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Guatemala: Former head of state's trial for genocide one more step against impunity

A landmark ruling that Guatemala's former head of state will join other former high ranking officers in facing trial for genocide is another step towards justice and redress for the widespread human rights violations of the past, Amnesty International said today.

A Guatemala City criminal court yesterday ruled that General José Efraín Ríos Montt must go on trial for genocide over massacres of thousands of mainly Mayan villagers in 1982-1983, while he was de facto ruler of the country.

The decision came on the same day that Guatemala's Congress voted in favour of the country joining the International Criminal Court – which has no retrospective jurisdiction.

“For some of the tens of thousands of Guatemala's victims of human rights violations and their relatives, this trial is a watershed moment that has taken three decades to achieve – the man who allegedly bore command responsibility for some of the worst atrocities is finally facing justice,” said Sebastian Elgueta, Amnesty International's researcher on Central America.

Widespread violations

A 1999 UN-backed truth commission found that during Guatemala's 36-year internal armed conflict some 200,000 people were killed or disappeared. The commission documented more than 600 massacres, and concluded that genocide had occurred.

The commission found that nearly half of all the human rights violations committed during the conflict took place in 1982. General Ríos Montt was de facto ruler for nine months of that year.

The case against Ríos Montt is part of a criminal case filed in 2001 against various former military officials by the Association for Justice and Reconciliation, a group representing hundreds of victims of human rights violations during the armed conflict.

The retired general, now 85, has been placed under house arrest until his trial's conclusion, and could face 20 to 30 years in prison if found guilty.

“Three decades have passed since these massacres and the case was filed 11 years ago. Victims and their families shouldn't have to wait any longer to obtain the redress they deserve,” said Sebastian Elgueta.

Backlog of cases

Numerous other cases of human rights violations from Guatemala's internal armed conflict have yet to be fully investigated.

The 1999 UN-backed truth commission registered 23,671 victims of arbitrary execution, and 6,159 victims of enforced disappearance.

Despite a court order and a pledge from former Guatemalan President Álvaro Colom, the military has yet to hand over documents that could prove crucial to the investigations of these and other human rights violations.

Meanwhile, the families of thousands of those who were disappeared during the armed conflict still do not know what happened to their relatives' remains.

"Guatemala's new President, Otto Perez Molina, should lead the way in ensuring accountability for past human rights violations and justice for victims and their families who have been waiting for over 30 years for justice," said Sebastian Elgueta.

"Sending a clear signal that he will break the vicious circle of impunity that has marked the country should be his first priority".