

MEMORY OF SILENCE PROJECT

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This document presents a review of the International Human Rights Law Institute's (IHRLI) project, Memory of Silence. The project involves preparing and publishing an easy-to-read, widely accessible popular version of the final report of the Guatemalan Commission for Historical Clarification (CEH), commonly known as the Guatemalan Truth Commission. The CEH report was titled *Memory of Silence*, which will also be the title for the popular version. The project was created by Daniel Rothenberg, IHRLI's Managing Director of International Projects.

The CEH gathered and analyzed the stories of over 7,300 victims, victims' families and others who suffered massacres, torture, rape, mutilations, beating and other serious human rights violations. The CEH final report is the definitive account of human rights violations committed during the nation's thirty-six year internal armed conflict in which over 200,000 people were killed and over 50,000 disappeared. State repression was so severe during this conflict that the CEH determined genocide had occurred.

Unfortunately, the terrible suffering of the Guatemalan people remains poorly understood and largely unrecognized in Guatemala itself, throughout Central America, and in the United States. Ideally, the CEH report should help to educate people about the tragedy of the Guatemalan conflict. However, the CEH's final report is largely inaccessible for the ordinary reader because it fills 12 volumes and is over 5,000 pages long. In its current form, the CEH's extraordinary work is of almost no value for general education, a popular audience, or anyone outside of a small number of policy experts and scholars. The project that we are proposing will create and publish an easy-to-read, widely accessible, popular version of the CEH report - in both Spanish and English - to help people understand the brutal nature of the

conflict, to honor the suffering of victims, and to help prevent the recurrence of similar abuses in the Americas and elsewhere. (Please find a section of one of CEH case studies, translated by Daniel Rothenberg, in Appendix 1 below).

One of the most attractive features of this version is that, in the form of a small paperback volume, it will be usable in schools, colleges and universities throughout Latin America and the United States, thereby helping to educate future generations about the reality of the Guatemalan genocide and the need to prevent such horrific tragedies from ever happening again.

The conflict in Guatemala is known locally by a single terrifying word - *la violencia* - the violence. During *la violencia*, hundreds of massacres were committed and countless villages razed to the ground in a "scorched earth" campaign that displaced one million people, over ten percent of the nation's population. Rural Guatemala was completely militarized and local residents were pressured to inform on their neighbors as constant surveillance was coupled with the brutal reprisals of death squads. Virtually all rural men - at one point as many as one million - were required to join militarized groups known as "civil patrols" and often forced to commit violations against members of their own or neighboring communities. Repression, surveillance and severe human rights violations continued after the transition from military to civilian rule in 1986, and through the formal end of the conflict a decade later.

Understanding human rights violations in Guatemala requires an engagement with the extraordinary impact of state terror on the lives of ordinary citizens. The institutionalization of state terror transformed social life such that daily existence was marked by extraordinary political repression. Fear and impunity were the currencies of terror whose mechanisms often promised increased power and personal gain for collaborators, and violent, irrational punishments for those who resisted. Decades of human rights violations forced people to avoid, deny or silence discussions of many of the most pressing issues in their lives and the most basic, foundational truths of their political and emotional reality. In this way, political terror in Guatemala represented a powerful assault upon truth.

It is within this context that the CEH was created to establish an objective account of political violence to help the nation face the past and create a legitimate system of governance premised upon respect for fundamental human rights. The mandate for the CEH charged the commission with three key tasks: documenting and analyzing the human rights violations linked to the armed conflict; producing a report presenting findings that include a consideration of internal and external influences (particularly U.S. involvement in the conflict), and; formulating recommendations to preserve the memory of victims and encourage the creation of a national culture grounded in principles of human rights and democratic practice.

The CEH began its formal operation in mid-1997 and released its report in early 1999. The Commission established offices throughout the country, speaking with over 20,000 people to gather information on *la violencia*. The CEH set up offices around the country and made site visits to thousands of communities. During this process, the CEH received thousands of individual and collective testimonies, registering cases for over 42,000 victims. Data collected through testimonies and interviews was combined with information from various local NGOs and analyzed to present as complete a picture as possible of the scope and impact of *la violencia* in Guatemala. The Commission also completed detailed investigations of a series of particular cases designed to illustrate various strategies of terror utilized during the armed conflict.

The CEH determined that of the more than 200,000 people killed during the conflict, 80 percent were members of Mayan indigenous groups. Shockingly, the CEH also found that 93 percent of the violations occurred at the hands of the state security forces or related paramilitary groups. Of particular significance is the CEH's determination that the Guatemalan state committed genocide against Maya indigenous groups, one of the first formal findings of genocide and the only such claim in Latin America.

The CEH report is an exceptionally important, analytically rigorous, and highly credible document for an understanding of Guatemala, Latin American politics and the contemporary human rights movement. The CEH itself was also one of the most successful truth commissions in the history of the human rights

movement. Along with the South African Truth and Reconciliation Commission, the CEH is a major example of the ways in which recent truth commissions have broadened the scope and vision of these investigative bodies, by highlighting victims' voices and grounding research in a reckoning with history directly bound to the long-range goals of societal reconciliation and peace.

The CEH report represents the most complete and comprehensive account of the severity and impact of *la violencia* on Guatemalan society. It is a text of great national and international significance that should be widely available for readers throughout the world.

The book will be published in English by Palgrave/MacMillan Press. The project also includes money to cover the costs of publishing the book in Spanish as well as trips to Guatemala to set up key meetings to encourage the widespread dissemination of the book, including possible course adoption by the Ministry of Education.

APPENDIX 1

MASSACRE AT DOS ERRES FROM THE FINAL REPORT OF THE GUATEMALAN COMMISSION FOR HISTORICAL CLARIFICATION

"One needs to be a specialist to do such things, with the heart to act."

"The executions ended around five in the afternoon and we covered up the holes. After we finished killing we were ready for dinner."

On the 5th of December, the soldiers received the order to go to Dos Erres, a community that Military Intelligence believed to sympathize with the guerrillas...

At around 5:30 in the afternoon, the troops gathered and were ordered to dress themselves as guerillas, with olive green shirts and pants and carry the types of arms commonly used by the insurgents...The objective of dressing like the guerillas was, *"so the people would be confused and think that it wasn't the Army committing the killings, but the subversives."* They identified themselves with a red cloth tied on the right arm so as not to get confused during the attack. The patrols were organized so that, *"each sub-commander was in charge of a group of nine men that were divided into different responsibilities, assault, arms, support, communications and security... One needs to be a specialist to do such things, with the heart to act."*

At around nine at night two civilian trucks left in the direction of Dos Erres, carrying 58 *kaibiles* [Special Forces]...At 11:00 at night, the group arrived at the entrance to Dos Erres, leaving the two trucks and walking six kilometers to the town arriving at 2:30 in the morning the next day, December 6th, 1982.

As soon as the *kaibiles* entered the town they began to force everyone out of their homes. They moved house to house. They placed the women and children in two churches and the men

were locked into the school house, where they were interrogated one by one. They entered all the houses but did not find arms, propaganda or any sign of the guerillas. Between 4:30 and 5:00 in the morning, people heard, *“a cry of help from a young girl about 14 years old who was being raped behind the church.”*

At around 6:00 in the morning after they gathered all the people together, the soldiers called their superiors on the radio and received orders informing the troops that after breakfast they should begin “vaccinating” the people. At around 2:00 in the afternoon they buried a newborn alive in a pit. He was three or four months old. That is when the massacre began...

The children were killed with blows to the head while the smallest were grabbed by their feet, smashed against walls or trees and then placed in the pit. During this time, the men, women and some children remained, *“locked in the churches and the school and one could hear their prayers and pleas.”* In addition, *“some of the soldiers began to rape more of the young girls.”*

The *kaibiles* then returned to the men, the woman and the elderly. They took them out of the school and the churches blindfolded, one by one, and brought them to the edge of the pit where they made them get down on their knees. Then they asked each one if they were members of the insurgency and asked who was the head of the guerrillas in the town. If the people didn't answer or claimed that they did not know, a *kaibil* instructor hit them with a hammer. The same happened to the remaining children who were struck in the head and thrown onto the dead bodies in the pit

This went on all day long on December 6th.

According to an *ex-kaibil* who participated in the massacre, the soldiers raped the young girls who were still alive as well as various other women who they had divided up between them...

The men didn't see everything that happened but from where they were they could clearly hear the suffering of the women and children. On December 7th, the *kaibiles* began to kill both men and women. Some were executed by blows to the head while others were killed with guns. At that time, *“One of the men managed to pull off the blindfold after he had fallen into the pit, but he couldn't survive the blow to his head and, after seeing all the dead bodies, he began to insult one of the kaibiles that was standing by the edge of the*

pit. The soldier then shot him...and when he saw that he still had not died he threw a fragmentation grenade into the pit." ...

According to the statements of an ex-kaibil, "When the pit was almost full, some of the people were still alive stood up and tried to get away, but they were unable to escape. They cried out for help and prayed to God. After the victims were covered with earth you could still hear their moans and cries."

Those who were still alive continued to be held in the churches and the school. At night on the 7th and 8th of December, the soldiers shot more of the women with their guns while laughing at them. Some of them were raped along with the remaining young girls.

"They grabbed them by their feet and watched as they struggled. They jumped on top of them and kicked them. Afterwards you could hear bullet shots. A bit later they took the men from the school...They were escorted by soldiers with guns to the left, right in front and behind. Then they told the women in the church, 'Get out, all of you.' They went outside and heard the machine guns as the men were shot. The soldiers told them, 'Listen you sons of bitches, we don't like you and we'll kill all of you. We killed the men because they're a bunch of monkeys, just animals.' Then, they kicked the women to get them up and grabbed them by the hair and took them to the side of the school...Then, one heard shots and screams. One heard the cries of children, the elderly and women. Then, there were fifteen or twenty more shots as they killed whoever was left...The soldiers came back and they were laughing as if nothing had happened..."

In this way, *"They killed all the people of Dos Erres. There was no one left." ...*

That night the kaibiles celebrated the massacre, *"They talked about how they killed people and how no one was left alive"*. In the morning of the 8th of December, the kaibiles were *"about to leave when a group of about fifteen people arrived in Dos Erres, including several children and a newborn."* When the soldiers saw them, they thought they would kill them and throw them in the pit like the others, but when they checked the pit, they found it was full, *"They saw a hand sticking out as if someone had been buried alive and tried to escape..."* When they saw that they couldn't fit more people in the pit they took the people away and shot them, leaving the bodies.

Then the troops left Dos Erres...Out of the last group of victims, the soldiers kept two young girls, around 16 and 14 years old. They dressed the girls like guerillas to reinforce the idea that it was the rebels who had committed the massacre and not the army, "*the guerillas always have women with them*". They kept the young girls with them for three days and raped them repeatedly and "*when they got bored with them*", they strangled them.

Along with the girls they also killed the guide who had suffered continuous torture over various days. The *kaibiles*, "*pulled off pieces of skin and bits of flesh...and then they killed him with a tourniquet around his neck.*"

While the massacre occurred the *kaibiles* formed a circle around Dos Erres allowing anyone to enter, but no one left the town; they had all been killed.