

Guatemala and El Salvador discuss amnesty for war criminals

By Andrea Lobo
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The Salvadoran and Guatemalan legislatures are simultaneously discussing amnesty bills regarding war crimes and human rights abuses during the counterinsurgency wars waged by the brutal US-backed dictatorships between 1960 and the 1990s.

For decades, survivors and supporters of the hundreds of thousands of victims have pursued investigations and prosecutions hoping to expose the truth, hold accountable those responsible and lay the basis for others never to suffer the same fate.

Jesús, a survivor who lost his mother, father, brother and four-year-old son in a 1982 massacre by a US-trained Salvadoran death squad, told Amnesty International, “At night, I felt that I was not crying, but others said I was crying. I didn’t feel like I was crying. It took years and years until it passed a little. I would walk down the road crying, I would eat to cry, I would eat dinner to cry, every meal, crying.”

Since the “peace” accord was signed in 1992, like many others, he has fought for a trial for this crime to no avail, even after the Salvadoran Supreme Court ruled in July 2016 that a 1993 blanket amnesty law was unconstitutional, and ordered Congress to draft a new regulation guaranteeing “truth, reparations and justice” for victims.

In Guatemala’s case, an amnesty law blocking prosecution of war crimes among combatants was imposed following the 1996 settlement between the government and the guerrillas. Sixty-five military and paramilitary soldiers have been sentenced for crimes against civilians and about a dozen are awaiting trial.

The new bill “sends us back to the darkest era of state terrorism,” Ana Lucrecia Molina told reporters. Guatemalan military officials were convicted for the “disappearance” of her brother and raping of her sister during the war. The legislation would free those sentenced within 24 hours and block new prosecutions completely, with the fascistic legislator who introduced it, Fernando Linares Beltranena, boasting “The right is empowered now.”

In El Salvador, the bill was recently drafted by an ad hoc legislative commission formed in June 2018 and chaired by Rodolfo Parker, general secretary of the Christian Democratic Party (PDC)—itself part of the military junta that carried out the

worst war crimes during the 1980s. “We hereby grant broad, absolute and unconditional amnesty to everyone, regardless of the sector they belonged to [during the war],” the draft begins, allowing war crimes to be investigated but blocking all prosecutions, and pardoning all those who were convicted and sentenced.

The UN, the Inter-American Human Rights Court, the European Union and the US government have all expressed opposition to the amnesty bills. A June 2017 leaked diplomatic cable from the US embassy in San Salvador noted that the processing of those accused of responsibility for the 1981 “El Mozote” massacre “is an important, positive step for rule of law and ending impunity.” The same cable, however, then opposed a 1973 Procedural Code that “allows private accusers to submit evidence, call witnesses, and cross examine witnesses and defendants” as opposed to later reforms “to have a judicial system driven by institutions.”

It adds that the Access to Public Information Institute (IAIP) in charge of releasing information for these judicial processes is financed by the USAID, while the Ministry of Defense has withheld and “deliberately destroyed” evidence, and the Attorney General’s office has worked to “undermine” the cases.

Through these institutions, and their Guatemalan counterparts, whose officials frequently parade through the offices of the US foreign-policy establishment, the US State Department has pulled the strings in a charade of “reconciliation” that its regional puppets have exploited since the 1990s to legitimize their rule and enforce the austerity, privatizations and super-exploitation dictated by the US financial aristocracy.

Moreover, while backing a limited exposure of these crimes—even jailing a few top officials in Guatemala—Washington has continued strengthening the same repressive apparatuses, in spite of reports of new death squads formed by elite forces across the region.

While Guatemalan President Jimmy Morales has said he’ll respect the congress’ vote on the issue, Salvadoran president-elect Nayib Bukele has criticized the amnesty bill, seeking to distance himself from the widely hated parties associated with the civil war, the ex-guerrilla Farabundo Martí

National Liberation Front (FMLN) and the fascistic Republican Nationalist Alliance (ARENA). This is expected to lead promoters of the bill to speed up its approval before Bukele's June 1 inauguration. A former FMLN mayor, Bukele leads a coalition of former Arena and FMLN politicians with close ties to US imperialism that seeks to streamline a further shift to the right under a new façade, the Great Alliance for National Unity (GANU).

On March 18, Rodolfo Parker quit the Salvadoran legislature's ad hoc commission, but it was furnished with three other members implicated in possible crimes—a colonel, a commander and a guerrilla leader. The FMLN and ARENA have both expressed opposition to any legislation that grants less than total amnesty. Expressing broader sentiments in the ruling class outside of those implicated directly, former vice-president Enrique Borgo Bustamente (1994-1999) said last month that, for the sake of “stability,” “it's time to forget what happened in this country 30 years ago.”

At the same time, US imperialism is explicitly discarding “democratic” sensibilities as it promotes far-right governments dominated by the military with the aim of prying the region away—through bullying and possibly even war—from the economic and political influence of its global rivals, namely China and Russia.

This shift back to a US policy of backing naked military and fascist rule is being accelerated by the resurgence of the class struggle internationally, paired with economic stagnation in the region and concerns of another financial crisis.

Moreover, Central America is a social tinderbox. Hundreds of thousands of migrants risk their lives each year and defy Washington's troops on the border, attacks against the right to asylum and concentration camps, all to escape intolerable poverty and violence in Guatemala and El Salvador, where 80 and 72 percent of the respective workforces scrape by in the informal sector, without social security benefits or job security.

Trump's mass deportations and the cutting of US aid to force the local elites to turn these countries into open air prisons can only result in a social explosion.

Reflecting this shift of US policy across the region, the Trump administration named Elliot Abrams as special envoy to oversee the ongoing US coup operation in Venezuela. Abrams oversaw the cover-up of human rights abuses by US-backed forces in Central America during the 1980s. His office in the State Department published a 1984 report defending that year's approval of Decree 50 or “Law of Criminal Procedure Upon the Suspension of Constitutional Guarantees” that handed the judiciary to the military in El Salvador as necessary to face “state of emergency crimes.” It then dismissed widespread claims of “systematic killing of non-combatants by gunfire and aerial bombardment” as “bogus.” Similar reports were produced regarding the rest of Central America.

When asked in a congressional hearing last February if he would back a faction in Venezuela involved in war crimes like

those he helped cover up in Central America, Abrams said “I'm not going to answer that question.”

Whether it's the full amnesty demanded by the local ruling elites or the threadbare façade of “justice” regarding these crimes still advocated by the US State Department, the message is clear to the armed forces that they can ruthlessly crack down on any challenge from below with impunity and US support, just like the Sisi dictatorship in Egypt, the fascistic regime in Israel, the monarchy in Saudi Arabia or the Honduran regime that has employed murderous repression against the mass rebellions that followed the US-backed coup in 2009 and electoral frauds ever since.

Nearly a quarter million people were killed between 1962 and 1996 in Guatemala, 93 percent at the hands of pro-government forces. The UN-backed Commission for Historical Clarification classified the massacre of Mayan Indians, treated by the military as a potential constituency for guerrillas, as genocide, including the destruction of up to 90 percent of the Ixil-Mayan towns and the bombing of those fleeing. In El Salvador, 988 of the 75,000 killed between 1980 and 1992—also overwhelmingly by pro-government forces—were massacred in the Morazán Department in the “El Mozote” case, whose prosecution is at risk.

Most of the victims were children, who were shot down, burned and raped en masse or hung upside down and bled from their throats. Refuting claims by defendants that victims were combatants, the Argentine Forensic Anthropology Team has stated: “We only found marbles, toys, coins, cooking utensils, sandals and flip-flops next to their bodies.” It was the largest single documented massacre in modern Latin American history.

What the ruling class wants to be “forgotten” is the fact that their only response to the crisis of global capitalism is dictatorship, war and barbarism.

No reconciliation is possible with imperialism and national bourgeoisies bound politically and financially, without exception, to US and foreign capital. The working class and youth in El Salvador and Guatemala can only face imperialism as part of an international struggle with their brothers and sisters across the region and, most importantly, in the United States, under a socialist and internationalist program to overthrow capitalism across the world and establish an economy based on satisfying the social needs of all humanity.

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