

MILITARY DIARY CASE

During the seventh day of the Intermediate Stage, the Human Rights Prosecutor of the Public Prosecutor's Office (MP) summarized the operations in which the accused Edgar Corado Samayoa was involved. Later the MP presented proof of conviction against Víctor Augusto Vásquez Echeverría, commander of Military Zone 302 of Chimaltenango from April 16, 1983, to May 31, 1985.



The Intelligence Cycle and Military Zone 302

At the beginning of the hearing, attorney Carmen Peralta Marroquin, assigned to Corado Samayoa by the Institute of Public Criminal Defense, requested to suspend the hearing because she had been appointed that same morning and did not have enough knowledge of the case. Corado Samayoa, who was not in attendance, had not given his consent to the substitution and as a result, this violated his right to defence. Judge Miguel Angel Gálvez decided not to grant the lawyer's petition and decided to continue with the hearing, for which lawyer Peralta filed her protest.



The Public Prosecutor's Office continued with the presentation of the evidence against Edgar Corado Samayoa regarding his participation in the operations of November 2 to November 2, 1983, November 28, 1983, January 2, 1984 and March 11 to 13, 1984.

The January 2nd, 1984 operation stems from the capture of Alma Lucrecia Osorio Bobadilla, No. 34 in the Military Diary on

December 31st, 1984. A witness identifies Corado Samayoa as one of Alma Lucrecia's captors during the operation and raid on her home. He is also identified as a "member of the Regional Direction Committee 'Victor Manuel Paniagua' and head of the Pacific Zone of the PCT. PC. which is related to a seized document that identifies PCT, among these Victor Manuel Paniagua.

A protected witness verifies the raid operation on the residence of the Osorio Bobadilla family, which occurred on January 2, 1984. Amongst the group of captors who participated includes Edgar Corado Samayoa.

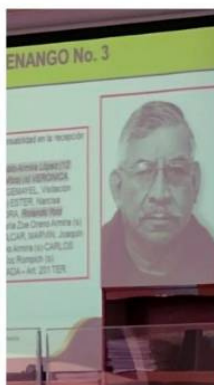
In the operation of March 11 to 13, 1984, the witness Álvaro René Sosa Ramos, registered in Entry 87 of the Military Diary, identifies Corado Samayoa during his illegal capture and in the clandestine detention center where he was held and was subjected to cruel, inhuman, and degrading treatment. In his declaration, witness Sosa Ramos identifies three

more victims: Amancio Samuel Villatoro, Juan Pablo Armira, and Mario Enrique Chávez Ovalle, who the accused interrogated with a list of the names of victims that corresponds to those registered in the Military Diary and whose whereabouts are still unknown.

Corado Samayoa is accused of the aggravated murder of one person, attempted murder of another person, crimes against humanity against at least 11 people, and the forced disappearance of at least nine people.

According to the MP, Corado Samayoa contributed to creating the conditions to extrajudicially deprive of people catalogued as internal enemies of their of life and liberty. He detained, submitted them to cruel treatments, conducted break-ins, searches, and detentions as part of a clandestine and illegal structure.

The MP began the presentation of proof for conviction against Víctor Augusto Vásquez



Echeverría, who is accused of the forced disappearance of 14 people. According to the Military Diary, these individuals were taken to Chimaltenango, among them four children, the Armira López and Yool Cusanero brothers.

The Prosecutor explained that Fabián Estrada Satuy, No. 96; Visitación Baxcaj Pineda, No. 97; Adriana Chocoj Culajay, No. 98, and Narcisca Cusanero Xian, No.

99, were detained and disappeared on March 14th, 1984, in a place known as the "Peoples' Jail". The MP mentioned that in the Military Diary it is indicated that María Zoe Oreno Armira, No. 100; Brigido Antonio Xajil Hernández, No. 101; Joaquín Simón Miza, No. 102; Mario Orena Armira, Pablo Ejcalon Batz, No. 154, and Eusebio Coc Rompich, No. 171, were also sent to Chimaltenango.

Military plans and manuals which were seized at the home of the accused Gustavo Adolfo Oliva Blanco demonstrate the control and surveillance of organizations catalogued as internal enemies,

confirming dates and military operation like Chimaltenango.

Vásquez Echeverría is also accused of crimes against humanity against six people held in the old Chimaltenango military zone, together with 220 human remains exhumed in those installations, Amancio Villatoro, No. 55; Sergio Saúl Linares, No. 74; Zoilo Canales, No.75; Juan de Dios Samayoa, No.78; Hugo Adail Navarro, No.81; and Moisés Saravia López, No.88, were detained and disappeared between January and March 1984. In the Military Diary March 29th, 1984, is their common date of execution.

The testimony of Aquiles Linares, the brother of Saúl Linares, provides evidence that hiding the victims was systematic, despite numerous petitions of habeas corpus lodged by their families, publications in national newspapers and international outlets about their disappearance, and decades-long demands that family members be released alive.

According to an affidavit by the Guatemalan Forensic Anthropology Foundation (FAFG) it was established that the six people above were buried in the same grave. The bodies were found one atop another. The affidavit explains that the remains identified had lesions, fractures, or wounds that reached the bone. In witness declarations, it is established that some of these people were seen in clandestine detention centers being tortured.

The MP presented the chain of events related to Julio César Pereira, No. 73. Julio was a member of the Guatemala Workers Party (PGT)- CC. Sergio Saúl Linares was a member of the PGT and the Sectional Organ Manuel Andrade Roca (OSMAR), and Eleuterio Leopoldo Cabrera, No. 76, the father of plaintiff Alejandra Cabrera Tenas, who was part of the National Leadership of the PGT, in charge of OSMAR and finances, as a sequence of detentions of members of the same organization.

The MP spoke to the crimes against Hugo Adail Navarro Mérida, reflected in the Military Diary. These crimes occurred during the operation that broke into the family home of Luz Haydeé Méndez Calderón, No. 83, the mother of plaintiff Wendy Santizo Méndez. While Wendy was also being tortured, she identified Hugo Adail under the control of his captors who she knew as "Uncle Pedrito." The witness stated that Navarro had injuries to his body, was shackled and evidently limping. The affidavit by FAFG concerning Navarro's skeleton, exhumed in the Chimaltenango Military Zone, stated that the skeleton had a leg fracture.

The MP explained the cascade or mosaic effect, which refers to how the capture, detention, and torture of one person could contribute to the capture of other people and by extension, the involvement of entire families, who would suffer various types of violence themselves, including sexual violence.

The Prosecutor presented expert military testimony related to Vásquez Echeverría which states that he held posts such as commander of Military Zone 302, linked specifically to the case by the human remains found inside the installations of the former Comalapa military detachment. "The commander is responsible for what his unit does or neglects to do", read the MP in regard to the role and command held by Vásquez Echeverría, who is said to be responsible for the people detained and registered in the Military Diary who were taken to the Military Zone under his command, such as the Armira López brothers who remain disappeared.

The Guatemalan State has been condemned for serious human rights violations against victims registered in the Military Diary by the Interamerican Court of Human Rights, which ordered the search for the victims. The Public Ministry has requested information on military bases, zones, and installations, but the Defense Ministry has repeatedly refused to provide information.

The Prosecutor presented documents seized in Oliva Blanco's house that prove the connection between the clandestine and illegal structures with the information obtained by the intelligence cycle, which was based on surveillance, persecution, detention, torture, and illegal break-ins. Judge Miguel Ángel Gálvez adjourned the hearing until Friday, April 8, at 9:00 AM.



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