

Guatemala: ex-military officers convicted of crimes against humanity

Four former high-ranking officers convicted of 1981 rape and torture of young woman and disappearance of her teenage brother

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Emma Theissen Álvarez de Molina pointed out ex-major Hugo at Zaldaña Rojas as one of the men who took away her son, saying: 'That is him. His face is forever recorded in my memory.' Photograph: Esteban Biba/EPA

Four former high-ranking Guatemalan military officers once considered untouchable have been convicted of crimes against humanity. They were also found guilty of aggravated sexual abuse against a young activist, Emma Guadalupe Molina Theissen, one of a small number of civilians who escaped army custody during the country's 36-year civil war.

Three of the officers – the former head of the armed forces, Benedicto Lucas García, former intelligence chief Manuel Antonio Callejas y Callejas and local commander Hugo Ramiro Zaldaña Rojas – were also found guilty of the forced disappearance of Emma's 14-year-old brother Marco Antonio and sentenced to 58 years' jail by the court for high-risk crimes in Guatemala City.

The Molina Theissen family have been searching for Marco Antonio since 6 October 1981, when he was bundled into a sack by military officers and driven away. The Guatemalan state admitted responsibility for grave crimes against the Molina Theissen family in 2000, but it has taken 37 years for the perpetrators to be brought to account.

Wednesday's verdict was hailed by anti-impunity campaigners as it is the first time senior military officers have been prosecuted for serious human rights violations since the 2013 genocide verdict against the former dictator Efraín Ríos Montt was sent back to trial.

Jo-Marie Burt, associate professor at the Schar school at Virginia's George Mason University, who has been monitoring the trial, said: "The significance of this sentence

cannot be overstated. It shows that Guatemalan justice system has not bowed under pressure from powerful military and economic elites to end human rights prosecutions. The perpetrators must tell the Molina Theissen family the truth about what happened to their beloved son.”

The crimes took place as part of the military junta’s “national security doctrine”. Key to this were counterinsurgency operations used to detain, torture for information, and then kill or “disappear” people regarded as the internal enemy – suspected communists, critics of the military dictatorship and activists. At the time, senior military officers received training at the School of Americas and in Argentina.

Molina Theissen was captured in September 1981. The then 21-year-old social and political activist was then taken for interrogation to a clandestine base in Quetzaltenango, western Guatemala, known as MZ17 (military zone 17). She was deprived of food, beaten, given electric shocks and raped. When she refused to help identify other suspected subversives, the torture intensified.

But Molina Theissen managed to escape, causing embarrassment to military intelligence. Her family had been under surveillance since 1955, the year after the CIA-backed coup, and were designated “internal enemies”.

The following day, a raid was organised to recapture the escapee at home. When they could not find her, her brother was taken instead. Marco Antonio is one of an estimated 5,000 children forcibly disappeared by the military during the internal conflict, according to the Truth Commission.

“Enforced disappearance was used as a weapon of war, just like a rifle or a bullet,” according to historian Marc Drouin, an expert prosecution witness.

In court, the victims’ mother, Emma Theissen Álvarez de Molina, pointed at Zaldaña Rojas as one of the men who took away her son. “That is him. His face is forever recorded in my memory.”

The defence sought to cast doubt on Molina Theissen’s escape from military detention. In a moving testimony, she said: “The fact that I escaped is not just unusual, it is very unusual, because otherwise, there would not be 45,000 victims of enforced disappeared in this country.

“They did not kill me, but what they did profoundly destroyed my life ... The fact that by escaping I had managed save my own life filled me with pride, but this became my worst mistake ... because it resulted in the kidnapping and the disappearance of my little brother.”

Former MZ17 commander Francisco Luis Gordillo Martínez was sentenced to 33 years for crimes against humanity. His number two, the retired colonel Edilberto Letona Linares, was absolved of all charges.