴

The PAC “acted on direct orders from the military or acted with the impunity the Army granted them.” They participated in murder, torture, the destruction of entire communities, sexual violence against women, and other human rights violations.¹⁵

According to the Commission for Historical Clarification, military commissioners participated in 10% of documented violations, often acting in coordination with the Army or civil patrols.¹⁶ Members of the civil patrols participated in 18% of documented violations, some of which were carried out jointly with the Army or other state security forces and some of which were carried out alone¹⁷.

The long road to justice

The formal complaint for the Rancho Bejuco massacre was filed in 1997 by family members of the victims that were requesting the transfer of their loved ones’ remains to a dignified place where they could visit them and carry out cultural Maya Achi rituals to honor the dead. The exhumation was carried out in 1999, and the bones and other remains for at least 15 people were recovered.

Almost two decades passed without any significant advances in the investigation. In 2005, the Rabinal Legal Clinic (ABJP) joined the case as a plaintiff. In 2017, investigators started to separate the case from the other massacres and serious crimes committed in Rabinal. In 2022, the Public Prosecutor’s Office requested the arrest of 12 former members of the state security forces.

The court proceedings were assigned to High-Risk Court “D”, with Judge Erika Aifán initially presiding over the case, but she was unable to continue after she was forced to resign at the end of March 2022 because of the systemic threats to her judicial independence. The case

¹⁰CEH, op. cit., Tomo II: Las violaciones a los derechos humanos y los hechos de violencia, paragraph 1193.

¹¹Decreto presidencial 79, 10 September 1954, article 2; and Acuerdo Gubernativo M. de la D. N. 4-73, article 2.

¹²CEH, op. cit., Tomo II, paragraph 1250.

¹³Ibid., paragraph 1291.

¹⁴Ibid., paragraph 1376.

¹⁵Ibid., paragraph 1379.

¹⁶Ibid., paragraph 1257.

¹⁷Ibid., paragraph 1379.



was transferred to an interim judge and then to Judge José Jiménez Texaj, who had been named presiding judge of the court.

Several difficulties surfaced at the beginning of the first declaration hearing, such as the lack of a trustworthy defence lawyer for some of the accused, the lack of a Maya Achi language interpreter, and the reported hearing problems of certain defendants. Finally, the hearing started on 22 March 2022. Although the former civil patrollers Venancio Mendoza Chapa and Eusebio Raxcacó were temporarily separated from the case due to health issues, the other 9 men were officially charged with murder and crimes against humanity as concurrent offences.

On 7 September 2022, the human rights section of the Public Prosecutor's Office, specifically the Unit for Special Cases of the Internal Armed Conflict (UCECAI), presented the formal accusation against the 9 men who had been charged in the case. On 2 March 2023, Judge Jiménez Texaj sent all the defendants to trial, but only on the charge of crimes against humanity. The judge ruled that murder is an element of the first criminal type, and the discrepancy between the number of victims named in the accusation and the number of remains reported in forensic reports generates doubt in favor of the defendants.

Table 3. Defendants on trial

	Defendants	Role
1	Juan Ovalle Salazar	Commander
2	Mario Elfidio Córdova	Military commissioner
3	Santiago Cojón Galeano	Military commissioner
4	Carlos Sesam Cajbón	Civil patroller
5	Juan López Sic	Civil patroller
6	Lauro Garrido Córdova	Civil patroller
7	Lázaro Alvarado de Paz	Civil patroller
8	Mario Garrido Córdova	Civil patroller
9	Santos Cojón Galeano	Civil patroller



Prosecutors and lawyers of plaintiffs.
Photo: Juan Rosales/ Prensa Comunitaria

The defendants remain in pretrial detention at the Mariscal Zavala prison in Guatemala City, awaiting the public trial that has started on 7 June 2023 at 8:30am in High Risk Court “D” under Judges Walter Eugenio Mazariegos Culpatán (chief judge), Catalina Cortez Aguilar (associate judge), and Rudy Eleazar Bautista Fuentes (associate judge). In addition to the Rabinal Legal Clinic, María Natividad Alvarado is also a plaintiff, and lawyers Lucía Xiloj Cuin and Ignacio Santiago Urquijo provide legal support in the case.

At an evidentiary hearing on 10 March 2023, the Public Prosecutor’s Office presented 191 pieces of evidence: 10 witnesses, 8 expert witnesses, 161 documents (military plans, death certificates, exhumation records, reports, etc.), 10 envelopes with material evidence, and 2 CDs of digital information. In terms of the material evidence, it is worth noting the ropes found with the remains of the victims, particularly a number of red beads like those used for necklaces traditionally worn by Maya Achi women in Rabinal.

Expectations for the trial

The Rancho Bejuco case involves one of the most painful crimes committed during the worst years of the internal armed conflict. The indiscriminate massacre of the members of this community was part of a wider pattern of systemic violations and persecution against the Maya Achi people of Rabinal. The way the Army justified the murder of girls, boys, and pregnant women was extremely demeaning. The victims were found in their homes, engaged in domestic tasks, agricultural work, and recreation, in the case of the youngest children. The few survivors were left heartbroken with no possibility for closure in their grieving process. Shortly afterward they faced further violence at the hands of the same groups of perpetrators.

This will be the fifth time that a case related to serious crimes committed against the Maya Achi people of Rabinal will go to trial in a national court in Guatemala. The first was the Case of the Río Negro massacre, with convictions against different groups of military commissioners and civil patrollers handed down in October 1999, May 2008

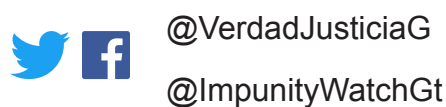
and September 2008. The second was the Case of Anabella Garniga Osorio, in which a military commissioner was convicted in August 2001. The third was the Case of the Plan de Sánchez massacre, with a sentence against one military commissioner and four civil patrollers in March 2012. And the fourth was the Achi women's case in which five civil patrollers were convicted in January of 2022.

The Inter-American Court of Human Rights (IACHR) has also ruled on human rights violations committed against the Maya Achi communities in Rabinal. The IACHR has issued judgements in the Case of the Plan de Sánchez Massacre (April 29, 2004), the Case of the Río Negro Massacres (September 4, 2012), the Case of the Members of the Village of Chichupac and neighboring communities of the Municipality of Rabinal (November 30, 2016). In each of these judgements against the State of Guatemala, the IACHR ordered the state to *"initiate, continue, promote and reopen the investigations necessary to identify and, if appropriate, punish those responsible for the human rights violations."*¹⁸

The victims' families have waited for more than 40 years for justice. The ongoing trial

against 9 members of the 1982 state security forces opens the possibility of dignifying the memory of the victims by establishing the truth. As Paulina Ixpatá Alvarado states, *"We are fighting for justice because we do not want everything we suffered to remain in impunity."*¹⁹ She and the other families hope the defendants will be convicted and *"that, in our society, these inhumane crimes are never again committed against people, especially women."*²⁰

For more information about the Rancho Bejuco case, visit the website of the Rabinal Legal Clinic: www.abjprabinal.org, the website of Impunity Watch: www.impunitywatch.org and the following social media sites:



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Photos: Prensa Comunitaria, Rabinal Legal Clinic and Impunity Watch.

¹⁸Inter-American Court of Human Rights, Case of the Members of the Village of Chichupac and neighboring communities of the Municipality of Rabinal v. Guatemala: Preliminary Objections, Merits, Reparations and Costs. Judgment of November 30, 2016, page 111, paragraph 18.

¹⁹Ixpatá Alvarado, Paulina (2017). Memorias de 36 mujeres Maya-Achi sobrevivientes de violencia sexual, Rabinal, page 40.

²⁰Ibid., page 41.

