

HUMAN RIGHTS

Chasing Terror's Paper Trail

by Sarah Krupp

While the Nazis are infamous for keeping meticulous records of their atrocities, they are not alone in creating a bureaucracy of terror. Kate Doyle, a Senior Analyst at the National Security Archive, has found that murderous regimes tend to document their deeds, recording illicit abductions and assassinations in “the death squad equivalent of an annual productivity report.”

Using their own paper trails against them, Doyle tracks the perpetrators of state terror and serves as an expert witness in human rights trials in an attempt to bring justice to countries where impunity has reigned for decades. A specialist in U.S. policy in Latin America, Doyle has testified in Guatemalan genocide cases and in a trial against former Peruvian president Alberto Fujimori. As central to her mission as convicting perpetrators is using archival evidence to fill in the blanks for survivors who want to know what happened to their vanished family and friends.

During the Cold War, state violence against citizens rose in many Latin American countries — among them Brazil, El Salvador, Guatemala, Argentina and Chile — often with the tacit or explicit approval of the United States. In Guatemala, where the violence escalated into full-blown war and genocide against the Mayan population, at least 200,000 people were killed, 93 percent of them by government security forces. In her

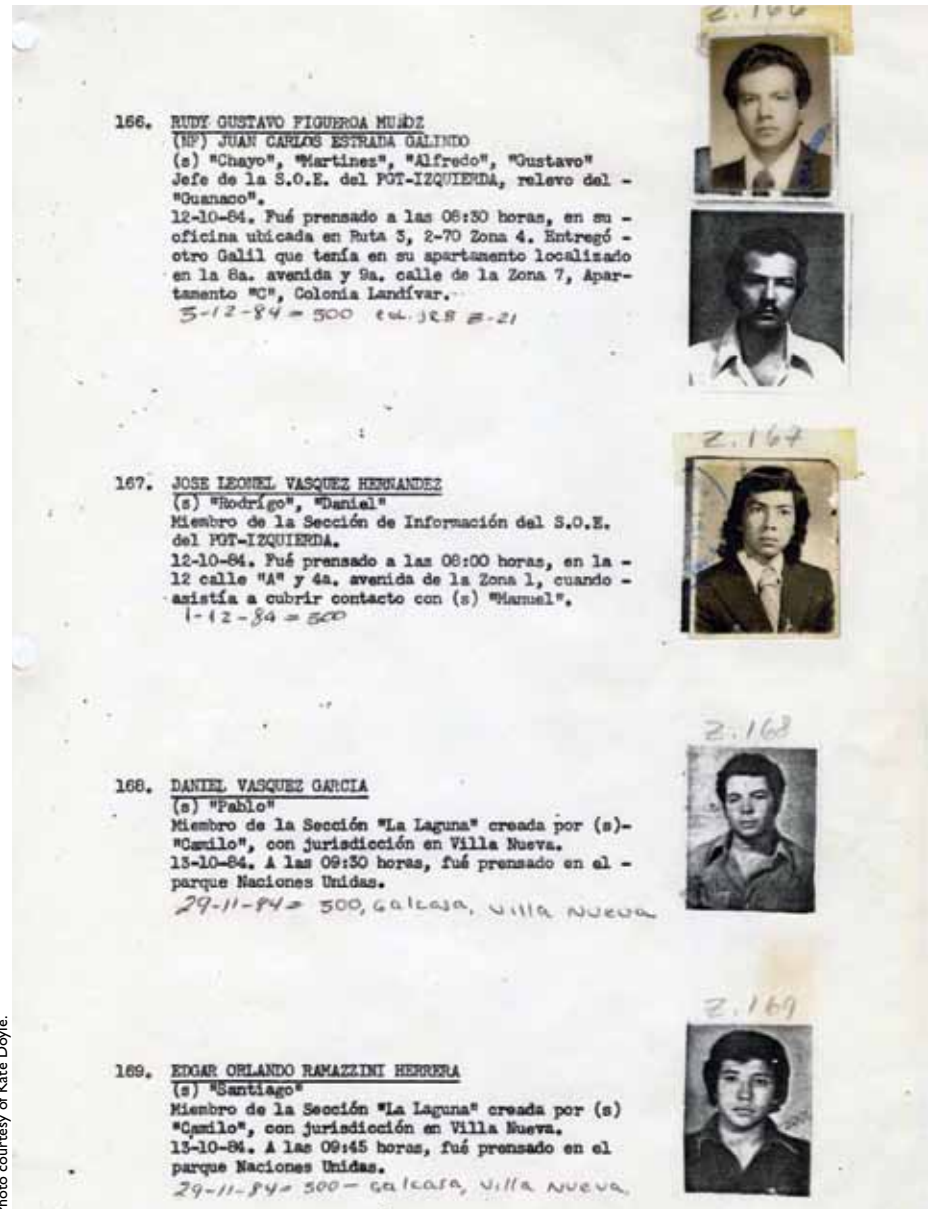


Photo courtesy of Kate Doyle.

A page from the Guatemalan military's dossier of the disappeared. The penciled code “300” indicates execution.

CLAS talk, Doyle described the prevalence of secret abductions of those considered subversive:

There's a familiar trope in the studies of recent Latin American history... the idea of the disappeared. The

snatching of men and women off the streets. The disappearance of these people from one day to the next... by the forces of the state who are never identified, never named and... never brought to justice.

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Photo courtesy of Kate Doyle

The logo of the Guatemalan prosecutor's team of inspectors.

By gaining access to government records, survivors at last learn what happened to their family and friends, and historical accounts are made more accurate. Doyle obtains these documents primarily through government requests — both in the United States and abroad — but also through leaks and occasionally by happenstance — as in Guatemala, where a decrepit munitions depot turned out to be a storehouse for police reports. The passage of access to information laws, as well as a recent Inter-American Court of Human Rights ruling that countries must make every effort to provide citizens with information about human rights crimes, have made her work easier, but it is still slow going.

Doyle has done most of her research in Guatemala, where locating documents that expose the crimes of the 36-year civil war has been a difficult process. The cover-up takes place at all levels. When investigators first began to request state documents, officials insisted they did not exist, claiming that Guatemala lacked the organization for the “First-World occupation” of record-keeping. Later, a leaked military dossier revealed that detailed records of abductions were maintained: each entry included a photo, the date of seizure, an address and the victim's fate — 300 being the code for execution.

When human rights investigators learned of a municipal logbook maintained by the town of Panzos — the site of an infamous 1978 massacre of local farmers protesting land grabs — they set out to review its account of the violence. When they arrived, they found that the pages describing the events of that day had been painstakingly scribbled over, rendering them illegible. The pages apparently had not been ripped out because the back sides contained other municipal activities. The scribbling was so concentrated with layers of dense looping circles that the ink could not be penetrated with infra-red light.

Efforts to conceal the crimes of the past are not limited to Latin America; the United States also continues to obscure much of its role in the terror. The central mission of the National Security Archive, the organization Doyle works for, is to publish declassified U.S. records related to national security, foreign intelligence and economic policy obtained through the Freedom of Information Act in order to improve access to the historical record. Among the items published by the Archive is a group of documents released by the CIA that detail the agency's role in plotting the 1954 coup that destroyed Guatemala's democratic government. The records include dozens of proposals to assassinate prominent Guatemalans, who were targeted for their alleged affiliation with communist organizations. Although the documents were declassified more than 40 years after the coup, the names in the assassination proposals were all redacted. The CIA maintains that the plans were never carried out.

Even when the facts are revealed, justice does not always prevail in human rights proceedings. The Inter-American Court, which presides over a large number of the Latin American cases, cannot force state governments to abide by its decisions. Perpetrators have also found safe havens in countries such as the United States that do not recognize the principle of universal jurisdiction, making it difficult to prosecute them except through legal loopholes such as naturalization fraud. In one such case, a former Guatemalan special forces military officer involved in the 1982 Dos Erres massacre of more than 250 civilians had been living comfortably in the U.S. for decades. He was sentenced in 2010 to 10 years in prison for falsely answering a citizenship application question about whether he had persecuted someone or committed a criminal act and not been prosecuted for it. It was a severe sentence for naturalization fraud, yet insignificant compared to his crimes.

Perhaps one of the most remarkable examples of justice in a Latin American human rights case is former



Photo by Rodrigo ABD/Associated Press.

Workers at Guatemala's Historical Archives of the National Police inspect and restore documents.

Peruvian president Alberto Fujimori's conviction for the atrocities committed in the name of defeating the Sendero Luminoso, a Maoist guerilla insurgency. Trials against his regime began nearly immediately after he was forced from office in 2000. The Inter-American Court found Fujimori and his aides responsible for the massacre of 15 unarmed people in 2001 and called for reparations. Following the decision, the Peruvian government agreed to pay the victims' families \$3.3 million. Six years later, in a separate trial in which Doyle was an expert witness, the court convicted Fujimori of human rights violations. Doyle's testimony was based on U.S. documents, including an embassy report that discussed Fujimori's strategy of using "army special operations units trained in extrajudicial assassinations." During her Berkeley presentation, Doyle displayed a photo of Fujimori in court. The image is one she shows often, especially to Latin Americans, so that they "see a president in a courtroom being forced to stand up in front of his accusers."

In January 2010, more than a decade after Fujimori left the presidency, the Peruvian Supreme Court upheld a decision sentencing him to 25 years in prison for voluntary manslaughter, abductions and forced disappearances.

Despite setbacks, the shift toward recognizing human rights and repudiating violence against civilians in even the most war-torn countries is significant. Doyle believes that uncovering past horrors and pursuing perpetrators is crucial, not only for addressing the crimes of the past but also for strengthening jurisprudence and respect for the rule of law in the present. Doyle maintains that despite the gains of the last two decades, Latin America is not yet free of the specter of state violence. She cites Mexico and Colombia as countries where the present-day war on drugs has led, once again, to the implicit sanctioning of extrajudicial violence.

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