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Genocide trial for former Guatemala head of state set to begin

by Mary Jo McConahay

Guatemala City — Former Guatemala head of state José Efraín Ríos Montt is scheduled to begin facing his accusers in an unprecedented trial charging the former army general with genocide. Originally set for August, government courts announced Feb. 20 that the trial would be brought forward and would instead start Tuesday.

Tens of thousands died at government hands during the 36-year civil conflict, many during Ríos Montt's administration in the early 1980s. With the trial's opening session, Guatemala becomes the first country in history to try a former head of government in its own courts for genocide.

The genocide charge is based on the deaths of 1,771 Ixil Maya indigenous residents of a northern mountainous region, where guerrillas maintained a strong presence in 1982-83.

Defense attorneys threw into question the new trial date when they filed requests to an appeals court, which provisionally approved postponement, after the Feb. 20 announcement. The delay was rejected Friday, but the back-and-forth has contributed to an air of uncertainty -- and tension -- leading up to the opening of the trial.

Nevertheless, there is also a prevailing sense among some close to the prosecution that the Ríos Montt genocide proceedings are irreversible. About 900 elements of evidence have been admitted, including witnesses, expert testimony and reports.

More than half of Guatemalans belong to Maya indigenous groups. Of an estimated 200,000 people who died in the violence, the majority were indigenous, according to a U.N.-sponsored Truth Commission report.

Marta Elena Casaús Arzú, a Guatemalan researcher and author of two books on racism in Guatemala, suggests the process of the Rios Montt trial is "more significant" than any verdict that might be forthcoming. On March 9, Casaús through Skype told approximately 100 people gathered in Guatemala City to hear a panel of experts on genocide that she encouraged "the left, intellectuals and the citizenry to become involved in the trial."

"To confront racism, we must examine the genocide," said Casaús from Madrid, where she is a university professor at the Autonomous University of Madrid.

There has been no government support for genuine debate about the country's past. Scholars and rights activists say to the degree that the Rios Montt trial engenders the discussion, even in such small and unusual venues as the "virtual" roundtable, the judicial process serves a purpose outside the tribunal.

"Juridical truth is one truth, an element sanctioned by the system," said U.N. adviser Roddy Brett of the University of St. Andrews, another panel participant. "It is also necessary to rescue memory."

[Mary Jo McConahay is the author of *Maya Roads: One Woman's Journey Among the People of the Rainforest*. She covered the wars in El Salvador and Guatemala for several publications.]

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