

Achi women in front of the Judicial Palace 28/01/2025.

JUSTICE FOR THE ACHI WOMEN

DEVELOPMENT OF THE SECOND TRIAL

The second trial in the Achi Women's Case is about to end. After four months of hearings, on 30 May, the High-Risk Court B will issue a verdict against three former members of the Civil Self-Defence Patrols (PAC), Pedro Sánchez Cortez, Simeón Enríquez Gómez, and Félix Tum Ramírez. They are accused of sexual violence and crimes against humanity committed against six Maya Achi women from the municipality of Rabinal, Baja Verapaz, between 1981 and 1983 during the internal armed conflict in Guatemala.

This case was initiated with a complaint filed by 36 victims between 2011 and 2015 against former soldiers, military commissioners, and paramilitary (PAC) members for sexual violence. As a result, in January 2022, the first trial was held against five former paramilitaries who were convicted to 30 years in prison for these acts[1]. Throughout all these years, the victims have had the support of the Association of the Rabinal Popular Legal Office (ABJP).

[1]High-Risk Criminal Sentencing Court "A", case file 15002-2014-00315, judgment dated 01/22/2022, Guatemala, page 405, available at: https://www.impunitywatch.org/wp-content/uploads/2022/10/Guatemala_La_sentencia_del_caso_mujeres_Achi_ES.pdf

The Achi women have been waiting for justice for over 40 years. In the 1980s, they were systematically raped by paramilitaries and soldiers in their homes and in military bases. They were arbitrarily detained for several days in military facilities, where they were tortured and raped. Several of their family members were disappeared or killed by former military or paramilitaries, and they also lost their homes, animals, and belongings.

1. Trial Proceedings

The trial began on 28 January 2025, and fourteen hearings have been held. The case is being overseen by High-Risk Court B, composed of Judges María Eugenia Castellanos Cruz (presiding), Marling Mayela González Arrivillaga, and Missulla Eunice Solís Rodas (associate judges). The Human Rights Prosecutor's Office of the Public Prosecutor's Office (MP), the Rabinal People's Legal Office, and the victims' attorneys—Lucía Xiloj, Gloria Reyes, and Haydeé Valey—are participating in the proceedings. The three defendants are being represented by attorneys from the Institute of Public Criminal Defence (IDPP), and the Office of the Attorney General (PGN) is also involved, representing the State as a third-party civil defendant.

During the trial, the Prosecutor's Office and the victims' lawyers presented more than 168 pieces of evidence to demonstrate the responsibility of the accused: 12 testimonies, 10 expert reports, 139 documents and 7 CDs with videos and documents.



The three defendants: Pedro Sánchez Cortez, Simeón Enríquez Gómez and Félix Tum Ramírez in one of the hearings.

2. The testimonies

Twelve testimonies were heard during the trial. These included those of the six direct victims in the case, three who gave pre-recorded testimony and three who testified before the court—as well as eyewitnesses and contextual witnesses. Here are some of the most impactful testimonies:

Pedrina Ixpatá Rodríguez recounted that, in 1983, former paramilitary Félix Tum Ramírez pointed her out while she was in the Rabinal town square, and that was enough for soldiers to detain her and take her to the military base, where she was held for 25 days. That same day, her cousin Paulina Ixpatá Alvarado was also detained and taken to the military base.

Later, other women were taken to the same place. All of them were interrogated, tortured, and subjected to ongoing sexual abuse.

"At nine at night they came to get me and took me to a large water tank. They pushed my head into the tank, and just when I was about to drown, they would pull me out and ask me questions, but I kept saying I didn't know anything… Then they would throw me into the room [at the military base], and the soldiers would come in, and that's where they raped me… I couldn't take it anymore—my body hurt; my waist hurt… I had a miscarriage because they got me pregnant there"[2].

Paulina Ixpatá recounted the abuse she endured during the 25 days she was detained at the military base:

"When night fell, the soldiers came, threw me to the ground, and raped me… that's how the whole night went." She added: "Mr. Pedro Sánchez Cortez also raped me and said, 'Why are you siding with the guerrilla, then?'… Mr. Félix Tum Ramírez also… another day, he took advantage when the soldiers had thrown me to the ground—he raped me too"[3].

Candelaria Xolop Morales testified behind closed doors with the assistance of an Achi language interpreter[4]. She said that former paramilitary Félix Tum Ramírez pointed her out in the Rabinal market, and a soldier detained her. She was held for ten days at the military base, where she was interrogated and raped by several soldiers. As a result of these rapes, she became pregnant.

Lucía Jerónimo was also detained at the Rabinal military base in 1983.

"The soldiers grabbed me and took me to the military base. I arrived during the day, and they locked me up… When night came, they took off my corte [traditional skirt] and raped me… I was there for ten days, every night they raped me, they didn't give us food, I was incredibly sad… The person who pointed me out was Félix Tum Ramírez. I suffered a lot—I lost my home, my clothes, all my belongings, my chickens, my corn." She explained: "[In the same place] were Doña Paulina Ixpatá, Pedrina Ixpatá, Doña Candelaria… we could see each other when [the soldiers] raped us"[5].

Margarita Alvarado Enríquez said that shortly before the incident, her husband was detained by soldiers and paramilitaries, and she never saw him again. She had been married for one year and was three months pregnant when her husband was disappeared, and she was subjected to multiple acts of sexual violence. In her statement, she said that former paramilitary Simeón Enríquez Gómez was one of her attackers, and that all of this took place in 1981.

"They came to my house to rape me… first the paramilitaries raped me, and then the soldiers… I was washing clothes in a river, and they didn't let me hang them up… they told me to leave the clothes there and not to hang them, and they went into the house with me and told me to take off my clothes and go into the room"[6].

[2]Statement presented at the hearing on 02/19/2025.
[3]Statement presented at the hearing on 02/19/2025.
[4]Statement presented at the hearing on 02/19/2025.
[5]Testimony presented at the hearing on 02/28/2025.
[6]Testimony presented at the hearing on 02/28/2025.



Survivor testifies before the Court, 02/19/25.

Estefana Alvarado Sic recounted that she was at home when a group of paramilitaries detained her and took her to the military base in the village of Xococ.

"They came to get me at my house—the paramilitary from Xococ. They took me down to the base… they took off my belt, they took off my corte, and threw it aside, and they told me, 'If you don't want to, there's the rope.' I was in the village of Xococ for two nights and three days… On the third day, I left at noon. I could barely walk because they hurt me so badly - my [vagina] was swollen. All the paramilitaries took turns on me"[7].She also recounted that her husband was murdered in an extremely cruel way, that her domestic animals were stolen, and that she endured tremendous suffering. She named former paramilitary Simeón Enríquez Gómez as one of the perpetrators of the sexual violence and inhumane acts to which she was subjected in 1981.

Other men also testified during the trial. Nicolás Alvarado said he had been held at the Rabinal military base and, during his detention, was there at the same time as at least four of the survivors. Francisco Chen Osorio and Witness D spoke about other cases of sexual violence at the military base; and Jesús Tecú Osorio and Witness A identified Simeón Enríquez Gómez as a former paramilitary from Xococ.

3. The Expert Reports

During the trial, 10 expert reports from national and international specialists were presented, providing important scientific evidence to understand the historical context of the armed conflict, the physical, emotional, social, and cultural impacts on the victims, the responsibility of the accused, and Guatemala's international obligation to prosecute and punish these crimes.

The following expert reports were presented: psychosocial by Mónica Pinzón, medical by Christian Ruiz, psychological by Carolina Melgar, cultural by Irma Alicia Velásquez, gender by Aura Cumes, linguistic by Juliana Sis, on standards of credibility by Arsenio García, International Humanitarian Law by Adriana Benjumea, military by Pino Benamú, and spiritual by Ángel Zapeta.

Expert Christian Ruiz stated that all the accounts are clinically credible. The victims described in detail the modus operandi of the perpetrators,

[7]Testimony presented at the hearing on 02/28/2025.

which is sui generis of armed groups that hold power and abuse it[8].This was also confirmed by expert Arsenio García, who affirmed that the survivors' testimonies meet the international standard of credibility. He noted that all the testimonies are consistent, complementary, and corroborate one another[9].

Expert Mónica Pinzón stated that all the survivors ***"show harm to their physical and mental integrity, as well as a disruption of their life projects… Most of the women are also survivors of massacres, which means they have endured extremely inhumane conditions"***[10]. Along the same lines, Carolina Melgar said that the survivors were exposed to prolonged trauma, ***"including deprivation of liberty; physical, sexual, and psychological assaults; interrogations and accusations against the victims and their family members"***[11]. This caused the victims severe stress with effects on their physical and mental health; she recommended providing them with psychotherapeutic treatment with an ethnic and gender-sensitive approach.

Anthropologist Aura Cumes pointed out that women experienced military repression differently than men. She said: ***"Sexual violence was a planned and deliberate method… It was effective for the army's purposes in that these brutal acts against women had the effect of generating distrust, destroying healthy relationships between women and men, fracturing family unity, and tearing apart the community's social fabric"***[12].

Irma Alicia Velásquez, for her part, said that ***"the Army and other security forces used sexual violence so that Indigenous women would once again occupy the lowest position in Guatemala's racial hierarchy"***[13]. Sexual violence not only caused harm to their bodies but also aimed to break their family and cultural bonds.

Military expert Pino Benamú explained that the Army is a hierarchical structure, and that the commanders, officers, and soldiers of Military Zone 21 in Cobán and Military Zone 4 in Salamá, as well as the head of the Rabinal Military Base and the leaders of the troops and local patrols, bear functional responsibility for the acts of sexual violence committed against Achi women. Therefore, the military leadership and the State also share responsibility for these crimes.

Technical witness Marc Drouin also testified in the trial, speaking about the organization, structure, and functioning of the paramilitary [Civil Defence Patrols (PAC)] as part of the Army, as well as the application of the National Security Doctrine and the counterinsurgency strategy of the 1980s, which enabled the classification of Indigenous peoples as part of the "internal enemy" to be destroyed.

Drouin stated that the paramilitaries were subordinate to the Army, which identified loyal paramilitaries—such as the ones in Xococ—and supplied them with weapons. In his report, he concluded: ***"(1) Members of all military and paramilitary forces in the municipality of Rabinal committed sexual violence against Achi women and girls with the aim of exploiting the most significant vulnerability of the insurgency: the non-combatant civilian population; (2) These forces committed sexual violence against Achi women and girls with the knowledge and approval of the high command of the Guatemalan Army, which never halted the practice because they knew it demoralized Indigenous communities suspected of supporting the insurgency; and (3) The sexual violence was carried out with the clear intention of destroying the foundations of the Achi group in Baja Verapaz, from 1980 to 1985"***[14].

[8]Statement presented at the hearing on 01/30/2025.
[9]Statement presented at the hearing on 02/28/2025.
[10]Statement presented at the hearing on 01/30/2025.
[11]Statement presented at the hearing on 02/12/2025.
[12]Statement presented at the hearing on 02/12/2025.
[13]Statement presented at the hearing on 02/19/2025.
[14]Statement presented at the hearing on 03/12/2025.

4. Trial Conclusions and Victims´ Expectations

The Public Prosecutor's Office (MP) and the victims' attorneys requested 30 years of prison for each of the accused for sexual violence and crimes against humanity, and that the court give evidentiary value to all the evidence, especially the victims' testimonies. In her statement, prosecutor Paula Herrarte emphasized that all the testimonies, expert reports, and other evidence presented during the trial demonstrate the responsibility of the accused. Attorney Lucía Xiloj addressed the context of the internal armed conflict at both national and local levels, highlighting the use of sexual violence as part of the counterinsurgency strategy against Indigenous women to control and destroy the civilian population. She pointed to the Army's responsibility in creating the paramilitaries and stressed that the accused committed the acts in their role as members of the Civil Defence Patrols (PAC).

Attorney Gloria Reyes highlighted the physical, psychosocial, and cultural harm suffered by the victims, as well as the social and community stigmatization they have endured because of the sexual violence. She also spoke of the decades the victims have waited to obtain justice. Finally, attorney Haydeé Valey recalled national rulings that have confirmed the use of sexual violence as a weapon of war, such as the cases: Sepur Zarco, Molina Theissen, Ixil Genocide, and the Achi Women's in 2022. She stated that sexual violence in conflict is prohibited under international law, not only because it is an atrocious act, but because its impacts are far-reaching, destructive, and extend across generations.

The survivors demanded justice before the Court. During the presentation of her testimony, Doña Paulina Ixpatá said, "What I hope for is justice and that [the paramilitary] remain in prison."[15] She pointed out that "they didn't just commit sexual violence,"[16] but also massacred their relatives, stole their animals, and burned their homes.



Psychologist Melissa González, from the Rabinal Legal Clinic, emphasized that ***"all the victims clearly identify their aggressors… because they are people from the same municipality"***[17] and because some are from the same community as the survivors. She added that she hopes the court will condemn the sexual violence, as this ***"will contribute to their life project…, to the redefinition of the trauma…, and to the individual, family, and community healing of the victims."***[18] She recalled that the group was made up of 36 victims, but that in recent years, seven have passed away; in their memory, the remaining survivors and the supporting organizations continue to move firmly forward on the path to justice.

[15]Impunity Watch in Spanish [@ImpunityWatchGt], "No sólo cometieron la violación sexual, sino que masacraron a nuestras familias y quemaron nuestras casas", 01/29/2025, X, https://x.com/ImpunityWatchGt/status/1884351335589683661.
[16]Loc. cit.
[17]Impunity Watch in Spanish [@ImpunityWatchGt], "El juicio del #CasoMujeresAchi se acerca al final", 03/20/2025, X, https://x.com/ImpunityWatchGt/status/1902792265031971043.
[18]Loc. Cit.



Expert declares before the Court
12/03/2025

5. Relevance of the Case

This case is significant because it illustrates how the Guatemalan Army used sexual violence as a weapon of war against Indigenous women during the internal armed conflict. This was documented in the report by the truth commission, Historical Clarification Commission (CEH) and has been confirmed in the rulings of the Ixil Genocide case (2013), Sepur Zarco (2016), and Achi Women (2022). The Army used sexual violence to control, punish, and instil fear in Indigenous communities, and to degrade women and their descendants.

The 2022 ruling in the Achi Women's Case confirmed that the paramilitaries acted in coordination with the Army to commit sexual violence against women in their homes and in military facilities, and that there was both individual responsibility of the perpetrators and institutional responsibility of the State of Guatemala for these crimes. This is because the Army created and controlled the paramilitary structure during the armed conflict as part of the counterinsurgency strategy. In this second trial, the Court is expected to issue a similar ruling.

This case represents a milestone at both the national and international levels in the fight against sexual violence in the context of armed conflicts. It is important for Guatemala to demonstrate through this case its commitment to punishing atrocious crimes and to repairing the harm caused to survivors of sexual violence and Indigenous communities. It must also adopt measures to ensure that such acts are never repeated.



Survivors demand justice he day the second trial begins, 28/01/2025.

The Association Popular Legal Office of Rabinal (ABJP) www.abjprabinal.org is a civil organization created at the initiative of victims and survivors of the internal armed conflict. It promotes the pursuit of justice for indigenous communities and women victims of violence, providing legal advice and support before national and international bodies.

Impunity Watch www.impunitywatch.org is an international organization that promotes accountability for serious human rights violations. It works alongside civil society organizations in building peace and the rule of law.

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