

Ex-Dictator Is Ordered to Trial in Guatemalan War Crimes Case.

By ELISABETH MALKIN

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MEXICO CITY — A Guatemalan judge on Monday ordered Efraín Ríos Montt, the former dictator, and his intelligence chief to stand trial on charges of genocide and crimes against humanity in connection with the massacres of villagers in remote highlands three decades ago.

The ruling clears the way for a public trial for [Mr. Ríos Montt, a former general](#) who ruled [Guatemala](#) for 17 months in 1982 and 1983 during the bloodiest period of the country's long-running civil war. It is a stunning decision for Guatemala, where the military still wields significant power behind the scenes and the country's elected governments have struggled to build democratic institutions.

"The principle function of the state and its officials is to protect its citizens," said Judge Miguel Ángel Gálvez before finding that there was sufficient evidence to try Mr. Ríos Montt, 86, and another former general, José Mauricio Rodríguez Sánchez.

The two are accused because they had final command over troops that killed 1,771 people in the Mayan-Ixil region as soldiers carried out a scorched-earth campaign to hunt down left-wing guerrillas.

In a telephone interview after the judge's ruling was announced, the prosecutor, Orlando López, said that all the evidence the attorney general's office had submitted, including the testimony of 140 witnesses and internal military documents from the time, was enough to ensure that a trial would go ahead.

"Legally, we were certain," Mr. López said. "But politically we considered that it would be difficult because of the circumstances, with a former military man in the government."

President Otto Pérez Molina is a former general who has said he does not believe that the killings during the war amounted to genocide.

A United Nations truth commission determined that the military had carried out "acts of genocide," including in the Mayan-Ixil villages during the war, in which 200,000 people died.

Mr. Ríos Montt's defense lawyer, Danilo Rodríguez, argued in court last week that his client never signed orders to eliminate the Ixil Indians or identified them as an internal enemy.

"After the truth commission, people said it was not enough, this is a compromise, justice is being crippled," said Almudena Bernabeu, a lawyer with the [Center for Justice and Accountability](#) in San Francisco, who has worked with victims' groups to bring a case under Spain's universal jurisdiction rule.

Cases brought by survivors' groups against Mr. Ríos Montt and the top military leadership had been stalled in the country's weak judicial system for more than a decade.

"For Ríos Montt to be tried breaks the wall of impunity," said Victoria Sanford, an anthropology professor at the City University of New York who has written about Guatemala's civil war. "It says genocide is genocide and it is punishable by law."

As a legislator until last January, Mr. Rios Montt was protected from prosecution. Prosecutors filed charges when his term expired, but his lawyers' appeals delayed the case.

Scholars of Guatemala said that a number of factors combined to get the case to court, including the tenacity of the attorney general, Claudia Paz y Paz, and successful efforts to appoint more independent judges.

Anita Isaacs, a political scientist at Haverford College who studies Guatemala's attempts to deal with its war crimes, also suggested that the military itself might have changed its stance on Mr. Rios Montt's case. "There was a hope that if he could be brought to trial, this could be the end of the armed conflict," she said.

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