



Telebriefing:

**TWO STEPS FORWARD, ONE STEP BACK: THE IMPLICATIONS OF THE RÍOS MONTT TRIAL
ON HUMAN RIGHTS IN GUATEMALA**

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Co-sponsored by the Latin America Funders Working Group

Speakers:

- [Luz Mendez](#), Vice President, Executive Board of the Union Nacional de Mujeres Guatemaltecas
- [Pamela Yates](#), Producer and Director, *Granito: How to Nail a Dictator*

Facilitator:

- [Erika Guevara-Rosas](#), Director, Latin America and the Caribbean at Global Fund for Women

The historic trial of Jose Efraín Ríos Montt, president of Guatemala from 1982 to 1983, represents the first time a former head of state has been prosecuted for genocide in a national court. Ríos Montt ruled Guatemala for only 17 months but oversaw some of the worst atrocities of the armed conflict, including acts of genocide against the Ixil nation in El Q'iché. In January 2012, Ríos Montt was officially charged and, after a year of delays, and he and General Rodríguez Sánchez went to trial on March 19, 2013. On May 11th, Ríos Montt was convicted of genocide and crimes against humanity and sentenced to prison for 80 years. Ten days later, Guatemala's Constitutional Court overturned the verdict and set the trial back to its status on April 19th.

The Ríos Montt trial, regardless of its conclusion, holds broad implications for human rights and justice within Guatemala and elsewhere in Latin America. Guatemalan indigenous rights groups have been at the forefront of the struggle to bring Ríos Montt and others to justice, in part because over 80% of the victims during Guatemala's prolonged conflict were indigenous Mayans. The process and conclusion of the trial will deeply impact funding opportunities within and beyond Guatemala related to indigenous rights, environmental rights, and transitional justice, among other interconnected issues.

Erika Guevara-Rosas, Director, Latin America and the Caribbean at Global Fund for Women

Erika provided an introduction on the current situation in Guatemala as well as some opportunities for engaging with social movements and grassroots organizing on human rights and justice issues in conflict and post-conflict contexts:

- In the last half century, Guatemala has experienced a long internal war, military dictatorship, and an absence of political alternatives. During its civil war, 250,000 people were killed or disappeared, and many women were subjected to systematic sexual violence. Despite the fact

that the civil war ended in 1996, the indigenous people of Guatemala continue to face discrimination, threats, kidnappings, and violence, particularly by the Guatemalan Security Forces in most rural areas of the country.

- The Ríos Montt trial was groundbreaking because he was the first former head of state convicted of genocide in his country's own court. The court found that his army's atrocities, along with the extrajudicial executions and forced displacement of the Ixil people, were aimed at destroying this particular Mayan group. Ríos Montt was sentenced to 50 years in prison for genocide and 30 years for crimes against humanity. But on May 20th, the Constitutional Court overturned the verdict. The outcome of the trial is still unknown. What is clear is that the trial has lifted the curtain on Guatemala's bloody past, with opportunities for funder engagement.

Luz Mendez, Vice President, Executive Board of the Union Nacional de Mujeres Guatemaltecas

Luz discussed her experience fighting for justice on the ground and the implications of the Ríos Montt Trial.

Although the verdict was overturned, the Ríos Montt Trial was undoubtedly a breakthrough for justice, human rights, peace-building, and democracy in Guatemala for the following reasons:

- The trial resulted in a collaborative effort: the trial is the result of the victims' relatives' struggle in combination with a broader alliance of human rights groups, women organizations, indigenous partner organizations, farmers organizations, and other progressive individuals.
- It connected other human rights struggles: the trial fortified the struggle for gender justice and feminist efforts, particularly the violence that surrounds women in Guatemala today.
 - Sixteen indigenous women presented to the national court the first legal case on sexual violence and sexual slavery during the armed conflict.
- It prioritized historical memory: one of the main goals of the struggle was to resurface the brutal truth and to ensure "no repetition." Luz finds it critical to support efforts that disseminate truth, especially among youths.
- The trial transformed the peace and security sector: it proved that Guatemala has had important legal advancements. The brave roles played by the general prosecutor, Claudia Paz y Paz, other public ministry members, and Judge Jasmin BarRíos leading the trial, are clear. Luz considered it very important to continue supporting efforts to transform the security and justice sector and that incorporate a gender perspective.

Currently, there is an urgent need to protect human rights defenders, the victims, those who brought the case to the country, and the judges.

This trial generated a strong international solidarity from diverse networks, and so it is quite important to maintain this solidarity alive and active.

Pamela Yates, Producer and Director, *Granito: How to Nail a Dictator*

Pamela shared her experiences as a young filmmaker during the armed conflict and her current role in the Ríos Montt Trial.

Pamela filmed her first movie, *When the Mountains Tremble*, in 1982 on the subject of the internal conflict taking place in Guatemala at that time. The film helped put Rigoberta Menchu (a Mayan political exile and the storyteller of *When the Mountains Tremble*) on the world stage. Her advocacy efforts led to her receiving the Nobel Peace Prize in 1992, and she became the first indigenous person to receive this honor.

Pamela then discussed her current involvement in the genocide trial. Considered a breakthrough for Guatemala, Latin America, and the entire world, Pamela's organization --Skylight Pictures -- decided to document the entire Ríos Montt Trial. As a human rights organization that uses media and feature films to document evidence, Skylight collected evidence and spread awareness of the trial's events. During the trial, over 100 witnesses, survivors of the genocide, and expert witnesses came forward. Many women and Guatemalan feminists came to support the indigenous women who were victims of sexual violence during the genocide. Film footage, particularly the interview with Ríos Montt from *When the Mountains Tremble*, was used as part of the evidence on the part of the persecution. This small trial is really a battle for the soul of Guatemala, while embodying the struggle for resources, political power, and judicial power. The legal proceedings occurring in Guatemala are confusing, and they are meant to delay any subsequent cases and outcomes.

Pamela also highlighted the negative consequences of the trial. It has unleashed a huge amount of racism and human rights defenders have been the targets of violence. The extreme right-wing is calling this genocide case an "international conspiracy of NGOs," people inside Guatemala are being called terrorists, and Rigoberta Menchu is being called the Nobel War Laureate.

Skylight Pictures will be launching a third film in the Guatemala trilogy in the near future.

Questions-and-Answers

A participant asked if the concepts of reparation and compensation existed in Guatemala and if/how much they are dependent on the results of the trial. Luz responded that there have been many demands in Guatemala for integral reparations and compensation that have been sent to the Inter-American Commission on Human Rights. Monetary compensation has been seen as a solution, but is not enough.

Pamela suggested reading the Open Society Foundation blog that followed the Genocide Trial, particularly the [entry on May 14th](#) that recounts reparations following the Ríos Montt Trial.

A participant pointed out that this case has been a collective effort; there have been many funders involved in various disciplines of the trial – particularly surrounding the work brought before the Spanish court, document forensics, national security archival work, and evidence collection – which provides many areas for current and future funder support.

A participant asked about the kinds of opportunities to continue engaging in founding the struggle for justice in Guatemala. Luz replied that efforts will now focus on putting the Ríos Montt trial back on track as well as presenting other legal cases involving transitional justice to the judicial system.

Another participant asked how the current president is playing a part in the trial. Luz responded that the Guatemalan president, Otto Perez Molina, has been strongly criticized for disrespecting his duty to ensure the liberty of the judicial system to do their work. He strongly denies the genocide and supports all the people who publically oppose the trial as well. For this, he is violating the peace accord and the national legislation. Pam mentioned that President Molina is trying to take credit for the trial by saying that this trial was a great success for the Guatemalan judicial system, when clearly he doesn't want the trial to be reopened. Due to strong international support, he has not been able to remove Judge Claudia Paz y Paz, now needing even stronger support and protection.

Speakers were asked to discuss concrete strategies for funders that impact human rights work in Guatemala. Speakers responded with various strategies, including:

- Staying in Guatemala and maintaining international interest in Guatemala.
- Supporting women's rights groups and social justice groups.
- Strengthening organizations that address root causes of violence against women and unequal relations of power.
- Continue supporting efforts aimed at disseminating memory and strengthening justice and security sector.
- Protecting human rights defenders and particularly the General Prosecutor (Claudia Paz y Paz) and Judge (Yasmin BarRíos) who led the trial, while recognizing their work, inviting them to talks and sponsoring their travels.
- Supporting documentation and media that can be used as evidence and as counter-narratives for mainstream media.
- Underlining historical memory and fortifying what exactly happened in Guatemala.

A participant added that small grants make big a difference. Small grants (such as travel funds to undertake forensic studies) are critical in this process as well.

Erika asked the speakers to discuss the current struggle for resource rights among indigenous communities in Guatemala. Luz highlighted a symbolic tribunal where the case of Hermelinda Simon, an indigenous woman, was presented. Her grassroots organization in Huehuetenango has been denouncing and advocating against multinational corporations that have been trying to construct hydro-electric enterprises that contaminate and take away indigenous peoples' water. Luz also mentioned another grassroots organization based in Izabal that has been organizing and demanding justice against degradation, rape and evictions caused by the presence of large corporation and their extractions. Pam suggested that the struggles against mega- projects are really the cutting edge along with the justice initiative; indigenous communities are not consulted before building large corporations in their lands. Interestingly, mega-projects are directly located where many of the massacres occurred.

A participant asked the speakers to discuss the nature of the groups that are doing the most cutting-edge work and the kind of support foundations can offer that is most needed. Speakers highlighted the importance of supporting the dissemination of information on human rights violations and the current events of the trial. Luz added that grassroots organizations and human rights alliances need both political and financial support. Collaborative efforts must also be supported and encouraged.

Pam responded that it is critical to support organizations, such as Union Nacional de Mujeres Guatemaltecas, that fight for sexual violence to be included in transitional justice. There are a lot of great organizations for foundations to support named in *Granito*. It's easier for people who have an international standing (i.e. Center for Justice and Accountability, the National Security Archive or the Forensic Anthropology Foundation of Guatemala) to seek international funds; it is harder for local organizations (such as the Association for Justice and Reconciliation or the Center for Human Rights Legal Action) to receive such funds because they do not have the same kind of international reach.

To listen to the full telebriefing:

- Visit IHRFG's [website](#) (you will need to enter the password "humanrights").

Resources:

- [The Trial of Efraín Ríos Montt & Mauricio Rodríguez Sánchez](#), Open Society Justice Initiative website.
- [Despite Annulment, Genocide Trial a Breakthrough for Justice and Truth](#). Center for International Policy Americas Program, May 23, 2013.
- [‘I do not want to die without seeing justice’: Sexual Slavery During Guatemala’s Armed Conflict](#). Center for International Policy Americas Program, October 17, 2012.
- [Dictator in the Dock/Dictador en el Banquillo](#): short films from inside the Ríos Montt genocide trial, available in English and Spanish