

GUATEMALA

Genocide survivor Jesus Tecu Osorio receives human rights award

Jesus Tecu Osorio honored for his work seeking justice for victims of genocide and empowering indigenous Guatemalans

At the age of 11, Jesus Tecu Osorio witnessed the March 13, 1982 Rio Negro massacre in Rabinal that left 177 mostly women and children dead, including his mother and 2-year old brother. Tecu and seventeen other children were then captured and forced to work as slaves in the houses of the death squad patrollers who had killed their families. Jesus lived in captivity for three years until he was freed by his only surviving sister, Laura.

As he grew into the role of leader for justice for the people of Rabinal, Tecu established three human rights organizations that provide critical services to indigenous Mayans: the New Hope Foundation, Rabinal's Community Legal Aid Clinic, and the Association for the Integral Development of the Victims of Violence, Maya-Achí (ADIVIMA). Over the past two decades, IRTF's Rapid Response Network has urged protection for Tecu and other ADIVIMA members who are regularly threatened because of their critical work exposing the atrocities of the early 1980s.

Most recently, RRN wrote to Guatemalan officials (October 3, 2009) urging an investigation and protection for Tecu and his family after an anonymous caller threatened to kidnap, torture and dismember his children.

Background on the genocide case:

The 36-year Guatemalan civil war officially ended in 1996 with the signing of the Peace Accords by guerrilla commanders and army officers. Out of the ashes of the 1996 Peace Accords the UN-sponsored Truth Commission (*Comisión para el Esclarecimiento Histórico* [CEH]) investigated the violence that ravaged the rural highlands of Guatemala. The CEH's 1999 investigative report came up with some horrific conclusions.

The CEH found that **626 Mayan villages experienced massacres** during the violence. It reported that over 200,000 died or "were disappeared" and countless men, women, and children were tortured and raped. The commission reported that 150,000 refugees fled to Mexico and over 1,000,000 were internally displaced from their ancestral lands. The Commission found that **93% of the violence was perpetrated by the Guatemalan army and its death squads, armed by and trained in the U.S.** Most importantly, the state-sponsored violence against the Mayan indigenous population in Guatemala was described by the Commission as nothing short of genocide.

The Rio Negro massacre of March 1982 was preceded by an even bloodier one in Rabinal on September 15, 1981 (Guatemala's Independence Day) that left more than 800 dead. One month prior to the Rio Negro massacre, the Xococ PAC (so-called civil defense patrol) massacred 74 Río Negro residents. The same PAC would later participate in two more large-scale massacres of Río Negro residents in May and September of 1982.

Survivors groups started pursuing justice for the massacres starting in the late 1990s.

In December 2007, Guatemala's highest court had effectively halted the Guatemalan genocide case in Spain, expressly rejecting the principle of universal jurisdiction and ruling that the investigation led by Spanish judge Santiago Pedraz could not continue in Guatemala. Nonetheless, according to the legal principle of judicial reciprocity, a Guatemalan judge is permitted to receive declarations from witnesses and share them with Spain, in support of Pedraz's investigation, since Pedraz was blocked from conducting investigations on the ground in Guatemala. In late March 2008, the Constitutional Court rejected an injunction by former military dictator Efraín Ríos Montt, which allowed the 11th Criminal Court to proceed.

On April 17, 2008, **Tecu became the first genocide survivor to give public testimony in a Guatemalan court** about the genocide committed against Maya peoples. Judge Eduardo Cojulun of Guatemala's 11th Criminal Court heard Tecu's and others' testimonies in support of the ongoing genocide investigation by Spanish judge Santiago Pedraz.

In June 2008, a **Guatemalan court imposed sentences of 30 years each on five former PAC paramilitaries for their roles in the Rio Negro massacre.** (Another three had been convicted in 1999.) While the verdicts and sentences were a welcome outcome, it's important to recognize that none of the intellectual authors of the genocide—including Efraín Ríos Montt (still serving in the Guatemalan Congress) and Benedicto Lucas García (who died in 2006)—nor any military officials have ever been brought to justice. Also complicit are the World Bank and the Inter-American Development Bank, which funded the Chixoy Dam Hydroelectric Project that displaced the Rio Negro villagers. The villagers' democratic resistance to that displacement was a principal precipitator of the violence and terror that followed. To date, no reparations have been paid to the survivors.

Rio Negro is the only legal case, out of dozens initiated with forensic evidence, which has concluded with a conviction of men responsible for human rights abuses during the scorched earth campaign of the 1980s.

On March 24, 2010, **Human Rights First selected Jesus Tecu Osorio** to receive the prestigious 2010 Roger N. Baldwin Medal of Liberty Award for international human rights defenders.

Tecu was honored as a leading human rights activist seeking justice for the genocide in Guatemala and promoting the rights of indigenous Mayans. He has also been a leading advocate in seeking accountability for damages to communities affected by the construction of the (World Bank funded) Chixoy hydroelectric dam. Though he remains at extreme risk and continues to suffer death threats directed towards him and his children, he is undeterred in his fight for justice.

See the full press release about Tecu's award at <http://www.humanrightsfirst.org/media/hrd/2010/alert/595/index.htm>

See two short videos produced by Jesus Tecu Osorio:
A Massacre Remembered. <http://hub.witness.org/en/MassacreRemembered>

Derecho a la Justicia. <http://hub.witness.org/en/DerechoALaJusticia>

Read *The Forgotten Spirits of Rabinal* at <http://upside-downworld.org/main/guatemala-archives-33/1442-guatemala-the-forgotten-spirits-of-rabinal>