



# International Monterrey Model United Nations Simulation

American School Foundation of Monterrey



## International Criminal Court

**Topic:** Guatemalan Genocide: Prosecutor vs José Efraín Ríos Montt

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### I. Committee Background

Working as an independent body in The Hague since 2002, the International Criminal Court is an intergovernmental organization that hears cases from all around the world, prosecuting individuals for the most heinous international crimes of genocide, crimes against humanity, war crimes, and crimes of aggression. Currently, 124 countries are members of the ICC. In other words, they are each a party in the Rome Statute; this being the document that holds the foundation of the court and the defining characteristics of this special tribunal.

The United States, Russia, China, and India are some of the countries that are not currently a signatory of the Statute, this means that their citizens are immune from the ICC. In the case the UN Security Council sends a case to the tribunal, all UN member states are obliged to cooperate, since their decisions are binding on all. Through international cooperation, the court will ensure that they can comply with their prime objective of bringing justice to the perpetrators of the worst crimes known to humankind’.

### II. Introduction

#### Description and Definition of the Topic

Guatemala is a Central American country that distinguishes itself for having a “dominant Indian culture,” with mostly Mayan and Ladino influences (Britannica, 2020). After Guatemala’s independence from Spain in 1821, the nation began a long struggle towards freedom. They experienced many authoritarian regimes up until 1985 when they had their first democratic ruling. One of the most important events in the nation’s history is the Guatemalan Genocide. According to the United Nations, genocide occurs when a person or group of people commit acts “with intent to destroy, in whole or in part, a national, ethnical, racial or religious group.” These acts include both the killing and the infliction of bodily or mental harm on members of the group, among other actions.

José Efraín Ríos Montt was Guatemalan dictator that held office from 1982 to 1983 after being pushed out of power by a military coup. During this time, the Guatemalan army implemented a series of military operations such as “Operation Sophia” where Ríos Montt ordered the use of violent methods to suppress a guerrilla insurgency. The program “specifically targeted the Mayan population,” which the army and government thought formed a large part of the guerilla movement (Holocaust Museum Houston). In the span of three years, the Guatemalan army demolished 626 villages, massacred over 200,000 people, relocated more than 1.5 million citizens, and forced around 150,000 Guatemalans to flee the country and look

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for safety in Mexico. Today, there are still several participants of the genocide that have not been tried for their crimes by Guatemala's courts.

## **The Problem**

When Guatemala was a colony, the Spaniards imposed racial divisions that made natives second class citizens. However, even after Guatemala became an independent state in 1847, those divisions remained. Indigenous people continued to be oppressed by foreigners and non-indigenous Guatemalans who forced natives out of their rural homelands in order to work in coffee and banana plantations. Fast forward to the 1950's when Guatemala was ruled by a series of dictators. These dictators continued the oppression of indigenous people, which in turn benefitted plantation owners. After an unsuccessful military rebellion attempted to overthrow President Miguel Ydígoras, the rebel organization 'FAR' was formed. This marked the beginning of the Guatemalan civil war where the government responded with disappearances and imprisonments of any citizen who protested or opposed the dictatorship. In retaliation, the rebels created social movements as well as gaining a larger following.

By 1980, then president Romeo Lucas García initiated a counterinsurgency campaign which many believe marked the start of the Guatemalan Genocide. Since opposition to the dictatorship grew within the indigenous community, people who were indigenous or of indigenous descent were declared threats and enemies of the state. Civilians started to be systematically massacred and people who survived the massacres were kept in camps called model villages, where they were held captive by the military. Many were forced to become patrols and participate in the violence alongside the perpetrators, this included teenagers as young as fourteen years old.

In 1982 General Efraín Ríos Montt overthrew Lucas García and became the new dictator-president of Guatemala, his presidency was really brutal for the people of Guatemala. Under his rule, around a hundred people were slaughtered every day, most of them indigenous. Indiscriminate massacres and tortures were sanctioned by the military, and more than 100,000 women were raped, adding on over 600 villages were burned to the ground. Some people fled and hid in the mountains, but were later targeted and killed in bombing campaigns. Others hid in the forests and even escaped to Mexico. Meanwhile in the United States, then under the Reagan Administration, they continued to send aid to the Guatemalan army, providing supplies to murderers. The mass killings continued until 1984 when Guatemala, under international pressure, began to slowly transition into a democratic country. Even though the government and the rebels signed a peace agreement in 1996, Guatemala is still trying to convict those responsible for the genocide and bring justice to those murdered.

## **III. History of the Topic**

### **Chronological History of the Topic**

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At the age of 17, in 1943, José Efraín Ríos Montt joined the Guatemalan army. Three decades later, he rose to a position of power, achieving the rank of Brigadier General and Army Chief of Staff.

On November 13, 1960, an internal conflict arose in Guatemala as left-wing junior military officers from the Escuela Politécnica National Military Academy led a failed revolt. These young officers were outraged by the amount of corruption within the Ydígoras regime and the evident favoritism that was seen in military promotions. The final straw for these young officers was when the Guatemalan government allowed the United States to train their invasion forces for the Bay of Pigs Invasion of Cuba without distributing the military payoff that the government received from the US. Rebels fled to Honduras, a neighboring country, and formed a group known as the MR-13.

The MR-13 returned to Guatemala on February 6, 1962, and immediately attacked an American corporation previously known as the United Fruit Company (now named Chiquita Brands) that controlled many territories in Guatemala and other Central American countries. This attack triggered a response from Guatemalan citizens as well as a violent response from the Ydígoras regime.

A group consisting of the Guatemalan Labor Party, the MR-13, and a student group called “Movimiento 12 de Abril”, a group made up of mostly middle class intellectuals and students, was later established. Their operations were supervised in different parts of the country, and they established fronts made up of no more than 500 combatants as a form of defense. They were led by former associates of the 1960 army revolt who had been trained in counterinsurgency.

The Guatemalan government was supported by the United States government in the civil war against the MR-13 and other rebel confederacies. In 1968, a small band of rebels under the leadership of Marco Antonio Yon Sosa committed terrorist acts such as harassing communication lines, looting military supplies, assassinating army collaborators, and attacking different commercial and official installations. These acts of violence led to the death or “disappearance” of over 200,000 civilians in the duration of the civil war. These undertakings were mostly performed by the military, Guatemalan intelligence services, or the police. The majority of the victims of these crimes were indigenous activists, religious workers, journalists, refugees, academics, government opponents, and trade unionists. So many were killed, that this war was considered a genocide. According to the “Comisión para el Esclarecimiento Histórico” around 93% of the violence that occurred was committed by the government.

On March 7th, 1978, General Fernando Romeo Lucas García was elected, and he used his authority to exacerbate the counter-insurgency campaign. This campaign consisted of Guatemala’s military carrying out assassinations, rape, torture, robbery, and kidnappings, even more so in the northern department of El Quiché. The government denied any claims brought against them by the indigenous people who lived on their land.

Later, on March 23, 1982, General José Efraín Ríos Montt led a successful coup d'etat, and was able to overthrow General Fernando Lucas García, before the presidential transition of

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General Ángel Aníbal Guevara Rodríguez. Ríos Montt launched the *Plan Nacional de Seguridad y Desarrollo*, or National Plan of Security and Development, which coupled socioeconomic development with the eradication of revolutionary elements.

That December, the government sent the Army Special Forces, also called the *kaibiles*, to a town in Colombia, called Dos Erres where they committed what was considered the largest massacre of the civil war. Soldiers raped women, girls, and killed villagers, leaving over 200 people dead in three days. During this time, the army launched a sequence of classified military operations known as “Operation Victoria 82”, “Operation Sofia”, “Operation Ixil”, and “Operation Firmeza 83”. The United Nations determined that the implementation of these operations, the repression in some areas was indiscriminate, however, in others, it was planned. The mission of these operations was to annihilate the guerrillas and other organizations who worked alongside them.

By August 8, 1983, a military coup overthrew Ríos Montt from power and replaced him with his defense minister General Oscar Humberto Mejía Victores. In the beginning of 1986, Mejía Victores issued the 8-86 Decree, which granted a national pardon to all the people who were accused of political crimes from March 23, 1982 and January 14, 1986. By March of 1990, there began to be talks of peace between the Revolutionary National Unity of Guatemala (Unidad Revolucionaria Nacional Guatemalteca, or URNG) and the National Reconciliation Commission (Comisión Nacional de Reconciliación, or CNR). However, it was not until December 1996, when a peace agreement was reached and signed by Congress. This accord was Decree 145-96, and it included partial amnesty for common crimes, but excludes larger offenses such as genocide, torture, and forced disappearance. In 1997, Decree 133-97 abolished all pardons prior to 1996.

The UN 1999 Truth Commission concluded that the state had committed acts of genocide against Mayan citizens during Mott’s time in power. Adding on, the commission also determined that they caused colossal displacement and massacres of the civilian population. That same year, a group of Guatemalans joined a Spanish civil organization in a charge against eight officials, including Ríos Montt, with genocide and other crimes.

During a trial in Guatemala, a judge concluded that Ríos Montt, who was a general of the country’s army at the time of the genocide, had “known about the systematic massacres” of El Quiché and the bombardment of refugees by the aerial forces (NYT, 2018). However, even though Ríos Montt had both this knowledge and a massive influence in the army, he did not do anything to stop the killing of the Mayan citizens.

## Historical Case Studies

### The Bangladesh Genocide

The Bangladesh Genocide of 1971 was “one of the most extreme and destructive genocides” of the twentieth century (Liberation War Museum, 2014). Nonetheless, it is an event that is often forgotten by the international community. From March to December of 1971, the West Pakistani regime and its forces launched an attack on the Bengali population of East

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Pakistan. Rough estimates from experts place the death toll numbers at “nearly 3 million” (UAB, 2017). The genocide started during the Bangladesh Liberation War by the Jamaat-i-Islami [JI] political party, which was led by chief and Professor Ghulam Azam. On the night of March 25th 1971, the West Pakistani forces carried out “Operation Searchlight,” an attack that resulted in the deaths of an estimated 5,000 to 100,000” Bengalis (UAB, 2018). During the operation, soldiers targeted Hindu scholars, specifically murdering students and professors at universities. The goal of “Operation Searchlight” was to squander the Bengali nationalist movement by using fear tactics. However, after that night, the opposite happened. Bangladesh declared its independence from Pakistan, enraged by the actions of the Pakistan Army.

Over the next nine months, soldiers conducted mass killings of young Hindu men since they were the ones “most likely to join the resistance” (Carpenter 2016). Men, especially young boys, became the main target of the Army, with their deaths constituting 80% of the murders carried out during the genocide. The abduction and rape of women by the Pakistani forces also took place during these horrific months, with a final estimate of Bengali women raped ranging from 200,000 to 400,000 (UAB, 2017). In 2013, Ghulam Azam was tried and convicted for “conspiring, planning, incitement to and complicity in committing genocide” during the year 1971 in Bangladesh (Gatestone Institute, 2014). During the trial, Azam denied all allegations against him, including genocide and murder. Nevertheless, several allegations were stating that he created and led “pro-Pakistan militias which carried out numerous murders and rapes” throughout the year of the Liberation War (BBC, 2016). In 2013, Azam was convicted for his crimes, and was sentenced to 90 years in prison, however, he passed away in 2014, and did not serve any time.

## The Cambodian Genocide

In April of 1975, a Communist group known as Khmer Rouge seized control of Cambodia. Led by Pol Pot, Khmer Rouge’s policies were administered with the idea that Cambodia had been “tainted by exposure to outside ideas”, particularly by the West. The Khmer Rouge persecuted citizens that they deemed educated - such as doctors, lawyers, and current or former military police. Muslim, Buddhist and Christian citizens were also common targets. The group placed these citizens in collective living arrangements, and enforced “re-education” programs that encouraged a communist lifestyle. Despite the promise of being able to leave these camps once re-education was complete, most people were never liberated.

Refusal to abide by re-education conditions would result in death, with killings being carried out in fields and prisons. For over four years, the Khmer Rouge was responsible for the deaths of 1.7 million people through forced labour, starvation, and torture. The Khmer Rouge was removed from power through a Vietnamese invasion in January of 1979. In the years that followed, as Cambodia began the process of reopening to the international community, the effects of the regime became apparent. Pol Pot was sent to trial in 1997, where he was sentenced to house arrest until his death the following year. [BBC]. In 2009, the UN began a tribunal to

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locate surviving Khmer Rouge leaders and send them to trial. However, only three Khmer Rouge leaders have been tried.

## The Darfur Genocide

The Darfur Genocide was a conflict that took place in Africa between 2003 and 2005. Darfur is a multi-ethnic region in northwest Sudan with a dictatorial government “dominated by an Arab and Islamist elite” (USHMM). In 2003, revolutionary groups in Darfur launched an insurrection to protest “the Sudanese government’s disregard for the [...] region and its non-Arab population” (Britannica). As a result of the protests, soldiers from the Sudanese government, along with a militia group known as the “Janjaweed” began fighting rebel groups in Darfur. Not only did the army inflict violence upon the citizens of the region, but they also terrorized them, preventing international aid in the form of food and medical supplies from reaching them. The campaign carried out by President al-Bashir’s government included “aerial bombings and unleashed militias [...] accused of mass killings and rapes” (ABC News, 2020).

The Janjaweed also engaged in a scorching earth campaign, which consisted of the militia intentionally burning homes, villages, crops, and food stores in the Darfur region. The displaced citizens that had to accommodate in camps because of the violence then faced the “looting of relief supplies, killing, and widespread rape” (USHMM). Despite the signing of a Humanitarian Ceasefire Agreement in early 2004 and the arrival of African Union troops in the region, violence continued. By 2005, up to 300,000 citizens in Darfur had been killed by soldiers and more than 2.7 million displaced. Since 2009, the ICC has been looking to collaborate with the government of Sudan to press charges against then President Omar al-Bashir. Prosecutors are looking to try him for war crimes and several counts of genocide for allegedly organizing the attacks in Darfur. Nonetheless, because of his popularity in Sudan, citizens re-elected him as president in the 2010 elections, with his campaign achieving about 68% of the votes (Britannica). Today, most of those who were displaced have yet to return home “for fear that their villages will be attacked again” (USHMM).

## The Holocaust

The Holocaust was the systematic killing of more than 6 million people by the Nazi party and its allies that took place between 1941 and 1945. When Adolf Hitler came into power in January of 1933 as the head of a coalition government, his first objective was to end political opposition. Hitler specifically spread the idea that Jews were evil people who were at fault for the issues in the country. Most European Jews lived in countries surrounding Nazi Germany, which would later be occupied by the regime during World War II. In 1933, the Jewish population in Europe stood at over 9 million. Soon after coming into power, the Nazis created various measures to undermine Jews and other minorities and pressure them to leave the country. The deliberate targeting of Jews began in April, with the boycott of Jewish businesses. Later in May, thousands of Nazi students and professors stormed libraries to remove books written by non-Aryans, and those opposed to the Nazi ideology. The resulting actions led to a

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large increase in discrimination against Jews, with various laws coming into place in order to undermine the freedom of the Jewish people. Hitler's Storm Detachment troops also persecuted homosexuals and other people whose behavior did not match with the regime's "prescribed social norms", such as political dissidents, trade unionists, communists and social democrats.

As World War II started and the Nazi regime spread across Europe, the persecution of "biologically inferior" and "dangerous" people only increased. After occupying Poland, German authorities created ghettos which would be later known as concentration camps, where various people were sent by train and cattle cars. Some people were temporarily spared to perform forced labor in these ghettos, where death from starvation and disease was common. At first, mass shootings were the most common method of killing, claiming the lives of an estimated 1.5 million people. In late 1941, an additional method of killing was employed: the gas chamber. It ended up becoming the most common method of execution, often being linked to crematoriums where bodies were burned. Carbon monoxide was the most common type of gas used, although other killing agents were also employed.

Auschwitz, one of the most widely known concentration and extermination camps, was the final destination of many of these people. By the winter of 1944 to 1945, German forces desperately tried to evacuate these camps to conceal the vast crimes that had been carried out. One of the largest evacuations involved 60,000 prisoners from Auschwitz, who were put into freight trains and sent to other concentration camps. After Germany's surrender in May of 1945, prisoners in various of these camps were finally liberated. More than 250,000 survivors were found and sheltered in camps run by the Allied powers and the United Nations, operating until 1957. By the end of the war, the Holocaust was responsible for the deaths of nearly two thirds of the European Jewish population, and the deaths of thousands of other minorities. Prosecution of Nazi leaders has taken place throughout the various years since the war's end, including Nazi Party officials, high-ranking military officers, as well as lawyers and doctors who were involved in crimes against humanity. Nazi leader Adolf Hitler committed suicide and was never brought to trial.

## The Rwandan Genocide

Located near the center of Africa, Rwanda was home to one of the largest genocides in history. The Rwandan Genocide was the mass murder of the ethnic Tutsi population by the Hutu people. The killings began in April of 1994, and ended in mid July. They were sparked as a result of past conflicts between the two cultures. Acts of aggression between the Tutsis and Hutus throughout the 1990's coupled with decades of discrimination and "fear for a loss of power" eventually led to the start of the genocide. About 85% of Rwandans are Hutus, yet the Tutsi minority had long dominated the country (BBC). This was one of the largest factors that led to the genocide. The massacre was carried out primarily by Hutu supremacist groups and the state government of Rwanda. It took place over the narrow time span of 100 days, yet it claimed the lives of an estimated 500,000 ethnic Tutsis. It also led to the exile of upwards of 200,000 Tutsis

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to neighboring countries, where death in refugee camps due to fires and epidemics was common.

Unlike other genocides, the Rwandan genocide unfolded before the eyes of people across the world. UNAMIR, the UN peacekeeping force in Rwanda, was present throughout the course of the genocide. Although there were plans to send 4,500 UN peacekeepers to end the conflict, only 260 ended up being sent. The United Nations failure to accomplish and meet their goals involving peace-making facilitated the mass killings in such a short time span. Hutu extremists set up radio stations and newspapers that spread hate propaganda, urging people to kill the Tutsis. Weapons and hit-lists were handed out to locals, many of whom already knew where the people on the list were located. Rwandan Patriotic Front forces, led by Rwandan vice president Paul Kagame and backed by Uganda's army, eventually intervened and seized the territory of Hutu extremists. After the genocide stopped, over 2 million Hutus fled to neighboring countries. After being set up in 2002, the International Criminal Court tried the ring leaders of the Rwandan genocide. A total of 93 people were formally convicted, although more than 10,000 died in prison before being brought to justice. Trials have continued throughout the years, and are likely to continue in the near future.

## Past UN Actions

Since 1946, genocide has been considered a crime under international law. In 1948, there was a convention held by the UN aimed towards addressing how genocide can be prevented. The Genocide Convention, formally known as the 1948 Convention on the Prevention and Punishment of the Crime of Genocide, introduced a series of articles detailing the identifying factors of genocide and the legal proceedings if ruled as such. In addition, the United Nations Office on Genocide and the Responsibility to Protect has made a framework which allows government officials to step back and analyze the actions of nations before deciding whether or not they fall under the section of atrocity crimes. Specifically, the Framework details that atrocity crimes is an umbrella term for: genocide, crimes against humanity, and war crimes, all of which are considered legally defined crimes.

Furthermore, the UN has made it clear that while it is better to try and prevent genocide as a whole, the bloody atrocities committed in the 20th century prove that member states have failed to meet the expectations and articles that have been set in conventions. Countries have failed to uphold and meet their agreements. When found guilty of genocide, the UN has begun conducting swift responses, making it known that there must be immediate and efficient actions taken to protect affected communities. If countries are proven to be guilty, the UN will most likely refer to Chapter VI and Chapter VII of the United Nations Charter which address several different paths that can be taken to properly address such tragedies.

While there isn't much public knowledge about the United Nations involvement, it is known that the UN has meddled with the tragedies that took place in Guatemala. For example, there were 713 extrajudicial killings and around 506 disappearances that were reported to the United Nations by the Guatemalan Human Rights Council in a period spanning from January to

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September of 1984. The UN kept tabs on the on-going atrocities, and a report which began in 1983 noted that there were around 2,883 kidnappings with an average of 137 monthly kidnappings taking place in different parts of the country. More recently, the United Nations held a press conference in 2013 where they announced they would be holding a historic trial to bring proper justice to the victims affected in the genocide.

## IV. Key Players and Points of View

### Guatemala

In 2013, former Guatemalan ruler José Efraín Ríos Montt at the age of 86 was tried in a Guatemalan court with the charges of crime against humanity and genocide. He received a total sentence of 80 years in prison: 30 years for crimes against humanity and 50 years for genocide. Ríos Montt ended up serving 5 years in prison due to the fact that he had a heart attack at the age of 91. It was the first time a person of such power was tried by the national court as opposed to the international court. The genocide which Ríos Montt had partaken in had affected the Mayan community greatly. Armed forces had attacked over 600 villages which were all part of the Mayan community. They were murdered over money and power; from their perspective, they had done nothing wrong. To this day, the Mayan community still suffers from the results of the genocide. The burial of the dead plays a huge role in their religion and their idea of the afterlife. Even to this day, citizens finding bodies left over from the genocide and they are burying them to help them thrive in the afterlife.

### United States of America

The United States have been working closely with Guatemala for a long time. Their relationship started in 1824, when Guatemala became a member of the Federation of Central American States due to the fact that Guatemala gained its independence from Spain in 1821. Later on in 1956, the U.S. overthrew Guatemala's democracy (Guatemalan President Jacobo Árbenz who won the elections in 1950) on behalf of the United Fruit Company, whose executives went through the revolving door between UFC's board and the State department run by then U.S. President Harry Truman. Later that year, Guatemala invited the United States to create diplomatic relations with their new government. Both of these countries had a good relationship with each other. The US provided military aid to subsequent governments, from General Carlos Arana Osorio (President of Guatemala from 1970 to 1974.) through General Efraim Rios Montt.

### Mexico

Mexico's relationship with Guatemala has varied across the years. Mexico's role as a bordering country mostly pertains to topics such as migration, which played a significant role throughout the period of the Guatemalan Genocide. Between 1981 and 1983, as many as 1.5 million Guatemalans were displaced due to extensive use of military power and targeting by the country's government. Out of this number, an estimated 150,000 sought refuge in Mexico. Although many Guatemalan Mayans ended up in the United States, nearly all of them lived in

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refugee camps located in Southern Mexico at one point of their journey. According to the United Nations High Commissioner for Refugees, the Mexican government granted refugee status to approximately 50,000 people, who were dispersed throughout the states of Chiapas, Campeche, and Quintana Roo. Despite this, recent relations regarding migration between the two countries have not been as open as before. New measures, such as stricter control of border entry and migration demanded by U.S president Donald Trump, have permitted less Guatemalan refugees to step foot into the country.

## Spain

Judge Santiago Pedraz from the Spanish National Court heard testimonies from victims of this civil war on February 4th, 1999. The Guatemalan Genocide Case began when a criminal charge was filed against Guatemalan government officials, in Spain, by Rigoberta Menchú Tum and Guatemalan non-governmental organization, which charged the officials with genocide, terrorism, and methodical torture. Efraín Ríos Montt and Oscar Humberto Mejía Víctores, among other Guatemalan officials, face these charges in Spanish court. In 2007, Guatemala made the decision to deny Spain's request to extradite the defendants, but the Spanish National Court decided to continue the case.

## Belize

Belize, a country that borders Guatemala in the East, has had a challenging relationship with the country. From an on-going territorial dispute to clashing political views, Belize and Guatemala have struggled to come to terms with each other's positions on various topics. During the atrocities committed during the Guatemalan Civil War, Belize became a safe haven for many Guatemalan refugees. During this time around 900,000 Guatemalans "[became] refugees in Mexico, Belize, and the United States" (Foster 84). Furthermore, Belize has had mixed relations with the International Court of Justice, however, they believe that peace will come after visits to the ICJ are made. Despite being neighboring countries, Belize's highly progressive population has always stood against Guatemala's treatment of Indigenous people. In fact, "Belize has empowered its Indigenous peoples with respect to land ownership. [...] compared to Guatemala, Belize is an Indigenous paradise." (Amandala). Belize has clearly made strides in properly acknowledging the presence of Indigenous populations and their rights.

## **V. Current Status and Charges**

The trial is crucial in holding the political and military leaders accountable for their international crimes. 30 years after the massacres, the people responsible are yet to face consequences for their actions. The United Nations sponsored truth commission found that state security personnel and paramilitaries were responsible for 93 percent of the violations. It recognised over 600 massacres and found that the government was responsible for the systematic violence which included executions, forced disappearances, sexual violence and death squads.

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Rios Montt has lost his immunity as a member of Congress. He appeared before the Office of the Prosecutor for Human Rights, which served in order to receive information about a possible criminal investigation, to which he offered to voluntarily appear before a preliminary hearing. Shortly after, Judge Flores formally accused Rios Montt of genocide along with three other retired generals.

Currently, Rios Montt is awaiting trial before a three judge panel while under house arrest. Prosecution has presented that Montt is responsible for the massacre of nearly 2,000 Mayan Ixils and 29,000 cases of displacement along with the first charge of genocide, in relation to 15 massacres against the Ixil population living in the Quiche region. He faces a second set of charges which include those of actual genocide along with crimes against humanity. Shortly after, a three-judge panel of the High-Risk Tribunal set a date for the commencement of the trial, it was initially August 13 but later moved to March 19. The defense tried filing an *amparo* appeal, “seeking the court’s upholding of the 1986 historic amnesty” which remains pending before the Constitutional Court (International Justice Monitor).

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