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TRANSCRIPT

"ACCOUNTABILITY IN GUATEMALA: THE ROLE OF FORENSIC ANTHROPOLOGY"

A Conversation With Fredy Peccerelli

Moderator: Sandra Coliver

* * *TRANSCRIBER'S NOTE: MOST NAMES SPELLED PHONETICALLY, HUMMING NOISE IN BACKGROUND THROUGHOUT.* * *

ANNOUNCER:

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SANDRA COLIVER:

So welcome, thanks for coming. We didn't give you much notice, and it's early in the morning. But we are very pleased that we have with us-- this week Fredy Peccerelli from the Forensic Anthropology Foundation of Guatemala. Fredy will present a slide show which makes some of the connections between his forensic anthropology work, and the search for truth and justice in Guatemala.

Fredy is-- has been a forensic anthropologist for 20 years. Established the Forensic Anthropology Foundation of Guatemala back in 1994. And-- his group is one of the three preeminent groups in Latin America, and really-- internationally, because it's really been in Latin America that this work has been pioneering.

He has one of the two labs in all of Latin America that are certified at the highest level of D.N.A.-matching analysis. And that means meeting with these-- international standards. The other lab is a Columbia state government lab. So his work is relevant, not just for establishing the identities of people who have been missing for 20, 30 years, but he's also called upon by the current Prosecutor to help

to-- establish identities in modern-day crimes. So Fredy, I will turn it over to you. And look forward to hearing from you, and please-- supplement that introduction.

FREDY PECCERELLI:

Well, thank you, thank you so much for-- for coming to hear a little bit about our work in Guatemala. And thank you Sandy so much for this, and everything else you do for-- for the Foundation, and for-- for the victims in Guatemala. I'd like to-- to begin by looking at-- the issue of how we contribute to accountability a little bit.

And tell you that what we do is provide technical expertise for the recovery and interpretation of physical forensic evidence. We have to understand what that means, and you should maybe sit up. (BACKGROUND VOICE) Because we've recently realized that, although we also take testimonies, although we come across documents, our strength in the judicial system is to provide an interpretation of the physical evidence. And also referred to as real evidence, things you can touch that show what happened to that individual.

We have so far conducted over 1,700 investigations, and have presented-- actually it's about 1,400 expert reports to the M.P. M.P. is meaning (FOREIGN LANGUAGE) or the attorney general's office. The attorney general's office now, since-- Claudia Paz y Paz is the-- the attorney general-- and probably till May when she-- she will no longer be the attorney general-- has supported their human rights office-- their human rights section quite a bit in these last three and a half years.

So now for the first time since I've been back-- I mean, I grew up in New York and I went back to Guatemala in '95-- and for the first time since I've been there, we get requests from the Prosecutor's office now. Which is odd for us, because usually these cases were all pushed by organizations and families. And sometimes there had to be hunger strikes, and marches, and we-- they sort of had to force individual Prosecutors into conducting those investigations.

That is no longer the case. Now we get pressured by an entire office of Prosecutors asking us for information, asking us for more exhumations, et cetera, et cetera-- to do pattern analysis now. Which is extremely fulfilling, and we can-- we're just hoping that it-- it can continue.

Among the cases that we present that evidence in is the genocide trial-- against-- General Rios Montt that had-- occurred last year, where we presented evidence in 128 different cases. Where we can see clear patterns of women, children, elderly being systematically massacred, as well as other patterns of violence-- the way people were being killed. And I'll go into that in-- in depth-- depth in a minute. Thirty seven of eff-- of our experts presented these reports, and they dated back from exhumations carried out between 1998 all the way over to 2009-- 2009, 2011 I think. And I'll explain to you.

But-- the experience of that trial specifically has now led us to realize that more coordination is needed. The days before this case went to trial-- the Prosecutors

found themselves in a panic. And so did we, because we weren't sure how the case was gonna be presented. And one of the things that happened during the trial, which probably none of you noticed, was that of the test-- of-- of the witnesses that testified, none of them were from the communities where physical evidence was given. They were from the same area, but they were not from the same communities.

So the physical evidence was not corroborating specific testimony, it was generalized. And it worked, because they were-- the Defense strategy was not in the courtroom. The Defense strategy was being played in the political arena at a different level. And getting a conviction-- well, they figured they could probably get it stopped before it happened. But if it did happen, well, there was other things they can do.

In the future, we don't believe that's gonna work, and we need to coordinate better. And we need-- we have the-- we have the witnesses, we have the physical evidence, we have to documents. There is no reason why these can't be presented in an orderly, coordinated fashion-- so that everyone can understand what happened at each one of these places. Which is, you know, important-- for each individual, not only each community.

The forensic experts, now we're pushing for this, should actively assist Prosecutors in building the legal case. Now this means not only conducting the exhumation and then being called to testify ten years later, but actively maintain communication during that time. So then together, we can develop a strategy and give the information to the Prosecution of which way they can go with this.

There is a direct link (NOISE) between the types of evidence. This goes back to our (UNINTEL), that testimonial documentary on physical evidence. And we should be looking for patterns. And the-- the images that you see here are actually, you know, ropes-- that are used in-- for example in the Achi region of Guatemala which is-- (FOREIGN LANGUAGE). There is-- we now see a tendency to use-- ropes or gorucks (?), basically ropes with a stick behind them that are used to-- to crush a persons neck, and dislocate the axis-- and causing death.

But we see it more in that region than any other region. We also see-- the killing being conducted more and more for per-- longer periods of time by civil patrolmen, which is different than what we see in the Echile (PH). The Echile, we see a peak in 1982 and then it goes down. In the-- this area of-- of-- of Guatemala, we see massacre, after massacre, after massacre. Now we can tell that these are tied to empowering the civil patrolmen to also enforce-- the movement of the communities along the-- the area where the-- where the water dam was gonna be built.

So there is a pa-- pattern that we have to look for. And also the patterns of trauma that I-- that I can show (NOISE) you in the-- in the video. Now we have to understand that what we are g-- now getting from all this evidence, is we can now see planning, we can see specific counter insurgency operations, we can see control tactics. We can see actual fore-- forces appearances, extra-judicial executions, torture.

And this is something that the entire set of evidence gives you, not only the physical

evidence. Now although the F.A.F.G. has conducted over 1,700 forensic investigations during the past 20 years, it is really important that you understand that only 15 cases have made it to trial.

This is an image of-- taken during the Rios Montt trial. Now of those ten cases, forensic evidence was only used in ten of them. When we explore who was tried during these cases, we realized that only in six of those cases-- which is the Murder Matt case (?), (FOREIGN LANGUAGE), Fernando Garcia, Dos Erres, and Rios Montt involved members of the Guatemalan army. The other trials only involved civil patrolmen or military commissioners.

So really it's only six out of over 1,700 that involve military officers of some kind. The level of impunity for human rights violations committed during Guatemala's internal (UNINTEL) is almost absolute. Statistically, we can say that only .88% of the investigations have reached a trial state. That's less than 1%. To put this into perspective, and when we (NOISE) look at the commission information, the Historical Clarification Commission identified 669 massacres. Out of those, they attributed 629 to-- military-- the military or state agencies. Only four of those 629 have made it trial.

And this is if you exclude the cases used in the genocide trial, because again, they were used to all this-- they were so disorganized that none of them actually mattered in themselves. But it's important that we understand that those are cases of massacres. Now, when we look at enforced disappearances (PH), which is very different-- and I'll explain to you how different they are, only five cases of enforced disappearances have made it to trial.

(FOREIGN LANGUAGE). The lack of forensic evidence and the very limited number of identifications of these bodies of victims of this type of crime have made it almost impossible to take these cases to (UNINTEL). So a lot of these cases, for example the Fernando Garcia case, was based more than anything on documentary evidence that came from the-- from the National Police Archive, which is great. But it will give you very limited-- information about all of the people that will disappear, or a larger majority that disappeared.

We have in the last year or so conducted a 130 identifications of victims of enforced disappearance that could not have been possible without the D.N.A. database. These are identifications of people who were believed to be in one place, and we found their body in-- in another place. I mean, there is no way we could have found these people without D.N.A., none.

So far, 130 and growing-- and then growing because the D.N.A. database is growing, and you need to have both things. You need to have the D.N.A. profiles of the skeletons, and you need to have the D.N.A. profiles of the families-- of the right family members, at that. And when you cross those, you might get a probability of identification.

Now that's very different than what you saw here in New York, at the World Trade Center. In the World Trade Center what you saw was direct identifications--

identifications through direct matching D.N.A. But people were home the day before. So you can go back and take samples-- their own samples. From their brushes, from their-- clothing, from their beds, it's-- from their toothbrushes, et cetera.

So that's sort of like-- when a rape case is done. You have the-- the perpetrator's profile, and it's either it is that person, or not. There is no probability. It's the same exact profile, or it isn't. With this type of matching, it's kinship analysis. We're figuring out how probable it is that this individual belongs within this family. And what that does, is it creates the obstacle of having to have the right family members.

So what we're looking for are parents, siblings, or children. And then we can-- with a very high level of certainty, tell you we are sure with a number. Usually in the billions, sometimes in the trillions. And if we're not too sure, in the millions. But we can say, "This individual belongs to this family, and is likely that he belongs there 23 billion more times than if this happened by chance." And that's pretty strong evidence. I mean, it's not 100%. D.N.A. evidence will never be 100%. But it's-- there's a lot of nines after the 99. And the longer the nines get, the more certain the D.N.A. analysts are.

We-- I mean, 'cause I consider myself a human identification specialist now, although I'm a forensic anthropologist, kinda have to learn what you can take from each one of these different disciplines to get the identifications. 'Cause in the end what's important is the identifications. I mean, the importance is to be able to give this body back to-- to the family. It makes all the difference in the world.

And this is an example. This is-- what I-- when I say empowerment, this is what I mean. This is-- in the-- all the way in the back, the gentlemen in the tie, his name is Nestor-- Nestor Villatoro. The second lady is his wife-- no-- well, it's his mother-- it's Nestor's mother, the victim's wife. His name is Amancio Villatoro.

Now, Amancio Villatoro was a-- a union-- a labor leader in Guatemala who was killed. He was captured on January 30, 1984, and was held in captivity for 57 days before he was-- executed. Now, I know this because he is one of the people that show up in the military diary. I don't know if you know what the military-- military diary is. It's a document that depicts it's-- it's-- it was taken from a secret military archive. Sort of sm-- smuggled out, and given to Kate Doyle and the-- of the National Security Archive. The original is here in Washington, D.C.

And it has six sections-- actually, this is all in the presentation later. But in the end, it shows individual following, individual-- targeting. And it has pictures, and it says, you know, in-- in Amancio's case, even the nicknames and how much he used to get paid. And what was, you know-- these are people that were identified as internal enemies of the state.

But then it also says, "300." Which before I knew it, meant "executed." So when we looked at the document, we realized that he was executed on that date. We found him in a military base two hours away from the city, although he was captured in the city. Nestor (NOISE) was the only one of his family who made it to the United States.

They were supported by the Coca-Cola-- un-- union in Guatemala, to take him out of Guatemala and get him to the States.

But he was the only one that made it across. And then the mother, and the three other children went back to Guatemala, they couldn't make it across. Nestor worked in the railroad, and eventually-- well, now he's a union leader. He's with the Nurse's Union, I think the largest and strongest in the country, according to him. And-- he's his father. He's like-- he's his father's son. When we told his moth-- his wife, Nes-- Amancio's-- wife and Nestor's mother and other-- the other children, which are now-- one's a doctor, and Samuel (PH) is a restaurant owner, and the daughter-- all four of them-- said, "Listen, we found you father."

Their reaction was a bit-- I mean, I was expecting more emotion. They were shocked. And then when we asked them, "Listen, do you-- are you gonna go public with this?" And the doctor asked, "Does the current president have anything to do with my father's disappearance?" And I said, "You know what, I don't know." So he said, "Because if he does, we don't wanna go public."

And I was disappointed, but it's their choice. Three or four days later, Nestor comes from the States. And we have to go through the whole process, and he asked, "Can I see my father's body?" Of course. And he goes, "But before you show it to me, tell me one thing. Did he have a metal tooth? A silver tooth around-- around here?" And I'm like, "You know what, I have-- I haven't personally seen the body, but-- let me check."

He goes, "Because about a week before he died, he-- he got a silver cap put under-- on a tooth, and he showed it to me. And he told me, 'If I ever go missing, maybe you can identify me with this.'" And it was there. It's a-- hu-- it's huge. And we didn't take it into consideration for identification because no one had reported it. He's identified nonetheless, because of many other things. But I thought that was very special.

When we sat down and spoke to Nestor, and I asked him, "Do you know what you're gonna do, and when you're gonna bury your father?" And he slammed the table and said, "We're never gonna bury my father. He's been hidden in the ground for 28 years, and we're never gonna put him back in the ground." I-- I didn't know what to do with that. I mean, I never-- nobody's ever told that-- said that to me.

So I said, "So what are you gonna do?" "We're gonna put him in a glass coffin, and we wanna create a museum and have him speak-- him tell his own story to people." And then I opened my big mouth, "Well, maybe you could do it at the Foundation in the meantime, while you guys get the museum goin'. You-- you know, since we have custody of the body you can do it here." About two weeks later, they had plans to change our garage into a make-- sort of a temporary museum.

And this is the temporary museum. This is the day it opened, and it's now-- this is-- it's going on its third year now. They've had-- the first year 3,000 visitors, last year 4,000 visitors and growing. And-- this family is completely changed. When you see Amancio's wife now, she looks like a different woman-- completely. She-- and-- it was interesting that his other brother-- when he gave a talk, started by saying, "I will

try to explain to you what it's like to have someone in your family disappear, but the truth is that you will never understand."

And I-- I started thinking. "Because no matter what I tell you, you will only know what it feels like if you go through it. And we don't want you to go through it, so you will never understand." But in his case, his father went missing-- his father was taken when he was eight-years-old. And he said, "I don't know what to do anym-- with myself now. The last-- I mean, the last 20 years of my life, all I've done is look for my father. Now that I've found him, I don't know what to do."

Well, now he's found something. He's running the-- the Amancio Villatoro Foundation and this museum. But this is what we mean when we're talkin' about empowerment. And that's why we're not talkin' about closure so much anymore. The types of evidence again, the-- the personal experience-- which is, you know, when-- when you bring in an expert that although hasn't handled the evidence itself, can tell you more or less contextual information that-- that might have played a role.

And this was used in the genocide trial. They brought in a couple of experts to speak about racism in Guatemala and things of the sort. Military operations of some kind. Testimonial, which is when the victims-- literally, get the witnesses and victims and speak about things they saw. Documentary was, again, the documents which you can see there. This is just one of the rooms of many, many rooms and 80 million documents that the National Police Archive contains.

And then the physical evidence-- the scientific physical evidence. And in one side we have-- a sample that's bein' taken, that's Julio. (BACKGROUND VOICE) Yeah-- and-- we take a D.N.A. sample by using a buccal swab. So we only rub the inside of the mouth, we don't take blood, because it's difficult to take blood in Guatemala.

A lot of people work with their hands, and sometimes it's-- you know, you-- even though you try to get it from their fingers, they have very thick, working skin. And it's just difficult. So this is less intrusive. Plus there's-- there's the whole cultural aspect of the blood, and-- so buccal swabs are working fine.

There's-- that's Oscar there-- working on his-- on a-- on a skull, analyzing it. And that's Marco and Monica in the D.N.A. lab-- processing some-- some bones. So let's get back to-- to-- to this trial. That's me (LAUGH), and in the background is-- General Rios Montt. Who I only realized was there when I was almost finished, because-- I mean, this is a big figure in Guatemalan history.

And there was a lot of weight of being in the same room with him. And-- what we presented-- Claudia and I presented-- was an analysis of 114 different cases of the region, and-- the region. This is Quiche as whole, but the Echile area is comprised of three-- the-- municipalities. (FOREIGN LANGUAGE) The Prosecution asked us to focus on specific dates, which were from March 23, 1982-- which was when he came into office, Rios Montt, will October 21, 1983. Which was not when he left office, but was when his Minister of Defense left office-- who couldn't stand trial because of-- health issues. But when they requested this report, they forgot to change the dates. So there was-- there could have been an argument made there, but there wasn't.

Overall when we started looking at the region, we had to start from somewhere, so we started from our universe. Right-- we-- at the time. So we said, "Okay, 1,116 cases in Guatemala, fer-- 5,810-- skeletal remains recovered, 94.23% of those recovered in five departments." But then 257 bodies, (FOREIGN LANGUAGE)-- this has changed dr-- dramatically, because we worked on a case (FOREIGN LANGUAGE)-- one case of a military base where we recovered 533 bodies, which are not counted here.

Baja Verapaz, 774. Chimaltenango, 1,175. And Quiche, overwhelmingly the majority, 670 cases and close to 3,000 bodies. Now this is also very consistent with-- what the Truth Commission says. The Truth Commission says that 52% of the violations and of the assassinations or executions occurred in Quiche. And this is almost, I mean-- actually of this sample, it's probably a little more. But it's about 50% of our case load is in Quiche.

Then we looked at the cases specifically within-- the (UNINTEL) area. Of 670 cases of-- in Quiche, 314 were in-- in Echile, where we recovered 1,179-- skeletonized remains. Of those 314, we excluded 200 cases because they did not fall within the period-- the time frame that we were asked to look at.

So that left us with 114 cases, and 420 bodies. And this was our-- our process, our thought process. How to go through-- how do we get to where they want us to go? And we had to go through he entire country to get here. Now, a total of-- we had-- now, this is important.

One thing is the number of bodies you have. The other thing is the number of reported victims you have. One set of information comes from the families, the other set of information comes from the graves, and then you match that. Well, this information here is from the-- from the families. We had a total of 448 victims reported in those cases. Among the-- among them, 150 sub-adults-- children. And these are the ages-- "NON" which is unborn-- fetuses, right? Then you have infants 0-3, et cetera et cetera.

But-- you can look at the children, 4 to 12, and it's a very high number, 67. Well, actually zero to 12 is 130, so it's a very large percentage. Then we look at the remains. 420 remains recovered-- from a total of 227 graves, and those 100 and-- 114 investigations. Now, it just so happened that-- I mean, there's many more bodies. But those are the ones that fell into that time frame.

Because-- now again, this was a mistake. If they would have proposed it a little differently, they could have included many, many more victims. But they wanted to be careful, because a lot of time when people aren't sure of the dates, we have to exclude the cases. All right, so that's-- that's a lesson.

Because you have to understand that within Mayan culture, the dates are not that important. I mean, our dates are not that important. So they relate it to other things, like-- when is-- you know, harvesting-- of specific crops, and things of the sort. But not specifically to dates, so we had to be careful with that.

SANDRA COLIVER:

But how is it-- how is-- easy is it for you to determine the date?

FREDY PECCERELLI:

The date is not determined by the evidence. The date is determined by the testimony. We're actually working with the Smithsonian Institute right now to run some tests on how radiation is seen in remains, and measured, that can give us more specific dates. Basically to carbon-14 dating. Based on the radiation absorbed by all of us-- after the nuclear testing.

So what we're-- we're waiting for is-- a skeleton from 1963, which is the peak, so it can serve as the basis for how everything else goes down within Guatemala. So-- but that's being done, and it probably takes me years to develop. In the meantime, we have to-- documentary evidence is helping a lot. And testimonial evidence has been the basis for it.

So yes, if we were questioned in the courtroom of, "How certain are you of this specific date?" I would have to say, "There is a degree of uncertainty, because-- it is based on-- on a family's testimony. You have to ask them how certain they were." Of the individuals that were exhumed, 30-- close to 36% were ages zero to 17.

Here go the ages, we can go a little faster. Of the to-- of the total we looked at, there was 338 wounds observed in 157 individuals. There was a total of 162 gunshot wounds. (UNINTEL) gunshot wounds, so (FOREIGN LANGUAGE) and male, female undetermined. There was all the-- contuso, which is blunt force. (FOREIGN LANGUAGE) which is usually, the way we see it in Guatemala, is-- a sharp instrument with some weight, which is a machete (usually in Guatemala).

(FOREIGN LANGUAGE) is stab wounds, and undetermined. 64.20%-- or 104% of the gunshot wounds are observed to be in the head, or 29% (or 17.90%) to the thorax. In total, 75% of the traumas were located in the head or thorax. Now, this is important because there was a question that the Prosecution asked about our-- ho-- can we determine if these were-- if these wounds-- if these people were killed in combat? Or-- in an execution.

Now, this is important because the-- there's always been the claim that these are act-- these are guerilla fighters. Fighting and-- you know, if you get killed with a weapon while you're fighting, well, it's legal. Within the rules of law, you can kill somebody if they're shooting at you in a war. It's-- it's legal, you won't get prosecuted for that. So we decided to look at a study conducted by my old friend, Clyde Snow-- Dr. Clyde Snow.

I had looked at 25 different combats-- during the last 60 years. And that's the-- that's the chart there. And what they looked-- and what he looked at was the frequency of fatal gunshot wounds in combat. Now, what this meant is if you're in a combat, what is the probability that you're gonna die from a-- from a wound? And the number is,

out of those 25 combats during 60 years, 0.199% (or two out of ten pretty much).

So two out of ten wounds in a combat will kill you. That's pretty good odds, if you're worried about getting killed in a war-- just-- just don't have bad luck, and be the 20%, right? So it was difficult for us to do that, because how-- you know, how do we divide that? Everyone we have is dead, I mean, they're all dead.

So let's-- what I decided to do is to look at the-- at the gunshot wounds, only at the gunshot wounds, and exclude everyone else. So we looked at the 107 gunshot wounds, and then I separated them between-- with the gunshot wounds that I believed could be fatal, and the ones that (if treated) would probably also be fatal. But let's say that they could have been saved. So the fatal gunshot wounds were 89 in the region, and-- non-fatal 18. Now of those 89, there was 15 that had multiple gunshot wounds. Which, you know, messes things up a little bit.

But overall, when we did the frequency of gunshot wound ratio to this, it was 0.831% (or 83%). And the study itself says, "Anything over 20-- should be suspicious. Something four times over 20 indicates that this is definitely not something that can happen in combat." We looked at-- binomial distribution to do this. And basically, we used the theory of-- let's say this was a dice. If you throw a dice-- 107 times, what is the probability that you will get number one 89 times? Out of those-- that's basically the odds for it.

And the number we came up with was this. This is the probability that if you throw a dice 107 times, you'll hit one 89 times. Which is a very, very, very small number. I mean, ridiculously small. All-- I mean, it's like D.N.A., you can't say 100%. Here you really can't say, "zero, or no chance." But really, you can probably try it millions and billions of times, and you won't get 89 once out of a 107 dice rolls.

So basically, this did not happen in combat. It happened during an execution. It had to be a planned operation, with targeted areas. In other words, you shoot in the head and in the thorax to kill someone specifically, with the purpose of executing them. It doesn't happen by chance, is what it's saying. And this was the testimony that was presented in court. And this, I believe, was very strong in proving that these were not combat deaths.

And as Forrest Gump would say, "That's all I have to say about that." (LAUGHTER) But-- if I can continue-- being a little more general now. We can talk a little bit about Guatemala in-- in general. Sixty-five percent of the population lives in rural areas. Still 52-- the number oscillates between who you ask. If you ask the rich and powerful, they'll say 40% of the population is indigenous. If you ask the indigenous, they'll probably say 60%. We think it's around 51-52% still.

And this is difficult to-- to ascertain, because it's cultural identity as well. And because of the conflict, and racism, sometimes people choose not to-- say what their cultural ethnicity is-- what their ethnicity is. They-- they-- they just say, "Latino." That they just would rather-- instead of saying Achi or Echile.

This is a map that shows you more or less the different areas where the different Mayan languages are spoken. And here, while the Echile, among the Achi, Chucte,

and the others are ones that were targeted, and are the ones that Rios Montt is accused of committing genocide in this trial. It doesn't mean that there won't be other trials, it doesn't mean that he won't be accused of other genocides. But the Echile is the original one. Now the Truth Commission said there was about 200,000-- victims. Among them, 160,000 dead, and about 40,000 disappeared-- about 11% children. 1.5 million displaced, 83% of the Mayan was-- or the Mayans-- of the victims were Mayan civilians, and 17% was Latino civilians. Or Latino internal enemies of the state, viewed as guerillas.

But not captured or killed during combat, but captured and killed in their home at midnight, or leaving their job, or leaving school, or whatever. They also determined that there were 669 massacres. And they defined a massacre as-- as an event where-- in a single event, five or more people were killed. And this was the definition of the C.E.H.

Most of the killings and most of the crimes occurred between 1980 and '84, '82 being the worst year by far. And soon, if you go to our webpage (which I-- I wouldn't go now because it's ugly, and-- but it will soon be much better), you will find an orange button at the very top that says (FOREIGN LANGUAGE). And you'll be able to click on that button, and you'll be able to see all of our cases, all of the reported victims (which will be over 12,000 names and everything), and all of the skeletons we've exhumed, and all of the people we've identified. And that should be online within the next month or so. And everyone will be able to see that, and that's-- we're very proud of being able to do that.

But this is a map that shows where the counter insurgency operations were focused. And if you look at the map-- there seems to be a little consistency in the areas between the Mayan-- highlands and the indigenous-- where the indigenous-- most of the indigenous population lived, and where the operations were centered.

Obviously you would need-- a military expert to tell you-- the reasoning behind that. But to me, it-- in simple view, it looks like they were targeting red zones, basically. We came about because of the need to do this work. Because people went missing, people got killed, and families started looking for them.

And they heard-- family groups heard that there was this American-- old American guy who had done something similar in Argentina. Dr. Clyde Snow, whom you see here-- who is still alive, he's in Norman, Oklahoma. He's a great friend and mentor, and has-- I don't think I've ever taken a very-- an important decision without consulting with Clyde. He has become-- everything. A friend, and-- and-- and-- somebody who's literally sat next to me and thought about what else we can do, 'cause we always felt like we weren't doing enough.

Well, he was sent down to Argentina by the A.A.A.S., American Association for the Advancement of Science. Eventually to Chile in '87, and then he made it to Guatemala in '90-- in '90. And then back in '91, and then in '92, and then in '92 the team was formed-- the Guatemalan Forensic Anthropology Team. Then we formed the Foundation in '97, and Clyde has been there every step of the way.

(OFF-MIC CONVERSATION)

FREDY PECCERELLI:

We are in an N.G.O.-- non-governmental organization, it's-- we consider ourselves-- scientists. I've been struggling with saying we are not human rights activists, but I will stop now. You have to be in this work. You can't continue doing this work-- you could still be a scientist, and you can still be objective, but there has to be-- there has to be a focus on-- on human rights.

There has to be a focus on-- on gender issues. There has to be a focus on indigenous peoples. There has to be a focus on children. There has to be-- there's no way of doing this work without there being that. And the idea here is to strengthen Guatemala's state institutions. To begin to create trust in those state institutions, with the hope of eventually reaching some type of reconciliation or democratization in-- in places like Guatemala.

And-- this-- it's a very long process. And obviously this is done by identifying people. The cases that we work on mostly are armed conflict deaths. And now a lot more on armed conflict and forced disappearances. Sometimes, not often, but sometimes on-- mass disasters, like landslides and things of the sort.

And more often than before, we get asked by Prosecutors like Sandy mentioned-- to look at current cases and help out. Because of our D.N.A. capacity and our archaeology capacity, to help out with-- rapes usually, or homicides that are very complicated, or that are of high-impact. And-- that they're afraid that there might be some political implications, or-- drug lord implications. Then they call us. (LAUGH) That's wonderful. Well, it is-- it is actually. It's-- it's something that we are-- are-- are working on more and more.

Well, the objectives really are to provide dignity for the families through the identification. But what we've realized-- before we used to say, "closure," like I told you. It's not closure, it's empowerment of people. It's also contributing to creating trust within the legal system, by strengthening-- the legal institutions, and the actual judges and prosecutors. To train them and teach them what forensic evidence is, and how to use it, and how to understand it.

And also to write the fore-- the-- the historical record through science. And-- you know, my son had a class last year, he was a sophomore in high school last year. And he had a class in public presentations, or something. And they (NOISE) had him do a PowerPoint of something like this as a final project.

Well, he did his on breast implants. I mean, I-- I was like, "Okay, way to go Tristan." (LAUGHTER) And-- he was really upset. Because after he presented, a girl made a presentation. And the title of the presentation was, "Why There Was No Genocide in Guatemala." And-- in the class. And she presented the whole thing, and it's basically (NOISE) the opposite of what I'm presenting.

And her final statement was, you know, "Thank God that the Army saved us, because the guerilla was massacring everyone in the towns. And if it wasn't for the Army comin' in there and saving all of these towns from the guerilla, they would have ended everything." And my son was so upset, that he recorded some of this-- for me, so he could show me. And then I think he was a little embarrassed that he did his on breast implants. Not that breasts are any less important, but I think he got-- he got it, finally, and he was really upset.

Now, what I'm surprised at is that the teacher said nothing, the school said nothing. No one said anything. And it-- you know, we can't have that goin' on in the schools. And the teachers bein' so afraid of sayin' somethin', because probably the girl's father is some colonel or general.

However, I get one of my daughter's friends, who is studying in a private school in Virginia, and he-- I-- I-- I don't know where the message is now, but he wrote to my daughter saying, "We were learning about massacres in Guatemala and they mentioned your father. And I said, 'Oh my God, oh my God, I know him.'" And he was very proud of the fact that-- in that school in Virginia (I don't know, some private school in Virginia), they were talkin' about Guatemala and about the work that's being done very differently. And it's just-- I think it's great that it's happening in some places. And it's a shame that it's not happening in Guatemala permanently. And it's not-- it's not happening in Guatemala.

Well, the types of documentation, we spoke a little bit about-- the importance of physical evidence. I'll go through quickly on how the Foundation is divided, more or less, and how we do what we do. Well, one of the things is victims investigations, and we use cultural anthropologists, criminologists, psychologists to engage the families, engage the survivors. Talk to them, take their D.N.A. samples.

Create trust, basically-- the work is based on this. If we don't have the trust of the families, we have nothing. 'Cause all the forensic evidence you want will give you nothing, unless you have something to compare it to. So our role is to create that trust, that would eventually lead to passing that trust on to the Prosecutor's office. Which has been easier with a Prosecutor like Claudia Paz y Paz than in the past. And we hope it will be-- continue to be easy in the future, but we don't know.

And then come the other guys, you know. The archaeologists that recover the bodies, the forensic anthropologists that analyze them, and the geneticists that look at the D.N.A. Quickly, this is what I mean. We have-- usually we go into a community, we have sessions like this where we explain. Exactly the way I'm explaining it to you, to the families. It's important that they know what they're gonna encounter, it's important that they know what they're gonna see.

A lot of these families have not told these stories to anyone. They have not relived what happened, and they will relive what happened as soon as we open those graves-- and they do. It's very emotional. Sometimes, as you can see in the bottom, there's ceremonies. And the ceremonies usually are to ask permission of Mother Earth to let us dig in-- in the soil. The other is to ask of the dead that they let us find them, and

will not harm us. And the other is a ceremony of cleansing. They want-- they need to cleanse us, to allow us to look for the dead.

So these ceremonies are not allowed, these ceremonies are part of it. All of our people know that if a community wants to do this, we stop and it's done. It's not a matter of permission, it's not a matter of allowance, it's a matter of-- they have the right to do it. And we respect that right, and we participate.

What we're looking for here is what occurred. Where are the bodies? The number of victims and the name of the victims, right? The antemortem biological profile of the victims-- what they looked like, were they a man or a women. How old, how tall? Genealogy of the victims-- how was the family tree? I mean, what-- what did the family relations look like? And obviously taking the family reference sample, which would be important.

And what you can see here, this is-- this is an actual case. This is the case of a family in Dos Erres, the massacre of Dos Erres which occurred on the 6th, 7th, and 8th of December of 1982. It was committed by 21 special foll-- forces soldiers of the military, (FOREIGN LANGUAGE). They're the highest-- I mean, the-- the highest-trained soldiers in Guatemala. They are-- they are trained killers, and they are notoriously known for that all over the world.

They went into this town with the excuse that-- this town-- there was guerillas in this town, and they had taken-- something-- I don't know, some-- some rifles. They had stolen some rifles from the military, and-- the perpetrators were in this town. So they went in there, and during those three days they raped the women, they executed 201 people. Including many, many children, and they threw 'em in a well. And they did it mostly by hand. They did it with a sledge hammer. They would take a sledge hammer and break people's skulls right at the edge of the well, and throw them into the well.

Sometimes this-- during the testimony, there was talk of throwing a grenade. Either on a pile of bodies or down the well, there was some shooting. But mostly it was done through blunt-force trauma. Among these were the family of-- Trunkeleno Castenera. He believed his wife, whose-- top, that's his wife, up top-- his two, four, six daughters and three children were killed.

Now, I say three children, because he believed that Oscar was also killed. So he gave the testimony, ten people in his family. Now, it wasn't till two of the perpetrators spoke, then they mentioned there was two children taken by soldiers. They were taken by officers from the site. They weren't killed, they were taken.

One of those children was Oscar Ramirez, he was taken by the sub-commander-- Oscar Ramirez. And taken home, and-- give to his mother, and said, "Listen, this is my son. You need to help me bring him up. And-- his mother doesn't want anything to do with him, or she's dead." And-- that's it, he was part of the family. He was white, green eyes-- he might be here somewhere.

And-- that's-- that's the abductive father, that's Oscar. In Framingham, Massachusetts, we-- the Prosecution traced him down through his at the time

girlfriend, now wife, who's-- who they call "La Flaka." So they went into this town asking for La Flaka, and somebody said, "La Flaka lives over there." Da Flak-- La Flaka means, "The skinny one." It's just like a (NOISE). And they went to the house, and they called, and La Flaka was living in Framingham, Massachusetts. So they called and Oscar was there, and he didn't believe any of this.

But eventually they asked me to go up to Framingham, take the sample to see if-- this could be-- the two boys could be related. The other boy is living in Canada-- and the living father. Eventually we did identify him. This is the father, the biological father, Don Trunkeleno. They met last year in Newark Airport, out of all places, on May 28. He is biologically his son. The story has been confirmed.

And since then, Oscar was-- very worried, because he was an undocumented immigrant at the time. Since then, our good friend (who might walk through the door any second now), Scott Greathead, has-- represented him in his-- asylum application. And he was gran-- he was granted asylum last year. And has now been traveling around the country with us, speaking about what happened to the Guatemalan community.

And as recently as Janu-- no, February, oh my God, February-- we were in Riverside, California, for the sentencing of one of the perpetrators who was tried here in the United States for lying on his naturalization application. And he was sentenced to ten years-- his name was Sosa Orantes, and he was one of the-- one of the perpetrators. And Oscar spoke to the judge right before sentencing, and he got the maximum which is ten years. For lying on an application, is a long time.

So that's Oscar, and that's his dad. I mean, if-- when we saw them together, it was like, you don't need D.N.A. But-- so that's what the anthropologist-- the investigators do. Then forensic an-- archeology is what you expect. You know, I had a professor of-- of-- archeology professor, (UNINTEL) at Brooklyn College, who said, "Fredy, if you ever wanna leave a mark in this world, dig a hole."

Why dig a hole? "Well, the earth has taken millions of years to compact to a certain level, and to separate the strata-- separate. So when you dig a hole, a trained eye can tell where you've dug a hole." And that's what archeologists are. They're very highly-trained to be able to find these holes. And in Guatemala, these holes happen to be filled with bodies, and they're graves.

But they document everything along the way. All right, because this all has to be recreated for the families, and for-- and for trials, and judges, and prosecutors eventually. And you can see here, hands tied behind the back. Sometimes these graves are very complex-- large. Here you see again, the-- the stick with the rope. That's used in many parts of the country, but specifically one. Other larger graves, some archeological drawings to help us understand positions better, photographs, et cetera.

Eventually the bodies are exhumed and taken to the lab, where we're really looking to do two things: individualize each skeleton, and also understand how the person die-- in the-- died. Individualize it in the sense of, was it a man or a woman? Was-- how

old they were, how tall they were. Did they suffer any antemortem trauma during life that would help us separate them or isolate them in a way that we can compare it to a less number of victims?

If we're looking for-- for let's say, we're looking for 100, but only 30 were women. And we have a woman's skeleton, it might be one to 30. But if we're looking for a 15-year-old, and this one was between 14 and 20, or 14 and 18, then we might say, "Okay, how many 15-year-olds? Five-- so it might be one in five." That would help us narrow down who we're looking for. And obviously trauma narrows (UNINTEL) can see machete wounds. And over here, this is an entrance gunshot wound, this is an exit gunshot wound. We can see trajectory sometimes that-- really coming from the top, looking at the bottom.

Children-- a lot of children between the ages of four to 12 have gunshot wounds to the head. And I have a theory for that. And that's that the smaller children you can just take by their arms and legs and smash 'em against a tree or a boulder-- as it is done in most countries throughout history. Cambodia was infamous for this, Guatemala's infamous for this. But the older children-- I mean, you-- bef-- before 12, you can't really use 'em for much. They just run around, and they're-- so you have to shoot 'em.

The older ones you can p-- you know-- taken-- for--force them to be soldiers, and-- do something, force them to be slaves or whatever. But the four to 12-year-olds, they're very difficult. And-- there's a very high incidence of gunshot wounds to the head in that age range.

We look at the clothing as well to make sure, because you can't-- if somebody's clothed, you can't shoot them without going through the clothing. You can't stab 'em without going through the closin-- the clothing. So it's important to look at the clothing, just to keep matching things up.

And then eventually, we get to the forensic genetics. Which is again, comparing the D.N.A. profiles of the family so the D.N.A. pro-- profiles of bones, or the teeth, right? This is our D.N.A. lab, and we get a profile that we then put into the genetic national data bank. And-- which is, by the way as-- as Sandy mentioned, our lab is accredited under Rule ISO170252005. I.S.O. is the International Standardization Organization. This is an international rule-- set of rules, it's a very, very high standard of accreditation. There's only two labs that have this level of accreditation that are forensic laboratories that can work with human bones to extract D.N.A. And we have one of the labs. And it-- we did this on purpose, because we wanted to make sure that this evidence could not be challenged, because of the doubt in the science that we're using. And it cannot.

But at the same time, the-- what it has created, which is-- I also thought about, that I hope they create this, is competition with-- with the State lab. The State lab wants it so we created the D.N.A. lab, (UNINTEL PHRASE) we can do it. And they did, but their lab is not accredited. So when we've testified in-- in recent cases, the judges believe us instead of them, because we're accredited. So now they see a need in

becoming accredited, and they're asking for help which is wonderful. And we're working together to accredit them.

Quickly-- we take a sample. Here it's blood-- I know I said we don't take blood, but we can do blood. We can do any sample, any. We can even do cigarette butts. We take a sample, then we-- extract the D.N.A. We eventually multiply it, and then once it's multiplied through a polyamorous chain reaction, we put it into our genetic analyzers, which are these big, expensive-- really expensive machines.

That what they do is they channel and separate the D.N.A. according to size, and then zap it with a laser so we can see they're different. And that's all that happens. It gets put into the machine, and then it gets separated by size and zapped with-- this laser. And then we get a profile. It's very-- it's a little more complicated than just that.

But-- these are the locations when we're looking at-- we're looking at 16 different locations in the human genome. We're looking at nuclear D.N.A. That means it-- it comes from the mother and the father. And we're lookin' at this D.N.A. because it's the one that gives us the most identifiable information. In other words, it helps us to identify someone.

There's also mitochondria D.N.A., that's passed down through women. But that gives us lineage more than individualization. And there's also Y-chromosome D.N.A. that's passed down through the fathers. But again, it doesn't give us that level of specificity that we need. This type of profile, this-- S.T.R. profil-- these si-- 16 regions, is unique to each individual. No one in the world will have one exactly like yours, unless you have an identical twin. They will have an identical profile to you.

Then all of that, all of those numbers get imported. And-- they look-- like-- it'll look like this, you know. In Location D8S1179, you have two codes. Thirteen repetitions and fourteen repetitions. (COUGH) One comes from your mother, one comes from your father. That's pretty much what it-- that's saying.

And then we'll put that into the data bank. And what the data bank does is it-- it compares the skeleton profiles, and tries to see if they fit within a family. And then it gives us probabilities of-- of-- of fitting in there. This is how we take it. The way we invite people-- is through a campaign called "My Name is Not XX." It is not Dos Equis, the beer. "XX" in Guatemala actually means John Doe or Jane Doe. In the rest of Latin America, they use "NN." Here we use "XX." "NN" is used for still-births, or (FOREIGN LANGUAGE), unborn.

And what we do is we ask people-- we tell people, you know, my name is not "XX," your D.N.A. can identify me. Now this is-- has changed over time, and then later became-- if you have a family member who's disappeared between 1960 and '96, call 1598 (which is a hotline). And then with D.N.A., we're identifying them.

Unfortunately I don't have the latest one, which is-- now families of the people that we've identified are saying, "We have found them." And it's their images in the-- in the latest campaign. The way a case gets to us is that families go to legal N.G.O.'s who then pressure the public ministry. They come to us, and then we go with mental

health organizations back to the community.

And this is what I was saying-- in the past, if they didn't want to do it, this is what would happen. You have to do it, and they would. Now that's changed. One last thing-- closed context cases against open context cases. Closed context cases is now that-- Flight 239 is it? No, 239 is the amount of people, I don't remember the number of the flight.

MALE VOICE (OFF-MIC):

Three seventy.

FREDY PECCERELLI:

Three seventy, Flight 370 went missing-- we can use that example. There was 239 victims-- I mean, passengers, plus the crew. If they find it--

(OFF-MIC CONVERSATION)

FREDY PECCERELLI:

For identification purposes, that is a closed context scenario. If they ever find the flight and the remains, and the remains of the-- of the people who were in the flight, we will be looking at a comparison of one body to the number of passengers. One to 239. And then we'll separate-- how many men, how many women-- the ages, and then we can get down to...

But you pretty much know who was there. You-- you have the identification of the group. That's what the massacres are. The massacres-- there was a lot of witnesses, we know who's there, we know where they're buried, we know who killed them, we know a lot of things. In those cases, we need less D.N.A. because there's a lot of information.

The open context cases on the other hand, are cases of enforced disappearances. Like, military bases where we go dig, and we find hundreds of skeletons and we have no idea who they are. And on the other hand, we have reports of hundreds of thousands of people missing, but we have no idea where their bodies are. And that's where we need more D.N.A.

And that's important because-- without that, we wouldn't be able to do anything in this-- in this sense. And remember what I said, only five cases of enforced disappearance have made it to trial. So if you want we can stop there for questions, and if you want to continue I have more.

SANDRA COLIVER:

Great. Well, fascinating. And, you know, I had-- I had thought that I would interrupt after a half an hour. But I must say, that-- the-- the slides tell such a story. It's so compelling. But I do want to give people a chance for questions. I've got a few, and-- let's start. Alex...

ALEXANDER:

Hi, my name is Alexander. I-- thank you for coming, this is very educational. It's excellent. I was wondering, at the beginning you mentioned that-- it was families that pushed your work in the beginning, and now it's more-- official offices, governmental offices. What changed there?

And also (NOISE)-- what kind of challenges do you face in your work-- due to-- I mean-- I mean, it's not-- it's not too recent, but it's pretty recent. Like say for example, it's stuff that's been done by the military. Are-- is there-- (UNINTEL) is there, you know, stuff like that?

SANDRA COLIVER:

Do people have any related questions? Okay. Fredy...

FREDY PECCERELLI:

The-- let's see, the challenges. The biggest challenge, believe it or not, is fund-raising. That is the biggest problem we have. Because since we've incorporated D.N.A.-- you know, each one of these machines, that are actually about to run out of use because they changed technology-- costs about $200,000. So it costs about a million dollars just to change all the equipment, for example.

We have over a hundred staff members-- working on interviewing families. So-- funding is probably our biggest challenge. We are now-- we were funded for a very long time by governments. Swedish government, the U.S. government, and the government of the Netherlands, through U.N.D.P. for about ten years. And in the last year or so, he Netherlands closed their embassy and left-- the U.S.A. says that if it's not gang related or drug related they can't fund it, and the Swedish will probably continue but at a lower level.

So we have now-- had to create a new sustainability strategy to try to-- see how we continue. Because as I was telling Sandy, this is not so much about the existence of the organization, but the process. This is important, this is-- this is changing Guatemala one family at a time, one community at a time. And I-- I believe that this will have a large, large impact soon.

It's already having a very large impact. But the more people that we identify, the more that families make links to each other, the more they start talking, the more they go into the streets, the more they request their rights. And-- and it's, for me, the beginning of a movement. Something like Argentina, hopefully, someday. Now it's not the case in Guatemala. Now, the other question was on-- about how-- wha-- why-- what do we attribute the change to? We attribute it to Claudia Paz y Paz, to the attorney general.

The difference is she has instructed the offices to-- of her Prosecutors to move, to do something. You know, we've been investigating these cases for 20 years. The evidence is there, it's been there all along. And it's not till the last three and a half years that something has been done.

Now, obviously Claudia Paz y Paz is not alone. She's got a team, she's got people that support her. She has people in the-- well, not-- she doesn't have-- the country has people in the justice system that are also good. Like-- the magistrate (FOREIGN LANGUAGE) that unfortunately committed suicide, only a couple of weeks ago. And he was one of the people that also helped change the country. But unfortunately he-- he-- he committed suicide a couple of weeks ago. But it's those individuals that are setting the example, and-- and-- and daring to change to change the country. Is there an obstacle from the military itself? No.

MALE VOICE (OFF-MIC):

No, but did the government (UNINTEL)?

FREDY PECCERELLI:

The government-- usually what they do is just ignore us in every sense of the word. So they don't acknowledge our existence in any way, so there's no public recognition for the work. There's no awards, there's no visiting the sites, there's no funding, there's-- we don't exist. And-- now, in this military base, this one specifically-- the commanders, when they were interviewed by the press and asked, "Listen, there's hundreds of bodies showing up there. What do you have to say about it?"

"Oh that's normal. There was hundreds of people that used to work there and live there. And as they would die, they would get buried naturally. So that's why they're there." And I'll show you the pictures, and you tell me if these are natural burials. Natural-- I don't know what-- even natural means. Why-- that's, like, a racist term for-- for-- but it's-- it's just-- they continue to play it like nothing ever happened. And that in itself, I think it's-- it's a very passive way of-- of resistance.

There is an organization created called-- Foundation Against Terrorism, who has been putting out-- lists, they call 'em hit lists, but it's, like, notori-- infamous faces of Guatemala. I'm on it, the Prosecutor's on it. The American ambassador's on it, the Swedish ambassador's on it.

And these are the enemies of Guatemala that have created internationally this rumor that there was genocide. And their claim is that, "We're not genocidal maniacs." I was like, "Nobody's saying that Guatemalans are (UNINTEL). They're saying that Rios Montt, and there a couple of other people." But this is their-- their-- their play on it, right? And-- they're also writing-- a lot of Facebook messages.

And I have to speak to my kids, because they keep sayin' on the internet that I'm profiting from this. And I'm getting-- going out internationally and getting awards for millions and millions of dollars. And I had to tell my kids, "Listen guys, it's not true. (LAUGHTER) So don't-- don't think that any of this is true-- because it isn't." But nonetheless, it's-- it's-- it's a constant attack, and defamation of anyone that has anything to do with any of this. And that's pretty much how it's being done today.

SANDRA COLIVER:

So you mentioned-- I'll ask a quick question, and then I'll take yours, Sandra, right away. You mentioned that in Argentina there has become a movement of survivors and families, and that that hasn't yet really hit a tipping point in Guatemala. And I wonder if you could say something about why you think that's the case. But before you answer, let me take a few more questions.

SANDRA:

Well, I just wanted to follow-up on your comments about Claudia Paz y Paz, and what you think is gonna happen when she leaves office? And-- and whether you know what she's planning to do next.

SANDRA COLIVER:

And I'll take-- Caroline--

SANDRA:

(UNINTEL)-- or what your plans are once she is out of off-- presumably out of office?

FREDY PECCERELLI:

Okay. Are you-- you might have to remind me again. I'll start answering--

SANDRA COLIVER:

Okay, those are two pretty separate questions.

FREDY PECCERELLI:

--but I'll-- but I'll-- I'll-- I'll start by-- by answering these. What will happen? We don't know. She's in the process, I read this morning, that she was one of the initially-contested applicants. In other words, right now they're in an-- they're in a phase where you can contest and accuse the 26 applicants of wrong-doing by anyone, right? So she has been accused of not following the mandate-- a sentence of the Inter-American Human Rights Court in a specific case.

She-- she's being accused of negligence, or not pursuing the case. And so she will now be allowed to respond. They're gonna attack her, every day. This Foundation for-- against (UNINTEL) is gonna attack her, because her father was a guerilla fighter. Because she's done this, because she's-- you name it. She-- she's very strong-- and I hope she can sustain it.

I think she will make it to the final six. Not because it's March Madness, say Final Four. (LAUGHTER) But the final six are the-- you know, eventually this-- this commission elects five-- six-- six-- applicants, and then passes them to the president. And the president chooses who the attorney general's gonna be from the six that he gets passed. If she's not in the six, she's done. And she can't be reappointed.

If she is in the six, it will be really interesting to see what this president does. Because it's almost-- I mean, in my view, impossible not to reappoint her. I mean, she was nominated for the Nobel Peace Prize, she was-- I mean, look at the results she's getting in every type of case. Unfortunately, also in the cases in the conflict, which is what's gonna hurt her. But we don't know. We don't know, that's the truth. We don't know what's gonna happen.

What can happen is if she's not there, that someone-- the idea is to elect the least bad person, the least negative person, the-- the-- the least of the worst, right? And then that person will begin to debilitate the human rights section slowly. And that we have done, as a community, enough work to strengthen them to withstand what's coming. But we don't know. Because the-- what people think is gonna happen is that the Prosecutor's gonna get a raise. He's gonna get reappointed with a new position, and sent to the middle of nowhere.

The new district attorney for Peten was nothing and no one, but moved out of the human rights section. And probably you can disassemble the whole section that way, and put new people that are-- more in line with the new attorney general's thoughts. The other is that-- the other p-- position there is that we are strong enough as a whole to continue supporting them, and continue going.

So we've presented a project to create a working group with that office, to-- we'll begin to strategize about future cases. What are we gonna do? We're gonna do exactly what we've done the last 20 years, keep on working. And just, you know-- it-- we know that if-- the way it used to be done before, is that we would go to district attorneys instead of the attorney general, or instead of the human rights section. That's what we're gonna continue doing. Because they feel the pressure at a local

level. And they're independent. The attorney general cannot enforce their will on-- uncorrupt prosecutor. Prosecutor can do what he feels is right for justice.

So there are some good people. So we will just have to-- hopefully it doesn't come to that, but we can latch on to them and try to empower them, to make sure that they understand they're not alone. And that's where the international community plays a very, very important role. Now, Argentina--

SANDRA COLIVER:

Well, so to continue-- well, let--

FREDY PECCERELLI:

--Argentina.

SANDRA COLIVER:

--let's continue with-- with-- the time frame of what you've just been talking about. So Claudia's term I think ends-- in early May.

FREDY PECCERELLI:

Yes.

SANDRA COLIVER:

And so what's the process then-- what's the time frame for--

FREDY PECCERELLI:

I think the president will be handed with-- within the next month, the list of six people. And in April he will decide, in the last days of April. Probably, it is believed that they're in holy week, because that's when the important decisions are usually made. Either around Christmastime or holy week, 'cause nobody's payin' attention. Everyone's at the beach, or, you know, on vacation.

Well, actually usually in Guatemala people that have money, they usually go to the beach during Christmas/New Years, or they-- during holy week, they do the same thing. Because they all have beach houses, right? So they're all at the beach. Although those are not the people that they should worry about, because probably those are the people that are mandating what's gonna happen anyway.

But everyone-- the whole country is sort of relaxed during those holidays. So usually when very important decisions are made, they're made around the times when nobody's paying attention. The press is also on vaca-- everyone has to rest, right? So holy week in Guatemala is huge. They call it summer. I was like, "Summer, it's, like, a week. (UNINTEL) summer was a week. It's not summer."

But that's what it's called, and so-- so we think it's gonna happen around April or May, around tho-- those dates. And then the president has a specific time, and then he will name somebody, and then we will know. We'll know by the middle of May. And so it's-- you're talkin' about seven weeks, tops. The whole thing will be solved, and we will know.

SANDRA COLIVER:

And-- on the role of Open Society and also on the role of the United States. So I know that Open Society has been active this last year in Guatemala-- supporting some of the human rights groups-- supporting some of the independent media. And-- also trying to awaken some of the groups in the U.S. and throughout Latin America that might be-- supportive, and might advocate-- for Claudia Paz y Paz to continue her-- her-- her position.

Who-- who-- what-- what sectors do you think are influential-- say in-- in influencing the president in his decision? Do you think that the U.S. ambassador is influential? We've heard-- when we've been working in Guatemala that people will say-- "We wanna hear from others in Latin America that this-- that all of this-- uproar is-- being orchestrated by agents in the United States, and that it actually doesn't resonate with people in-- in the continent." Can you comment on those reactions?

FREDY PECCERELLI:

Well, I think that there has de-- I mean, this-- this president does confront-- the wishes of the American government when-- when confronted publicly with them. And we've seen it in a couple of cases. The dam case, I mean, they just-- apparently there was a restricting of funding for the military because of lack of-- response in reparation payments to the victims of-- of the dam area. Because there were those five massacres, people were displaced.

And also in adoptions. There's been-- and initially the-- the-- the president was very, very-- aggressive in the reaction. And even went after individuals in the-- in the American government. Not very smart, but nonetheless-- because they still have to negotiate. I mean, it just-- I think it's just been a lot of outbursts of stuff that then later have to be-- subdued somehow. In speaking to the embassy, I think-- I mean, they work quite well with the Guatemalan government. I think something, like, $200 million is being spent on the-- the fight against drugs and other-- citizen security issues. Gangs and other stuff. So they have to-- at-- at some level.

Whenever there's this-- singling or pointing of specific issues, like in the latest human rights report of state department. Then there's always a backlash from the Guatemalan government saying, "Wait, that information you used is wrong and we want it fixed, because that's wrong." Or when the United Nations presented their last-- report, saying that-- manna lura, which is strong fist governments do not work. And that's this governments slogan, is manna lura.

So there was also backlash for that. So I think there's a lot of aggressive reactions from this government that-- that we didn't see before. But overall, at-- at the end of it, I think the American government is extremely influential. And I would continue-- I would urge that-- that-- you know, this is what I say when I speak at university-- what we can-- what can we do?

Write to your senators and to your congressmen, and tell 'em that you've heard about this work, it's supported by state department, it's supported by the embassy, it's supported by U.S.A.I.D. That they should keep supporting it. That they don't let the transitional justice issues fall through the cracks, just because there's more money in fighting drugs and fighting-- gangs. And just because that's now sexier, as far as-- financing goes, and other issues go.

But transitional justice is not-- a five year thing. I mean, it's taken us 20 years, and we're now only beginning to understand-- and only beginning to see where the possibility of change is. And so it's important. As far as hearing from other countries? Well, you know, there's-- there is, you know, the whole other sectors. This is Scott, by the way (NOISE) who I was tellin' you about. And-- yeah I think I'm-- I'm good with that.

SANDRA COLIVER:

Okay. Well, there's a-- a question here, and please introduce yourself as well.

BARL:

My name is Barl (?), I'm an attorney at U.N.D.P.-- and we're actually doing a study on reconciliation in Guatemala-- including other countries. And one of the questions I have is sort of related to your first question. What's the rule of civil society movement in sort of, you know, getting to reconciliation? Or is there any movement, or are there any organizations that are saying, you know, enough of impunity or enough of staying silent? And, sort of, if there's anything happening.

FREDY PECCERELLI:

Well, you know there's something-- I mean, this-- something has been happening for a very long time. And there are many-- we-- we work with organizations and communities that-- have become legal representatives of the victims, even though

they're not lawyers-- and then later hire lawyers sometimes.

And they try at a very local level to-- to get communities involved. They're (UNINTEL)-- most of them, about 14 of these organizations are being financed through U.N.D.P. And the Baghouz Project which is-- the program through the accompanied-- judicial justice, which I'm sure you know of-- which we're also a part of.

Then there's the legal organizations in the city, who are stronger but still lack the resources. Which is always gonna be the issue. They-- they all lack the resources necessary to really do anything, other than, you know, scratch the surface. We can see that the difference, for example, (FOREIGN LANGUAGE) that was probably giving-- the center for legal action and human rights, which was the-- I don't know, what's the legal term for their role in the trial? They were--

MALE VOICE (OFF-MIC):

(UNINTEL) private prosecutors.

FREDY PECCERELLI:

They're-- private prosecutors they would be called? They would rep--

MALE VOICE (OFF-MIC):

They were at the table.

FREDY PECCERELLI:

They were at the table. That's what they are? Private prosecutors? Okay. Well, they were private prosecutors of the case, and they made all the difference. Because the prosecution-- I mean, really-- although they've been getting better-- there's still a lot to work on. I-- I think-- the good thing is that there's someone to work with. That they wanna do it, and that-- that's a big change from before.

But technically speaking, I mean, there's a lot of work to do. And what these organizations-- this organization brought it was the technical know-how of-- of how to do it. But even with them there's a long road ahead, and that's why one of the things that we-- will be doing is bringing experts down, like Al Godana, and Scott, and others.

To try to learn from the things we've done, so we can get better prepared for future cases. So that the forensic evidence plays a bigger, more specific role in these convictions. And not only sits in the background, because it could've been a lot better than it was used-- or could have been used a lot better than it was used.

So there-- there's other organizations along-- (UNINTEL), (FOREIGN LANGUAGE), they're among the stronger ones. But again, these are all organiz-- victims organizations that are created on figure heads that were, you know-- (UNINTEL) was created by Dinette Montenegro, who now is in Congress and wants nothing to do with that. I mean, she does out of personal-- but not with the organization.

She-- it is now run by her new husband-- Mario, who's great. But-- he's gone into looking at budget issues a little more, and other things. (FOREIGN LANGUAGE), which is Rosalina Tuyuk who's looking for her father and her husband. We haven't found them.

And she was voted out of heading the organization by other members. Because they started including younger generations. And then there was men, so they wanted somebody younger. And so she's-- she's there, but she's not a figure any-- she's not a figure head anymore.

Then there's (FOREIGN LANGUAGE), she's just old. And she's just been, you know, figh-- looking for her brother for the last 30 years, that-- it's just got to her. She's just really, really tired, and getting sick. So they're frail organizations that lack the resources to actually, you know, do these huge campaigns. Even the campaign that we do that's sorta big, costs us about $15,000-- $20,000 a month to do. And that's unheard of, I mean, that's an unheard of-- of you investing $15-- $20-- by an N.G.O. in this kinda stuff.

And it's nothing, we get nowhere. We're, like, paying for one TV commercial a day in each-- in each channel. In three years, I saw one commercial. I had to watch, like, the entire morning. (LAUGHTER) It's like-- you know, who are you-- who are you getting at with that? I mean, it's just not enough.

And it's-- you know, when I-- when I go back-- and I always use this, and I-- I'm sorry if you heard it before. But the identification efforts in Guatemala now, our budget is about $3.5 million a year, to run everything. That's about a monthly budget of the U.N. to do this kinda work in Bosnia, when we were doin' it in Bosnia.

So the difference is huge, and we're doing a lot more. But then if you look at it and compare it to the identification efforts for the victims of the World Trade Center, you know how much was spent here? $4 billion. I mean, I'm not saying that we need $4 billion. But I am saying that the process definitely needs an injection.

And it-- what it definitely needs is for-- organizations and governments not to turn it away, the way they're doing right now. One, because the results are not coming as fast as they think they should be coming. Or two, because it's not trendy. Or three, because there's other problems in the world. I mean, there's always gonna be another problem. But it's the same problem, which is one of the things. We're now saying, also, that we can contribute to looking at these problems in other places. And places like Syria, or places like the Central African Republic, where we have some of the answers to the issues that they need.

And guess what? We're in the southern hemisphere, which is also trendy right now, right? To do south-- south corporation, and things of the sort. And it's also-- it also

helps the fact that if Guatemalans can do it, anybody can do it. (LAUGHTER)

I mean, it's-- it's-- I know, but it's-- it's the truth. It's what people think. We can't do-- those Guatemalans-- poor little Guatemalans. Well, some things we can do right. And-- the idea is to-- to also help other countries go along that road.

SANDRA COLIVER:

Fredy, thank you--

FREDY PECCERELLI:

Oh you're welcome.

SANDRA COLIVER:

--an-- an-- amazing education-- both in-- the gen-- the general capacity of the field of rent-- anthropology as well as the-- urgency of the application right now. I want to say that-- O.S.F. Latin America program just authorized an-- emergency-- grant to several organizations in Guatemala, out of the reserve fund-- for Latin America program.

Which is-- a one time-- allocation recognizing that Guatemala really, right now, is at a crossroads. That there are opportunities, that there is-- the opportunity opened up by this tre-- tremendous work, and by the crusading prosecutor, and by the Rios Montt trial. But that there is-- that because of the progress that has been made, there's also been a lot of push-back. So very timely to-- to hear from you-- and-- after we conclude, I think you've got some time that you can stay-- for further questions. So thank-- thank you.

FREDY PECCERELLI:

My pleasure. (APPLAUSE)

* * *END OF TRANSCRIPT* * *