

MILITARY DIARY CASE

During the sixth session of the Intermediary Phase, The Human Rights Prosecutor of the Public Prosecutor's Office (MP) presented the means of conviction against another three men accused of serious violations against human rights in the Military Diary Case: Juan Francisco Cifuentes Cano, Gustavo Adolfo Oliva Blanco and Edgar Corado Samayoa.



TACTICAL OPERATIONS AND INTERROGATIONS COMPRISED OF TORTURE AND SEXUAL VIOLENCE

The MP began their presentation on the participation of *Juan Francisco Cifuentes Cano*, First Chief of the Fifth Corps of the National Police – Special Operations Battalion (BROE), between April 1st, 1982 and May 13th, 1984, in joint operations with other illegal structures. Protected witness identifies Cano and confirms that the accused reported the results of the operations to the Police General Director.



“Cifuentes Cano provided support to the Presidential Guard (EMP) in operations: from November 28th, 1983 to January 2nd, 1984. In November, Marvin Girón Ruano, No. 28 of the Military Diary, and Jorge Alfonso Gregorio Velásquez Soto, No. 26 were detained and disappeared, there is a document from the National Police Historical Archive (AHPN) signed by the accused which records the raid in the home of Marvin Girón Ruano.

“They told me that we had to leave, leaving behind only the first chief Juan Francisco Cifuentes Cano, the second chief and the G2. In such operations, a security ring was coordinated with the chiefs of the BROE”, relates a witness testimony. Perimeter security is a tactic which is used in different operations, to prevent victims from “escaping”, explained a protected witness.

That the BROE provided support to the EMP with perimeter security on January 2nd, 1984 is also recorded in both testimonies and official documents from the AHPN. The sisters of Alma Lucrecia Osorio Bobadilla, registered as No. 34 in the Military Diary, identified the BROE as being dressed in blue uniforms, related to the National Police corps during this operation.

Cifuentes Cano is being accused of crimes against the family of Patricio Yool Osorio, registered in the Military Diary under No. 95, who was a campesino farmer that

denounced the salaries and unequal working conditions of peasant farmers.

The MP read declarations by family members of Yool Osorio and his wife Narcisa Cusanero Xian, No. 99 in the Military Diary, indicating they had to flee due to the persecution in their community after massacres in the department of Chimaltenango were perpetrated by the Guatemalan Army. Cusanero was captured with her children Rolando and Irma, who were 5 and 3 years old, when they attempted to reunite with Yool.

The prosecution also presented the proof gathered against *Gustavo Adolfo Oliva Blanco*, former chief of the Technical Investigation Department (DIT) of the National Police. According to the MP, Oliva Blanco personally participated in the direction and coordination of the operations to support the Presidential Guard. He also generated the conditions to illegally hold persons and to control, neutralize, and eliminate them.

Oliva Blanco is accused for his participation in the operations of March 1983; November 28th, 1983; January 2nd, 1983; and January 3rd, 1983.



The prosecution read excerpts of declarations which described forms of torture in various homes, police facilities, and army facilities. These incidents of torture included individual and collective rape against captured women, forced nudity, and accounts of being forced to see or hear how other men and women were being tortured.

A protected witness related that they were held in the clandestine DIT center, subjected to interrogations through violence, individual sexual violence, and other forms of torture: “While standing at the bus stop, my brother told me to run, at that moment I received a blow to the head by individuals dressed in military and civilian clothes, they threw me in the cargo bed of a pickup, I could not see anything, they sat on top of me, they broke my nose.”

Another excerpt of the declaration expresses: "They hit me in the face with short weapons, I still have scars on the back of my head. While I was there, a man entered a room where they held an 18 year old woman, they raped her in front of me. They hit me, the worst was when they forced me to watch the torture of other people."

The witness continued: "They took me to the University of San Carlos of Guatemala (USAC) and forced me to point people out. The torture that I suffered was that people I knew would greet me, I knew students organized in the Committee for Peasant Unity (CUC). In the San Rafael colony in zone 18, they had a house where they tortured people. They tortured me in zone 10."

The testimony of this protected witness demonstrates that there were bathrooms on the left side where men and women were tortured: "They raped me individually and in a group, saying: 'Ain't it true that we fuck better than the guerrilla?' and they pushed my face into the toilet. They made me observe the torture of other persons, including rapes, electric shocks, and the 18-year-old woman was asked the true names of the people she was with. There was a young blond man, with light skin, who was thin, wearing dress pants. They pressed his nails and hung him from his genitals, then left him in the bathrooms, he could no longer walk, so they dragged him."

The MP mentioned the cascading effect that led to the illegal capture of an individual. By torturing them to reveal the identities of others, this affected families in their own homes. In some of the illegal raids, the captors presented themselves as members of the DIT.

Documents seized from the home of the accused Oliva Blanco prove the identification, profiling, and tracking of victims and their families including their mothers, sisters, and partners, such as Nineth Montenegro, wife of Fernando Garcia; Aura Elena Farfan, sister of Ruben Amilcar, No. 134; Beatriz Velasquez, wife of Otto Estrada Illescas, No. 133; and Rosario Godoy, wife of Carlos Cuevas, No. 132.

Another of the seized documents gives evidence of the extended control over the Guatemalan Labour Party (PGT) structures and other organizations cataloged as subversive across the country, in contrast with the captures at the national level registered in the Diario Militar. In another document appears that there were instructions given by the accused Oliva Blanco to members of the State security forces on how to carry out the interrogations, raids, weaponry and treatment of the detained.



The prosecution began the presentation of the means of conviction against Edgar Corado Samayoa, Sargent Major Specialist, Vehicle Conductor II of the General Archive and Support Services of the Presidential Guard, between February 1981 and May 1985. Corado Samayoa is accused of participating in operations during November 2nd to 7th, 1983; November 28th, 1983; January 2nd, 1984, and from March 11th to 13th,

1984. Amílcar Blandemiro Orozco y Orozco, logged as No. 19 in the Military Diary, identifies Corado Samayoa as having participated in the operation of his capture, the same day two other victims were detained.

Orozco y Orozco confirms that the accused even bit his finger and identifies Corado Samayoa as one of his torturers in the clandestine detention center.

Santiago Rodriguez Melgar and Victor Rene Lopez Perez were detained and disappeared during this operation as well. Orozco y Orozco testified that he saw them both at the clandestine detention center. Arnulfo de Jesus Lopez Perez, brother of Victor Rene was subjected to cruel treatment when the clandestine and illegal structures raided his home.

Judge Miguel Angel Galvez adjourned the hearing until the prosecution would continue on Thursday, April 7, at 9:00am with the rest of the means of conviction against Edgar Corado Samayoa.



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