

Exhuming the Past In a Painful Quest

Guatemalan Victims' Families Seek Closure, Justice

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NEBAJ, Guatemala -- A decade after the conclusion of the long civil war that ravaged this Central American nation, Guatemalans are literally trying to dig up their past.

Spurred by a surge of requests from victims' families this year, dozens of forensic anthropologists have been fanning out across the countryside to search for remains of the 200,000 people -- most of them Mayan Indian civilians -- who were killed or abducted during the 36-year conflict.

Many were massacred by military forces and dumped into mass graves. Others were buried hurriedly in unmarked, secret locations by relatives anxious to avoid rampaging troops.

About 40,000 victims simply disappeared after being seized by government operatives.

Nearly every day brings another grisly discovery: skulls of toddlers executed with gunshots to the head; corpses of young men whose necks are still looped with the garrotes used to strangle them. Nearly every week brings another funeral packed with weeping relatives: once-youthful widows now wrinkled and gray, children long since grown to adulthood.

Meanwhile, in a cavernous, damp warehouse in Guatemala's capital, investigators wearing protective masks and surgical gloves are combing through piles upon piles of mildewed documents from a recently discovered secret police archive, hunting for clues to the fate of the disappeared.

The current effort is hardly the first probe of wartime atrocities since peace accords ended the conflict in 1996. But its scope and pace are unprecedented in a country where those responsible have enjoyed near impunity. Only two military officials have been imprisoned for war crimes, according to human rights activists, despite findings by a U.N. commission that government and allied paramilitary forces committed nearly all of the atrocities.

Much of the bloodletting occurred in the late 1970s, when the military-backed dictatorship that had been battling leftist guerrillas expanded its targets to include anyone critical of the government -- including students, priests and union members. But the slaughter reached its peak in the early 1980s, when the military launched a scorched-earth campaign through the countryside to eliminate any potential support for the guerrillas from the long-oppressed Mayan Indians. Hundreds of villages were burned, livestock destroyed and tens of thousands of people killed.

The remains of fewer than 5,000 victims have been returned to their families.

The anguish of those still searching was palpable among the two dozen Mayan Indians who attended a recent exhumation near this town in the central Guatemalan department of Quiche.

Most were subsistence farmers and manual laborers who could speak only their native Mayan language and could ill afford to take time off from work. Yet day after day they hiked to the grave site atop a mist-shrouded mountain -- the women bearing small children strapped to their backs with colorful blankets, the men shouldering shovels to help the forensic team dig for bodies.

'I Don't Think It's Her'

Jacinto Bernal, a 56-year-old with weathered skin, blinked back tears as he watched an anthropologist brush away dirt from the skeleton of a woman who appeared to be in her thirties and may or may not have been his wife, Maria Perez. She was gunned down by a military helicopter in 1985, he said, leaving him to raise their four young children on his own.

"I don't think it's her," Bernal muttered miserably. "She was struck in the back of the head, but it looks like this skull has a hole in the front."

There was little else to go on.

Like others who used the spot as a secret burial ground during the 1980s, Bernal had been forced to sneak there after dark and could no longer remember exactly where he had buried his wife's body.

A few feet away, in a different group of peasants, Petrona Bernal, 45, squatted by a grave containing the tiny bones of a young child whom she hoped would prove to be her baby boy. He was born in 1982, shortly after Bernal's village was destroyed.

"We lived on the run," she recalled. "All we had to eat was herbs and flowers."

Malnourished and weak, she had given birth to her son in the forest, only to watch the infant die of hunger days later. Ever since, Bernal said, she has ached to recover the boy's body and give him a proper Christian burial.

Until now, she had not dared to return to the secret grave site. Many members of civil defense patrols who carried out atrocities at the military's behest still live among the communities they once terrorized. Many military leaders who directed the war remain powerful -- including Gen. Efraín Ríos Montt, the former dictator who today heads one of the largest parties in the legislature.

Ríos Montt has repeatedly denied ordering the hundreds of massacres documented during his 1982-83 tenure and has even questioned whether they took place. Forensic workers, lawyers and activists seeking to uncover war crimes have also faced repeated threats. Several have been killed.

But thanks in part to an infusion of foreign funds, private forensic teams and grass-roots organizations dedicated to helping indigenous peoples have expanded their efforts to file claims with the state to authorize exhumations.

The campaign also received a boost in 2004 when the newly elected president, Óscar Berger, publicly apologized to the victims of wartime atrocities on behalf of the government. He has established a commission to compensate them as well as help fund some of the forensic work this year.

Back in the late 1990s, noted Fredy Peccerelli, head of the Guatemalan Forensic Anthropology Foundation, his organization was a tiny outfit able to conduct only about 10 exhumations a year. This year his staff of 80 has already reached 120 sites. They expect to recover about 450 bodies by the end of this year, and about 1,000 per year in the near future.

Even so, at that rate it will take decades to recover even a fraction of the total number of victims.

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Finding and identifying the 40,000 who went missing is an even greater challenge. Many were pulled off buses or back roads and taken to military bases far from their home provinces to be tortured by interrogators.

Of the 650 bodies Peccerelli's group has recovered from exhumations at military bases, only 220 have been identified. The rest are being stored in stacks of cardboard boxes at the foundation's headquarters, awaiting a new initiative to collect and compare DNA samples from victims and their relatives that Peccerelli hopes to begin soon.

A Massive Police Archive

Another potential source of leads is the recently discovered secret police archive. Deputies of Guatemala's human rights ombudsman stumbled upon it accidentally in July 2005 when they were investigating complaints that explosives were being unsafely stored in the area.

The documents number more than 80 million pages and date as far back as the 1880s. Stacked from floor to ceiling in room after room, they have been badly damaged by water, rats and insects, and do not include records from precincts in several regions where the worst atrocities occurred. However, buried in the mountains of paper are priceless finds like death certificates for unidentified bodies found by police. By comparing the fingerprints on the certificates with those on the national identity cards of missing victims, said Peccerelli, "you can find if there's a match and then search for the body at a specific cemetery."

Alberto Fuentes, who is overseeing the preservation and analysis of the archives, said investigators have also come across a few arrest warrants for people detained for "political crimes" who later turned up dead -- including grandmothers and babies.

But he cautioned that it would take time to find enough documents in the archives to mount a legal case against their killers. "This is a project of 20 years," he said.

The evidence generated by the recent exhumations has also failed so far to spur a rise in prosecutions.

"We still have a weak state that is scared of the military," said Frank LaRue, one of Guatemala's leading human rights advocates. "Local prosecutors are authorizing the exhumations. But when the results come in, they don't initiate criminal proceedings. So we're having all these exhumations but no trials."

Even if prosecutors were to open cases, convictions could be hard to achieve. While Guatemalan judges have sentenced some members of the civil defense patrols, suits against those who issued their orders have been tied up in legal wrangling or languished in the attorney general's office for years.

Efforts by Guatemalans to obtain justice from foreign courts have also met with obstacles. In July, Judge Santiago Pedraz of the Spanish National Court issued arrest warrants for eight former military officials, including Ríos Montt, on charges of genocide, torture, terrorism and illegal detention. Guatemalan authorities have not acted on the warrants, and Guatemalan courts blocked Pedraz from deposing the accused during a fact-finding trip in June.

Nonetheless, Peccerelli remains hopeful, pointing out that it took years of activism and hundreds of exhumations just to get the government to admit that civilians had been killed. "Now it is accepted that those massacres occurred," he said. "We're just waiting for the next step, and we know that the work we're doing will contribute."