

U. S. Citizenship and Immigration Services

[TEXT ONLY](#) [HOME](#) [WHAT'S NEW](#) [FAQS](#) [SEARCH](#) [GLOSSARY](#) [FEEDBACK](#) [TRANSLATE](#) [PRINT/PAGE](#)

Immigration Services and Benefits Programs

Overview

National Customer
Service Center
(NCSC)

Emergency Travel

Naturalization

Citizenship

Green Cards (LPR)

Temporary Visitors

Employer
Information

Inter-Country
Adoptions

Temporary Protected
Status

Asylum

Overview

History

Training Materials

Resource
Information Center

Asylum FAQ

Two Paths
to Asylum

Affirmative Asylum
at a Glance

Affirmative Asylum
Process

Types of Asylum
Decisions

Coercive Family
Planning

Guatemala

Response to Information Request Number:	GTM02005.ZSF
Date:	January 16, 2003
Subject:	Guatemala: Information on the Re-emergence of Civil Patrols in Post-War Guatemala
From:	INS Resource Information Center
Keywords:	Guatemala / Civil Wars / Combatants / Damages / Extrajudicial executions / Human rights violations / Human rights workers / Lynching

Query:

To what extent are civil patrols active again in Guatemala? Are individuals who refuse to join Community Security Committees at risk?

Response:

Sources available to the RIC indicate that the former Civil Patrols are alleged to be responsible for ongoing human rights violations. These violations are committed either by still-active civil patrols or by former civil patrollers who are seeking remuneration for their service in the Guatemalan civil war. In some instances the active civil patrols are called Community Security Committees.

BACKGROUND

Organization of the Civil Patrols (Patrullas de Autodefensa Civiles, PACs) began in 1981 and was legally formalized in 1983 (CEH, p. 182). Estimates on membership in the PACs vary significantly. Amnesty International estimates that PAC membership ranged from 500,000 to one million (4 Sep 2002, p. 2). The Commission for Historical Clarification (CEH) states that the Army's official count was one million civil patrollers in 1982 (June 1999, p. 190). The Guatemala Human Rights Commission (GHRC-USA) places peak

Reasonable Fear
Screenings
Refugees
Humanitarian Parole
SAVE (Verification
Program)

membership at 1.6 million. Membership represented the various racial and economic strata of Guatemalan society. Under the "Beans and Bullets" Program initiated by the Rios Montt administration in 1983, "those who joined got food, seeds and machine guns - and those who didn't often got killed after being turned in by neighbors as suspected guerrillas" (15 Oct 2000, p. 6).

RE-EMERGENCE OF THE PACs

Although the PACs were disbanded pursuant to the Peace Accords, Amnesty International reports that "the PAC and the military commissioners have retained their close ties with the military and continue to carry out human rights violations, including threats, intimidations, lynchings and murders" (4 Sep 2002, p. 3). The July 1998 report by the United Nations Verification Mission in Guatemala (MINUGUA) "noted the role of former civil patrollers in the growing number of lynchings taking place in rural areas...It noted that most lynchings occur in communities where the civil patrols had been prominent and powerful, and that in some cases former patrollers have been directly implicated" (INS-RIC 2000, p. 8).

ABUSES ALLEGEDLY COMMITTED BY COMMUNITY SECURITY COMMITTEES AND FORMER PAC MEMBERS

In 1999 the GHRC reported that the post-war equivalent of the PACs, the Community Security Committees, were threatening community members who did not want to join. "Several communities in the municipality of Sacapulas, Quiché, are being threatened for resisting membership in Community Security committees...[according to] Miguel Tun, leader of the Runujel-Junan Council of Ethnic Communities (CERJ)." He said that threats range from verbal attacks to intimidation, and "that the communities have asked the local authorities to intervene to put an end to this harassment" (GHRC-USA, 24 May 1999, p. 5).

The mayor of Joyabaj, Quiché outlined the creation of a "Joint Committee of Local Security" in March 2000 as an instrument to combat crime. The new group was to be headed by the Assistant Mayor and "supported by the 'pro-betterment' committees (comités promejoramiento)" (GHRC-USA, 13 Mar 2000, p. 6). The mayor's statements indicated that the instructions originated with Guatemalan President Alfonso Portillo. Residents of Joyabaj have expressed concern that the Joint Committee of Local Security would act in the same manner as the ex-military commissioners. Residents also "fear that these actions could lead to subjugation as occurred with the paramilitary PACs during the de facto government of General Efraín Ríos Montt" (GHRC-USA, 13 Mar 2000, p. 6). According to Francisco García Morales of the Human Rights Ombudsman's Office in Quiché, there is cause for concern as former PACs are reorganizing as committees for community improvement (GHRC-USA, 15 Oct 2000, p. 6).

Residents of Chinanton and Agua Hedionda reported that former PACs of San Andrés Sajcabaja fired guns near people's homes and threatened to kill anyone who prevents [the

PACs] progress (GHRC-USA, 15 Jun 2000, p.2).

Members of the Campesino Unity Committee (CUC) in Quiché were threatened by members of Local Security Boards, "most of whom are former civil patrollers (PAC) organized by the National Civil Police (PNC)." Zacualpa residents received threats from the boards, "who label them former guerrillas simply for working in an organized manner" (GHRC-USA, 4 Aug 2000, p. 3).

In 2000 both MINUGUA and the Guatemalan Human Rights Ombudsman's Office (Procurador de Derechos Humanos, PDH) launched investigations into the resurgence of the PACs. The MINUGUA investigation centered on a group of former PACs called "The Chain." This group was operating in the villages of Xecopol, Sacabal and Xalbaquiej, and the municipality of Chichicastenango in the province of Quiché (GHRC-USA, 4 Aug 2000, p. 4). The Human Rights Ombudsman's Office (PDH) investigated accusations "that former Civil Patrols are re-emerging in Quiché, Huehuetenango, Jutiapa, Chiquimula and Peten." Reports indicate that the former PACs have been involved in the lynching of suspected criminals. However, "in a number of cases the victims of these lynchings have turned out to be innocent of any crime" (GHRC-USA, 15 October 2000, p. 6).

The renewal of PACs was also noted in Rabinal, 125 miles northwest of Guatemala City. The Vice Mayor of Rabinal, Lucas Tecú, was the head of that community's PAC during the war. He has called for a referendum on re-instating PACs, a step that would violate the peace accords. The Rabinal coordinator for the Centro para Acción Legal en Derechos Humanos (Center for Legal Action in Human Rights, CALDH), María Dolores Itzep, "says the renewal of civil patrols stems from death sentences given three ex-patrol members in 1998 for helping to oversee a 1982 state-directed massacre in nearby Rio Negro. 'The ex-members here are scared and angry because of that...That is the reason activity has begun here'" (GHRC-USA, 15 Oct 2000, p. 6).

In June 2001, the GHRC again reported violent attacks by people believed to be former civil patrollers. Peasant leader, Carlos Morales, also a member of the Coalition of Community Organizations (UVOC), was attacked in Baja Verapaz and attempts were made to lynch him. Around the same time, an Amnesty International Urgent Action stated that "approximately 30 heavily armed men believed to be former civil patrollers (PAC) attacked the community of Los Cimientos Chiul, in Chajul, Quiché. The assailants reportedly raped three women, and destroyed 86 houses, forcing 90 families to flee. The patrollers also kidnapped seven children, but released them the next day. Several of the displaced families sought refuge in nearby aldea/area of San Marcos." (30 Jun 2001, p. 4).

In an open letter to Presidents Bush and Portillo, Amnesty International called for the disbanding of the reorganized PACs citing renewed violence, including the cases immediately above and the possible lynching of a judge in Senahu (GHRC-USA, 15 Jul 2001).

In September 2002, Amnesty International issued an urgent action in response to the killing of a member of the Coordinadora Nacional de Viudas de Guatemala (National Coordination of Guatemalan Widows, CONAVIGUA). Manuel García de la Cruz was found decapitated and tortured after he left his home in the northwestern highlands to buy corn in the Joyabaj area. Mr. García de la Cruz had participated in trainings and exhumations for CONAVIGUA. Amnesty International states "in the context of an escalation of threats and intimidation directed at human rights defenders in Guatemala, and the public resurgence of the civil patrols, forensic experts involved in exhumations of mass graves were targeted (UA 68/02)" (AI USA 13 Sep 2002).

PAC REMUNERATIONS AND VIOLENCE AGAINST HUMAN RIGHTS ACTIVISTS

Ex-civil patrol members have mobilized in recent years around the issue of remunerations for their service in the Guatemalan Civil War. The Network in Solidarity with the People of Guatemala (NISGUA) reported that public mobilization of former civil patrollers began in June 2002. President Alfonso Portillo has indicated support for these payments and "there are indications that the reorganization effort is being manipulated by individuals affiliated with the Guatemalan Army (both active and retired) and by the Guatemalan Republican Front (FRG) political party as part of their election year strategy..." (NISGUA 12 Feb 2003).

Reparations to civil patrollers have been opposed by both conservative and liberal elements of Guatemalan society, including the Guatemalan Chamber of Commerce, CACIF (Coordinating Committee of Commercial, Agricultural, Industrial and Financial Organizations), the URNG political party, and human rights groups. Human rights groups oppose reparations because of atrocities committed by the PACs during the civil war (AI 4 Sep 2002, NISGUA 12 Feb 2003).

Payments to the former civil patrollers have been delayed various times. This delay has led some PAC members to blame human rights groups for holding up the payments. In August and September 2002, former PAC of Ixil, Quiché, blamed human rights groups including MINUGUA, PDH, and the Rigoberta Menchú Foundation (FRMT) for this delay. On January 26, 2003, the governor of Quiché, while speaking at the village of Ilom, reportedly stated that funds were available for reparations, however, payment had been delayed by CALDH, PDH, and the Movement of Displaced Peoples of the North of Quiché. The governor "stated that if ex-PAC members did not receive the payments by 20 March this year [2003], it was the express responsibility of the three organizations named above" (AI-USA 18 Feb 2003; NISGUA 12 Feb 2003).

This response was prepared after researching publicly accessible information currently available to the RIC within time constraints. This response is not, and does not purport to be, conclusive as to the merit of any particular claim to refugee status or asylum.

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