

INTERVIEW

Helen Mack, president of the Myrna Mack Foundation

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Helen Mack has become an international referent in the defense of human rights and the fight against impunity in Guatemala. Since the murder of her sister Myrna, in an intelligence operation in 1990, she has fought for justice to be done and for the truth in the case to be revealed. It is a struggle full of obstacles that continues to this day.

What did the creation of the Truth Commission in Guatemala entail for the victims?

When we began to talk in South America about the concepts of what is now known as transitional justice – truth, justice, reparation and guarantees of non-repetition – expectations were raised. And, with the creation of the Truth Commission in Guatemala, victims and their families saw a direct opportunity to give their testimony and for the truth to be really heard. This was very important because many people do not relate what happened until they are given this opportunity. In addition, the methodology was good and the Commission approached victims in the most remote villages, where there is no development and travel is almost impossible. However, a number of recommendations came out of the Commission that unfortunately have not been implemented because they are not binding.

Has there been a lack of political will?

Exactly. The President of the Republic – Álvaro Arzú – did not receive the Commission's report when it was presented, which symbolically was interpreted to mean that it was

not accepted. There is a written truth, which is in the texts of the Commission, but there has been a rejection, a refusal, to accept this truth. And it is a truth that remains largely unknown by the majority because it is not included in our education system. They want to impose their truth, not the truth that is written and has been related by the victims.

Who are you referring to when you say “they”?

As the Commissioner of the International Commission Against Impunity in Guatemala (CICIG), Iván Velázquez, said recently the Guatemalan State was designed to preserve the impunity of the political, military and economic elite that has controlled the country and that is not interested in development or in the truth, but in benefiting from the protection of their own interests. There has been impunity for white-collar criminals, of this elite, and that is how the State has been co-opted. In the transition to democracy corruption was democratized, and the impunity of the past is the impunity of the present. The same actors implicated in human rights violations in the past are being charged with corruption today, and they are the ones who are impeding justice from being served on the victims. The army in Guatemala won the war – unlike, for example, what happened in Argentina – and therefore the fight for justice and truth continues.

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the impunity of the political, military and
economic elite that has controlled the country ”**

The truth in the case of the murder of your sister, Myrna Mack, has not been entirely clarified either.

My sister was killed in September 1990. The first time we were able to secure the conviction of a direct perpetrator was in 1993 and it wasn't until 2014 that we received the sentence against a colonel, a higher ranking officer. We proved that Myrna's case had been a special intelligence operation and how, for the crime to go unpunished, it became necessary to kill the police officer in charge of the investigation who had identified the main suspect, Beteta Álvarez. Together with this policeman, Mérida

Escobar, two civilians were captured and tortured; one was killed and the other one disappeared. Now, in April, 27 years later, we received the sentence in the case of Mérida Escobar. I was hoping that at the end of this process I would be able to bring closure to the grief I have carried for the past 27 years. And what was the sentence? They acknowledge the existence of a plan but they absolve the chief of police and only sentence three agents to 25 years. This presumably legal truth is not the truth; the truth according to the justice system is not the whole truth due to the system of impunity that exists. We are at a 97 percent rate of impunity in Guatemala.

In this scenario, is the work against impunity being carried out by the CICIG useful?

The CICIG is playing an important role in the fight against corruption and it is revealing the injustices of the impunity of the present, which is the impunity of the past. Its work has been a contribution but, as Commissioner Velázquez said, this State is designed to ensure the impunity of the elite. And the judges – though not all of them – are there to guarantee this impunity.

Without truth or justice, can there be reconciliation?

There can be no reconciliation when truth is not brought to light, when the roots of the conflict are not addressed and without institutional reform. Besides, here there is another debate: it is said that we cannot talk about reconciliation because we had never been conciliated, which is the previous step. And that is also in the conclusions of the Truth Commission: the exclusion and discrimination, which persist today. This is one of the three most prominent conclusions of the report, together with the concentration of power – which also continues to this day – and the fact that citizens cannot direct our petitions due to this concentration of power that is only at the service of this political-economic-military pact; what the CICIG has called “illicit political and economic networks.” Here is where you realize that the Truth Commission’s report was very useful for the victims but not for the country due to this lack of political will.

“ The truth according to the justice system is not the whole truth; it is not the truth of the victims

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During the armed conflict repression was especially harsh against indigenous populations and women. Is the protection of these communities still a challenge twenty years later?

There has been no reconciliation for indigenous populations and, once again, the State has failed to honor the commitments of the Peace Accords whereby investments were to be made in the areas most affected by the conflict, in the western part of the country. And this has again triggered the crisis of the “unaccompanied children” [minors who flee violence and try to cross the United States border], which has become a national security problem for the United States. Now the demand for greater investments in the areas inhabited by indigenous communities comes from the American government, not because they are interested in human rights, but because they have a problem with immigration.

Is the absence of a historical memory law also an obstacle to move towards peace?

This is another battle for the victims, the fact that the State has ensured that it not be implemented. Once again, if we look at the Commission’s recommendations, a commission to investigate forced disappearances has not been set up and the memorials haven’t been created either. And what has been done in this respect has been thanks to the efforts of the victims, with the support of the international community, or because there are several Inter-American Court rulings that prescribe it be done.

However, the discovery of the National Police archives was a significant development in the recovery of historical memory. What did this entail for the victims?

It was an accidental discovery and, in effect, it provided information about the victims that confirms that the police were an operational appendage of the army and a source of information. It confirms how the police detained and handed over people to the authorities to be tortured and killed. From an institutional perspective, the police department is not recognized in the Constitution because the army wants to maintain control to use it in their own interests.

“ Peace processes are carried out because they entail an economic advantage, not because of a real interest to end the conflict ”

What lessons can be drawn from the post-conflict situation in Guatemala?

Every country has its own different circumstances but what we can see is that peace processes are carried out because they entail an economic advantage, not because of a real interest to end the conflict. If peace isn't economically profitable, why should I make peace? At an international level the objective of peace is the exploitation of natural resources and economic agreements with multinational corporations.

Are you hopeful that the situation might change?

No, because there doesn't seem to be an alternative of a more just economic system. In Guatemala the newer generations have a more critical way of thinking, and this is positive, and they see that the continuation of the state model we have affects them as a whole. They are tired of the corruption and they have taken a more active role where they are demanding change. But those of us who belong to the older generations must accompany them and we are barely starting to walk through the storm; we haven't even reached the eye of the storm. The resistance of this concentration of powers hasn't been undermined yet.

Do you still have strength to keep on fighting?

We are going to appeal the sentence in the Mérida Escobar case, of course, although you realize that nothing changes. And then there is the criminalization of the victims, with claims that we want to live in the past, to keep on stirring things up, and that we don't want reconciliation. For the State people were a file; for us they are our loved ones. How do you conciliate that?

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