

Crimes Against Humanity: No Amnesty for Guatemala's Former Dictator General Efraín Ríos Montt

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On March 13th the Center of Legal Action in Human Rights, revealed the Court of Constitutionality (Guatemala's highest court) ruled in its favour, refusing amnesty to Efraín Ríos Montt.

The country's Supreme Court previously denied Montt amnesty.

The trial of the ex-dictator on charges of genocide among other crimes against Mayan peoples resumes March 19th after numerous challenges (previous [1](#) & [2](#)) The Associated Press reports the prosecution holds that Montt failed to stop the crime when he had the power to, while Montt's defense claims he knew nothing about the crimes. Co-defendants are General José Mauricio Rodríguez Sánchez (ret., former chief of military intelligence), Montt's defense minister Hector Mario Lopez Fuentes (reported by the National Institute of Forensic Sciences to be mentally unfit for trial), and Luis Enrique Mendoza - vice-minister of defense (who is still 'at large').

An overview of Guatemala 2013

In 2012 the country elected as President former general Otto Perez Molina, often called the American Embassy's candidate, a graduate of the School of the Americas, former head of Guatemalan military intelligence, and in 1982-3 during the genocide against Ixil Mayan Indians for which Rios Montt is charged in court - a commander of the region where genocide occurred. Under his tenure as head of military intelligence, Jennifer Harbury's husband was tortured for a year until killed as a rebel.

A Catholic priest who didn't cooperate with government terror, Bishop Juan José Gerardi Conedera, was assassinated. President Molina was also a member of the SOA trained Guatemalan special forces unit called "Kaibiles," known for their tactic of dismembering people and other atrocities; in 2011 four former "Kaibiles" and their commander were sentenced to over 6000 years for the inhumanity of their acts (*rightsaction*).

Perez's appointed minister of defense, joint chiefs commander and sub-commander, were all "Kaibiles". The Guatemalan human rights community and those involved in prosecuting war crimes cases have since 2011 been subjected to spurious war crimes charges laid in great number by supporters of the military. So the trial of Rios Montt occurs within a context which may be reluctant to question the responsibility and sources of genocidal programs

from beyond Guatemala's borders. The bravery of Guatemala's human rights community, attorney general Claudia Paz y Paz, and the judiciary, reveals a commitment to justice beyond the imagination of North American judiciaries which have witnessed genocide against the people of Iraq, among other national groups, without encouraging charges against the leaders responsible.

Presentation of evidence will take several months. The trial is a victory for the people of Guatemala and an affirmation of the United Nations' Convention on Genocide. U.N. High Commissioner for Human Rights, Navi Pillay, has asked that authorities "take all necessary measures to ensure that judges, prosecutors, lawyers and other stakeholders to carry out their duties without fear for their life, integrity and security, and that of their families. The protection of all those involved in this crucial case is essential, if the rule of law is to be seen to be respected, and truth and justice are to prevail in Guatemala." Guatemala adhered to the Rome Statute of the International Criminal Court, April 2, 2012.

Some [background](#). Partial sources online:

"Guatemalan court strikes down amnesty claim by ex-dictator Efraín Ríos Montt in genocide case," *Associated Press*, March 13, 2013,

The Washington Post; "Guatemala court upholds genocide trial for ex-dictator Ríos Montt," March 13, 2013,

tico times.net; "Ex-Guatemala strongman on trial after 30 years," Sonia Perez-Diaz, March 18, 2013,

Google News; "The Ríos Montt genocide trial finally begins in Guatemala," Guadalupe Marengo, March 18, 2013,

The Independent; "Tribunal adelanta fecha de juicio a Ríos Montt," Sonia Perez, Feb. 20, 2013,

terra; "Otto Pérez Molina," current, *Wikipedia*; "Today the Cup of Justice in Guatemala is 1% Full: Retired General Arrested on charges of Genocide & Forced Disappearances,"

Grahame Russell, June 1011, *Rights Action*; "Pillay hails start of genocide trial in Guatemala," Press release OHCHR, March 18, 2013,

United Nations Human Rights; "Marching towards the past in Guatemala: a new government head by a 'genocidal' general; an army trained by former Kaibil elite forces, some of who are implicated in the Zetas drug cartel in Mexico," Annie Bird, Dec. 27, 2011, *Rights Action*.

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