

# - GUATEMALA -

## A NEW LOCAL FORENSIC TEAM

### Introduction:

Guatemala has suffered the greatest recorded number of forced disappearances in Latin America. Since 1960, when the Guatemala's internal conflict began, approximately 45,000 disappearances have been reported in a country with a current population of eight million people. The majority of these cases occurred in indigenous peasant villages, at the beginning of the 1980's, during counterinsurgency campaigns conducted by military Guatemalan governments of Gen. Rios Montt (1982-1983) and Gen. Mejia Vitores (1983-86) against the guerrilla groups. The objective of these disappearances was to eliminate any kind of support the guerrillas might have found in the indigenous peasants and any kind of dissent, whether organized or not. For example, in "the so-called Victory 82 campaign, thousands of Guatemalans in the countryside were murdered, hundred of villages destroyed, as many as one million internal refugee created"<sup>1</sup> Thousands of Guatemalan emigrated to Mexico or were forcibly relocated by the army to other parts of the country.

The main groups responsible for these killings are the Guatemalan Army, para-military groups and the Patrullas de Auto Defensa Civil (Civil Self-Defense Civil Patrols).

Since 1986, Guatemala has elected a democratic government. However, the human rights situation is still very critical. Since 1991, the current government is engaged in peace negotiations with the assorted guerrilla groups.

### The Civil Patrols:

The Civil Self -Defense Patrols or PACs were created under Rios Montt regime to assist the government in controlling the rural areas. The PAC is an obligatory, non- remunerate system, that exists in the rural indigenous areas at the village level. PAC members patrol and control their own neighbors, and participate sometimes in their kidnapping or killing. They respond to a military local commander to whom they have to report. They are mostly armed with machetes, sticks and old rifles given by the Army.

There is no formal decree or law declaring PACs obligatory or even official. This is why the PACs were publicized by the military governments as "voluntary, spontaneous expressions of patriotism."<sup>2</sup> In fact, men who refused to join them are labeled as "subversive", putting their lives in jeopardy; men disappeared or were killed because they refused to join them. The PACs were an important part of the counter-insurgency strategy. They were mainly a way to strengthen the army and its intelligence service in conflict areas and to control the local population and any form of independent political organization.

In September 1982, there were an estimated 25,000 civil patrollers; years later, there were 700,000 members. Currently, there is supposed to be between 800,000 and one million civil patrollers.

### Clandestine mass graves:

Many of the people who were kidnapped, were assassinated and buried

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<sup>1</sup> Civil Patrols in Guatemala, America's Watch , 1986, p. 1

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<sup>2</sup> Ibid. p18-19.

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in clandestine mass graves all over the countryside.

At several times, the local and international human rights organization denounced the existence of these clandestine graves, requesting full investigations through a Special Inquiry Commission for the investigation of the disappeared people. But they found minimal response: very few exhumations were done and in a unscientific way, with poor results. In 1991, the non-governmental human rights organizations, Group of Mutual Support (GAM) and the Guatemalan Widows' Confederation (Conavigua) requested technical assistance from EAAF to start making scientific exhumations of the clandestine mass graves in the countryside. Since then, two missions had been sent to Guatemala - one in May 1991, and another in July 1991- and exhumations have been done in the department of Quiche. In this project, EAAF worked with Dr. Clyde Snow, and physicians from the Guatemalan Medical Legal Service.

These exhumations achieved an important step. Not only did they establish the true events surrounding these particular killings, but they also made possible the restitution of the remains to the families for proper burial. These two missions also established precedents in the local scientific and judicial fields, with respect to the appropriate methods and personnel for the resolution of these cases.

### A New Local Forensic Anthropology Team:

Guatemalan organizations of relatives of the disappeared have repeatedly demanded the formation of a local team trained to carry out exhumations and analysis of human remains. All the concerned Guatemalan organizations - GAM, Conavigua, CERJ,

CPR, CPP, and Condeg<sup>3</sup> - expressed this demand in a joint declaration:

" Peace will not come to Guatemala as long as the remains of our massacred relatives continue to be buried in clandestine cemeteries and we cannot give them Christian burial. We don't want our dead to be abandoned in the canyons.... For this reason, we continue to demand the formation of forensic teams in order to continue the exhumations."

( Conclusion of the Second Conference for Peace and Human Rights, Feb. 1992, Guatemala city).

In order to accomplish this, the Inter- American Institute for Human Rights (IIDH, Costa Rica) and the



EAAF members excavating in El Quiche, Guatemala.

<sup>3</sup> CERJ: Consejo de Comunidades Etnicas "Runujel Junan"; CPR: Comunidades de Poblacion en Resisitencia ; CPP: Comisiones Permanentes de refugiados Guatemaltecos ; CONDEG: Consejo nacional de Desplazados de Guatemala.

American Organization for the Advancement of Sciences (AAAS) sponsored a six-week training seminar in Guatemala for local anthropologists and students to form part of a non-governmental local forensic anthropology team.

On August 1, 1992, two EAAF members - Luis Fondebrider and Patricia Bernardi- traveled to Guatemala to join the mission. EAAF members stayed for four weeks. Dr. Clyde Snow took charge of the scientific delegation also which included: Dr. Kirschner, American forensic pathologist; Dr. Fitzpatrick, American radiologist; Dr. Karen Burns, American Forensic Anthropologist; Dr. Rebecca Saunders, American archaeologist; Lic. Ivan Caceres, archaeologist and member of the Chilean Forensic Anthropologist Team) and Lic. Vicente Rodriguez, Colombian physical anthropologist.

During this mission, EAAF members participated in two seminars on the application of forensic sciences to the investigation of human rights violations. The first seminar- from August 3 to 7- was given in Guatemala city to judges, groups of victims' families, governmental and non-governmental human rights organizations and medical and anthropological professionals.

The second seminar began the training of the Guatemalan forensic team itself. This seminar covered both theoretical and practical issues. The theoretical part consisted of classes given by all the foreign professionals on the mission. The practical part covered archaeological field methods, cultural anthropology, and laboratory work.

### Exhumations at San Jose Pacho Lemoa:

Under the request of Conavigua, participants exhumed twenty-six skeletons from four different clandestine mass graves, located in the area of San Jose Pacho Lemoa village, in the department of Santa Cruz del Quiche.,

165km from the capital. According to the collected testimonies, the victims were all men and were killed by members of the Civil Patrol (PAC) in 1982 by machete blows and gunfire.

Lic. Rafael Gonon Coyoy, Peace judge of El Quiche, headed the judiciary investigation..

The graves were located in ravines and corn fields. In some cases, the skeletons were found with their hands and feet tied. Most of them presented peri-mortem<sup>4</sup> gun shot wounds and / or sharp wounds.

The third excavated grave, located in the slope of a ravine, had been disturbed after the bodies were buried. That is to say: the bodies were probably removed from the grave after been buried. The forensic team only found the upper part of a skeleton which skull presented a peri-mortem wound in the temporal- parietal region consistent with a wound produced with a sharp tool. According to the villagers, such wounds are consistent with the ones produced by machete. Some feet and hand bones, clothing and shoes from other individuals were also recovered in the same grave.

While the exhumations were carried out, other members of the forensic team were collecting pre-mortem information<sup>5</sup> from the presumed relatives of the victims. This information was compared at the laboratory with the information obtained from the exhumed skeletons in order to identify them.

In one of the first attempts to use new identification techniques, hair samples from the supposed relatives of the victims were also gathered to obtain genetic information that could be compared with a sample extracted from

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<sup>4</sup> Peri-mortem: around time of death.

<sup>5</sup> Pre-mortem information means all the physical information of the victims when they were alive: dental data, sex, stature, laterality, age at the moment of death, old fractures, diseases, etc. EAAF pre-mortem form includes also information about the moment of death and possible wounds inflicted to the victim.

dental pulp or bones samples of the exhumed skeletons. In countries like Guatemala, where the population affected by human rights violations are mainly indigenous peasants that have little or no access to medical and dental centers, the possibility of getting a positive identification of the remains is very small. Many times, there is not enough pre-mortem data to compare with the information obtained from the skeletal remains. The new genetic method (described further in this report: "Argentina - The Manfil Case,") can lead to many more identifications. The samples were sent to be analyzed in this case to a laboratory in Boston, USA.

In addition, new missions will be sent in 1993 to continue the collaboration between the EAAF and the local non-governmental forensic teams.

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#### Laboratory analysis:

The remains were carried and analyzed at the morgue of the hospital of Santa Cruz de El Quiche. Even though some of the victims were identified through their clothing by their relatives at the exhumation site, all the skeletons were X-rayed. Sex, age, stature, laterality, cause of death and identification, were established.

Months later, the MT DNA analysis confirmed the identification of most of the victims. Some samples have not yet been analyzed and further results are expected.

#### Reburial, Accountability and Future Works:

All the remains of the victims were returned to their families and friends. A big reburial ceremony took place. The victims were buried in the local cemetery.

No one was charged with these crimes. This has been true of all the cases in which EAAF has participated in Guatemala: exhumations take place but no accountability is given.

For the first time in November 1992, under the request of Gam, the Guatemalan team conducted a series of exhumations in the department of Quiche, relying completely on their own forensic experience.



Relatives grieve by the remains exhumed at San Jose Pacho Lemoa.