



Photo: Women's organizations march during the 2015 International Day for the Elimination of Violence Against Women. Credit: CPR Urbana

# Beyond the Verdict:

## The importance of comprehensive reparations for the women of Sepur Zarco

Last February, indigenous women from the community of Sepur Zarco made history when they and their legal team successfully prosecuted former Guatemalan military officials for sexual and domestic slavery. Based largely on the testimonies of 15 Q'eqchi' survivors, a Guatemalan tribunal convicted two men—former Military Commissioner Heriberto Valdez Asig and former Colonel Esteelmer Francisco Reyes Girón—of crimes against humanity for sexual and domestic slavery carried out at a military recreation center in the 1980s.

**While the defendants faced charges for other crimes committed in the same context, including the forced disappearance of several of the women's husbands, the trial holds national significance as the first transitional justice case in Guatemala to firmly center the experiences and impacts of sexual and domestic violence against women during the internal armed conflict.**

Held in its entirety, the 20-day trial illustrates the ways that systems of patriarchy and racism have historically

and globally played out on women's bodies in contexts of war. Grounded in the recognition that these systems endure today in Guatemala and the world over, the women survivors sought to prosecute this case as part of a multi-faceted strategy for social change, working with a coalition of feminist, legal, and psychosocial organizations known as the Alliance to Break Silence and End Impunity.

With transformation as their grounding vision, the women and the Alliance sought to break down barriers women face when accessing the justice system, expand the knowledge judges and other functionaries use in trying cases of gender-based violence, and adopt practices that seek to prevent the re-victimization of survivors. They positioned this emblematic case within a broader movement to shift societal attitudes that normalize sexual and domestic violence and blame survivors. Through extensive psychosocial accompaniment, the Alliance sought to empower the women, begin to repair the social fabric that was ruptured during the conflict, and open space for women to take on expanded leadership roles in their communities.



**When I became strong enough to be able to say what I had to say, I told the whole truth. That was what gave me strength...The moment came that we had been waiting for, for so long – to see justice.** -- Rosa Tiul, survivor and witness

Photo: Rosa Tiul poses during a video interview by Plaza Pública. To view the 6-minute subtitled video, visit NISGUA's website. Credit: Plaza Pública

**The State has a historic debt to pay to these families, to these women, to these children. Reparations are urgent so that the people can live their lives with less trauma, have the opportunity to be heard, and have access to education and healthcare. This is what gives people dignity as human beings.**

-- Meelyln Mejía, Women Transforming the World

## A Community Approach

For years before the case went to trial, feminist and psychosocial organizations provided accompaniment to the survivors, building connections with other women survivors from Chimaltenango and Huehuetenango who experienced similar violence during the armed conflict. The process empowered the women, allowing them to hear one another's stories and contextualize the systemic violence they have experienced throughout their lives.

As part of this process, the women determined which reparatory measures would be pursued in the legal strategy, seeing an opportunity to address the intergenerational trauma of the whole community. They identified the long-term health impacts of sustained sexual violence on their lives and on other women who chose not to testify, as well as the impacts on all community survivors of the scorched earth campaign who continue to feel the effects of structural poverty that come from a lack of access to land.

After the verdict, the courts ordered a series of 18 reparations to redress the physical, psychological, and material impacts of the violence. Broadly speaking, these measures include increased access to healthcare and education for the women survivors, other members of the community, and future generations, as well as reforms in the legal system to reduce the barriers other survivors face in coming forward. The reparations focused on repairing the harm that was done and ensuring that such violence is not repeated in Guatemala.

Photo: A stencil is painted on the walls of Zone 1 of Guatemala City that reads: "In Guatemala, there was and is sexual violence - Sepur Zarco case." Credit: Verdad y Justicia en Guatemala

## REPARATIONS

FOR A FULL LIST, VISIT [NISGUA.ORG](http://NISGUA.ORG)

### MINISTRY OF HEALTH

Responsible for the construction of a health center in the community of Sepur Zarco

### MINISTRY OF EDUCATION

Responsible for improving school infrastructure, building a bilingual middle school, granting scholarships for the population of Sepur Zarco, and including the case in national curriculum

### GUATEMALAN STATE

Responsible, through the appropriate institution, for continuing the process of granting survivors legal titles to their lands, a process that was initiated by the people who were forcibly disappeared



## The intergenerational struggle for access to and protection of land

In the 1970s and early 1980s, communities around Sepur Zarco were organizing to gain legal title to their lands. As a result, many of the survivors' husbands were targeted by the military and forcibly disappeared. While the trial focused on the women's experiences of sexual violence and slavery, survivors repeatedly testified to the deep psychological and economic impact of their husbands' forced disappearances and how a lack of access to land has perpetuated conditions of poverty. To carry out reparations as ordered by the court, the Guatemalan national land registry must grant land titles and prioritize families of those forcibly disappeared who were in the process of registering land during the armed conflict.

The dispossession of land in the service of U.S. corporate interests has a long history in Guatemala. Military and political support have been consistently provided to dictators across Latin America and the world who fall in line with U.S. economic policies, while the people's movements that don't have been violently suppressed. Today this economic project is forwarded by transnational corporations that use violence and intimidation against environmental defenders as they fight for access to and say over their land. **Granting survivors legal access to their land and respecting self-determination of rural and indigenous communities everywhere would be one step toward redressing centuries of violent dispossession.**



# Righting an Historic Wrong

**Sexual violence is about perpetuating patriarchy and unequal power relationships. What the women experienced wasn't only sexual violence – it was a desecration. They were raped not only because they were women, but because they were indigenous and they were poor. Those same structures still exist today.** -- Rubí Hernández, National Union of Guatemalan Women (UNAMG)



According to the UN Historical Clarification Commission, thousands of women experienced sexual violence at the hands of the military during the armed conflict, more than 85% of whom were indigenous. And while the Guatemalan state was not put on trial in the Sepur Zarco case, the verdict was clear in positioning the abuse the women experienced within a framework of state-sanctioned violence that targeted women as life-givers. In fact, expert testimony on military structure given by Prudencio García Martínez, the retired Spanish Colonel and international investigator with the Historical Clarification Commission, detailed how rape and sexual violence were characteristic of the counterinsurgency campaign implemented by former dictator Efraín Ríos Montt and continued by subsequent dictatorships in the 1980s.

The training that Ríos Montt and his military high command received in the U.S. at the School of the Americas—now the Western Hemisphere Institute for Security Cooperation (WHINSEC)—is linked to the scorched earth tactics, forced disappearances, and community control to destroy an “internal enemy,” grounds upon which the former dictator was convicted of genocide in 2013. While the specific ways in which the women from Sepur Zarco were targeted are characteristic of the time, the structures of racism and patriarchy were in place before the conflict and have far outlasted the 1996 signing of the Peace Accords.

Even as the verdict is a powerful milestone for survivors and others working to end gender-based violence around the world, the testimonies presented during the trial and the ongoing reality faced by women in Sepur Zarco show the need for comprehensive reparations to begin addressing the impacts of violence. Reparations call for intergenerational and community healing and transformation beyond the legal verdict.

Photo: An *alfombra* lines the street during the 2016 March for Heroes and Martyrs. Above it, a sign reads: “We women are fed up with the ‘heavy hand.’ No more violence - not in my home, nor in my country. No genocide in public office!” Credit: NISGUA

**The most important part of the search for justice for the survivors was always that they tell their truth and that they be believed. But that hasn't changed their economic situation, nor the reality they face as indigenous women; they continue to live in extreme poverty one year after the sentence, and some continue to experience different forms of violence in their community. All of this has to do with the patriarchal system that is so rooted in our country. Nevertheless, the most significant change for the women has been the recognition they have received from other communities as being brave examples to follow.**

**It is important that the reparations both return what was taken from them and transform their situation. It is imperative that the State guarantee better living conditions in the full sense of the meaning.** -- Maudi Tzay, community psychologist who accompanied the women survivors of Sepur Zarco and NISGUA's 2016 tour speaker

# For a Lasting Impact...

Recognizing the heightened risks for women survivors and their legal teams as they pursued justice against former military officials, NISGUA led an international advocacy campaign - at the request of survivors - which included a speaking tour and other political education in the U.S. As a tool to increase their security and lower the risks they face for speaking out, we observed the trial and provide ongoing accompaniment to plaintiffs through the international coalition ACOGUATE.

One year after the verdict, however, little progress has been made towards implementing the reparations. Given the advanced age of the women survivors and their ongoing health concerns, the Guatemalan government must be held accountable. If the justice achieved by the women of Sepur Zarco is to have a deep and lasting impact, it is crucial that all who struggle for liberation support their calls for dignified reparations, while continuing to build a collective political vision that actively resists misogyny and works to end violence against women.

We join the women survivors of Sepur Zarco in calling for dignified reparations for the violence committed against them. We take heart and inspiration from their bravery and tenacity, their refusal to remain silent, and their steadfast commitment to challenging impunity. We commit to fighting the intersecting systems of patriarchy, capitalism, and racism that threaten the lives and dignity of indigenous women as they stand in defense of their land and culture.

**This experience will be a legacy for new generations, showing that even war has limits. It is a clear and civilized message that confirms the commitment that justice and society have to human rights, to promote a much longed-for peace, and allows us as a society to advance, together with the women, in order to affirm their lives and build a more dignified society.**

**It is essential that we know our history in order to not repeat it. More than anything because the sexism, racism, and high levels of poverty that prevail in this country escalate the conditions for violence against women. We know this is a first step, that there is still a lot to do, and there are other transitional justice processes currently being carried out. For them, the achievements in the Sepur Zarco trial constitute a message of hope for all Guatemalan women who believe it is possible to build a better country.**

-- Ada Valenzuela, Director of UNAMG



Over the past 35 years, we have stood alongside Guatemalan human rights defenders, building cross-border networks that advocate for a more just world.

Our work is funded by grassroots donors like you! Monthly contributions help us continue our commitment to international accompaniment, respond in moments of crisis, and plan for sustained advocacy and action over the long haul. Visit [nigua.org](http://nigua.org) to become a monthly contributor and join our community of donors today.

Photo: A woman holds a flower as she awaits the verdict in the Sepur Zarco trial. Credit: CPR Urbana

## About Us

The Network in Solidarity with the People of Guatemala (NISGUA) links people in the U.S. and Guatemala in the grassroots global struggle for justice, human dignity and respect for the Earth.