

Report of the Damage on the Health Mental derived of the Massacre of Plan de Sanchez for the Interamerican Court of Human Rights

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Presentation

The history of ECAP is very closely linked to Rabinal, Baja Verapaz, where it started, back in 1996 –and still keeps going on- giving psychological support to the different communities affected by the internal civil war, which left a huge number of direct and indirect victims. The people that survived the political violence carried on during 1980-83, have been left with the burden of psychological problems resulting from the pain suffered during an important part of their lives and they have been fighting for their story to be recognized, for the last about fifteen years.

The objective of this study was to determine the damage to the mental integrity of these people, as a result of the massacre of the Maya Achí community of Plan de Sánchez on July 18 1982, and by other subsequent events.

The study was performed at the same time that the psychological accompanying of the survivors of the Plan de Sanchez's massacre and their family members was carried out, applying ECAP methodology by means of self – help groups, home visits and meetings among communities. The methodology used to document this damage was implemented in different stages: Bibliographical studies of other world experiences; meetings with important persons in the community; corroboration of the information in focal groups; individual interviews of the victims using as reference, among the most important, the diagnostic category of the post traumatic syndrome. The accompanying process by means of self-help groups, by means of words, expressed in a trusting environment facilitates the work as they can recognize and understand the damage that was done to them, and the mechanisms that they have, by which they were able to survive, and they can also socialize with other people that have similar experience or the same situation of this traumatic event, in this way finding sense in the experience that they lived.

“It is important to contextualize the psychological sequels that in a framework of a counter-insurgency policy, affected the mental health of the people from Guatemala, specially in the rural communities; and how in a post conflict society a state of impunity and threats prevails, that determines that the effects derived from the violence occurred during the internal civil war, do not totally disappears and reflect daily on the people, their families and communities”¹.

It is important to rescue the bravery of the victims, and the family of the victims of the Plan de Sánchez massacre, that in the context of this threat, were able to continue with the process of their fight to achieve final justice.

On November 19, 2004 the Interamerican Court of Human Rights published the Indemnification Judgment in the case of the Plan de Sánchez massacre. This judgment specifies psychological indemnification measures to create jurisprudence of great value and use in similar cases and

¹ Torresi, María Isabel. Historia del ECAP –Documentos de Sistematización, Guatemala: 2002



represent a possibility of compensation and justice for the victims of the political violence in Guatemala.

Nothing will be able to completely repair the damage caused by the political violence, or heal the pain caused to hundreds of thousand of people from Guatemala in all the years of war. Nevertheless, when the Guatemalan society as a whole, recognizes and is willing to face and indemnify the damage that was caused, following the principles of truth and justice, the final reconciliation will no be a speech any more and will become a reality².

We want to acknowledge the work done by the expert Nieves Gómez as well as the important support given by the Equipo de Estudios Comunitarios y Acción Psicosocial - ECAP (Team for Communitarian Studies and Psychosocial Action) and especially to those teams who are working in Rabinal.

Equipo de Estudios
Comunitarios y Acción Psicosocial
Team For Communitarian
Studies And Psychosocial Action

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² Segundo Encuentro de Trabajadores de Salud mental, **Experiencias y Propuestas de Intervención en Salud Mental Comunitaria**; Guatemala 23 de Febrero de 1998 - Navarro Garcia, Susana, **Salud Mental y Exhumaciones, Algunas Reflexiones: pág. 92**

I. Objective of the Expert's Report

The objective of the expert's report is to determine the psychosocial damage caused by the massacre on July, 18 1982, and other subsequent events experienced by the members of the community Plan de Sánchez, who ethnically belong to the Achí linguistic community of the Mayan People; a community located in the Municipality of Rabinal, Department of Baja Verapaz, in the Republic of Guatemala.

II. Methodology

The methodology is set within the cultural identity, that is to say the Mayan Achí culture. The historical anthropological research into the massacre of Plan de Sánchez indicates us, that an analysis of the events, object of this expert's report, without taking into account the cultural context of the victims, would have meant a disregard of the truth about the events and its extent, as well as running the risk of concluding a revisionist thesis about what had happened.

1. Objective and Theoretical Framework

To determine the damage to the mental integrity caused by the massacre that took place in the community of Plan de Sánchez on July 18, 1982, and by other subsequent historical events, all of which were treated with impunity.

The massacre of Plan de Sánchez was a traumatic event for the victims, given that it was unexpected, interrupted the life of the community, and undermined the feelings of trust in others, threatened the personal physical integrity, and destroyed the every day habitat.³

The theoretical framework to analyze the damage emerges from the group concept, and from the person as an element that belongs to the group. The group has leaders who guide it, persons who play specific roles or duties (midwives, literacy promoters, etc.). It has a number of values which guide the interaction of the individuals, elements which identify and differentiate it from other groups: the cultural identity, in this case the Mayan Achí, which has norms and authorities that look after its institutions to accomplish a satisfactory social functioning.

The group offers to all its members, a place of reference to guide them, where they may grow and become stronger. It provides reference models to learn from, security, expectations related to themselves and to the group, a life projection and solidarity.

2. Methodology Stages

2.1 Bibliographical resources

Bibliographical reviews were carried out in relation to: a) political violence and its psychosocial effects; b) historical events that took place in the massacre of Plan de Sanchez; c) the Mayan Achí culture; d) transcultural posttraumatic stress, and e) revision of specialist's reports presented before the Court.

2.2 Trusting relationships

³ Benyakar, M. Lo disruptivo: amenazas individuales y colectivas: el psiquismo ante la guerra, terrorismo y catástrofes sociales. Buenos Aires: Ed. Biblos, 2003.

The first visit to Plan de Sánchez took place on July 18, 2001. From that date on, a monthly contact has been kept with the community by means of visits, self-help groups, individual interviews, home visits to the victims, meetings held among communities of the town and other municipalities of the country that suffered similar situations, and finally, common spaces were shared in the Municipality of Rabinal.

2.3 The intervening psychosocial work

An intervening psychosocial work with a self-help group made up of twenty people was started on March 16, 2002. All of them were victims of the massacre, family members and neighbors who accompanied them from Plan de Sánchez, as well as from other neighboring communities affected by the massacre. In the self-help groups, people who have had similar experience or experiences are offered a space to express their feelings and thoughts related to the traumatic experience. The objective is to develop the individual, family and community coping mechanisms so that they can deal with their own history, and adopt an active or surviving role, leaving behind the victim or passive role. The facilitating process among the self-help groups was supported by a person who translates from Achí into Spanish and into Achí.

2.4 Interviews

In order to document some aspects of the psychosocial impact, two interviews were held with key people from the community, who are acquainted with the community process; the contents are explained in the “Focal Groups” section. Each interview took an hour.

2.5 The focal group

In order to document the community psychosocial damage, on July 06, 2002, the information collection process was initiated by meeting 20 people who were victims of the massacre in Plan de Sánchez. We met six times, which add up to 18 hours of team work. This stage was concluded on July 03, 2003.

The objective of this group was to find consensual information in relation to the topics, object of this expert work: the psychosocial impact, as well as, the perception and expectations of impunity, the impact of losing roles, leadership and identity, the impact of replacing traditional rules by military ones, the impact of rape in the community, the unfinished mourning, the emotional atmosphere, the feelings of mistrust, fear, terror, and silence.

The information previously collected from bibliographical sources, and interviews held with key people of the community was explained to the group, in order to discuss it and be able to obtain a group consensus, so that we adjust ourselves to the reality lived by the victims of the massacre.

2.6 Structured Interviews

Three structured interviews were carried out with three victims of the massacre of Plan de Sánchez. In order to document the damage caused, the following diagnostic categories were used as a reference:

- The posttraumatic syndrome, based on the Diagnostic and Statistic Manual of Mental Disorders. – DSM IV

- Scare, “Sudden Scare” or “Loss of the soul”. DSM IV⁴, which is related from the cultural point of view, to major depressive disorder, posttraumatic stress, and psychosomatic disorders.
- Unfinished mourning.
- Physical and/or psychosomatic disorders

The instrument used as exploring guide of the posttraumatic stress symptoms was the Clinician-Administered PTSD Scale (CAPS), from the National Center for Posttraumatic Stress Disorder. Behavioral Science Division-Boston. Neurosciences Division-West Haven (November 2000)⁵, with comprehensive questions in order to explore the freight the individual unfinished mourning, and the potential psychosomatic disorders.

Each interview lasted three hours. The first was held on March 22, 2004, the second one on March 31, 2004 in the Municipality of Rabinal, and the third one on April 22, 2004. One was held by means of a Spanish-Achi-Spanish interpreter, and the other two were carried out in Spanish.

III Community Psychosocial Impact

In 1982, in Plan de Sánchez and other communities of Rabinal, people lived under an atmosphere of terror, threat and impunity. Terror caused the paralysis of the survivors, generating in them an atmosphere of distrust, silence, fear of filing complains of the events, of getting together, of expressing their needs, their culture, their spirituality. “...This psychological effect appears as a deep fear, which can develop into paranoia, as a sense of helplessness and weakness before the powerful and repressive machinery, a feeling of conformism, so that they would not attempt to change what they before hand knew could not be changed, passiveness before inequality and repression, and finally, an aversion toward all political and social organizations which negate or are against, the established system.”⁶.

The crucial moment of terror in the community of Plan de Sánchez and other neighboring communities Concul, Chipuerta, Joya de Ramos, Raxjut, Volcancillo, Chichupac, Coxojabaj, Las

⁴ Fright; a popular disorder prevalent among some Latin Americans in the United States and the Mexican population, and also among some Central and South Americans. Fright is also known as scare, suspense, “loss of guts”, loss of soul or *chibib*. The fright is a disorder related to an experience that causes sudden scare and loss of soul, bringing suffering and illness. The persons who suffer the frightening feelings, also experience important social difficulties. The symptoms may appear after weeks or years of the sudden scare experience. It is believed that in extreme circumstances, the sudden fright may even cause death. Some of the common symptoms include appetite disorders, excessive or inadequate sleep, uneasy sleep, nightmares, and lack of joy, lack of motivation for any kind activity and low self esteem or negative valuation.

The somatic symptoms which appear along with the freight are mialgias, cefaleas, gastralgias, and diarrhea. Health rituals are oriented toward recovering the soul, so that it comes back to the body, and also to clean the person to recover the body and spiritual equilibrium. The different experiences of the freight may be related to a major depressive disorder, posttraumatic stress disorder, and somatic disorder. Ethological beliefs and configurations of similar symptoms may be found in different parts of the world” in “Guide for the cultural formulation and glossary of culture related syndromes” in the Diagnostic and Statistic Manual of Mental Disorders –DSM IV

⁵ D. Blake, F. Weathers, L. Nagy, D. Kaloupek, G. Klauminzer, D. Chamey, T. Keane, & T.C. Buckley

⁶ Figueroa Ibarra, C. El recurso del miedo. Ensayo sobre el estado y el terror en Guatemala. San José: EDUCA, 1991, Pág. 36.

Tunas, Las Minas, Las Ventanas, Ixchel y Chiac⁷, was the massacre of July 18, 1982. The massacre, as well as its own characteristics, created an atmosphere of extreme terror: the capture of people of various communities, the extreme cruelty under which they died, the rapes and tortures, the death of the children, the decomposition of the bodies, the raping and killing of pregnant women, the lack of funeral rites, the destruction of houses, sowing fields and property, the theft of animals, the military harassment and the impunity.

Based on the group notion explained in the theoretical framework section, each one of its elements will be described, with the objective of explaining the psychosocial damage suffered by the community of Plan de Sánchez, as a consequence of the massacre.

1 Leadership and Roles

1.1 Leadership

Literacy and health promoters, midwives, the deputy mayor, the elderly, foremen, priests and catechists were no longer able to keep playing their role in the community.

The different committees that already were established at the time, and which were very important and on a growing stage (community committee⁸, religious committees, drinking water committee), were destroyed. Likewise some of the neighbors that took part in the cooperative Huella del Varón⁹ had to abandon all they had invested in the same.

As a result of the terror atmosphere several people of Plan de Sánchez that arrived in Rabinal to continue their studies had to interrupt them. It was not until the middle of the nineties when people found psychological and social stability, that they were able to begin their studies again.

As a corollary there was a fragmentation and loss of internal references of the group. "With the killing and disappearance of leaders, in some way, a feeling of unprotectedness may be created among people, as well as, lack of guidance, and of course, disorganization."¹⁰

1.2 Destruction of family roles¹¹

At the massacre of Plan Sánchez, women, children, and elderly people died. As a consequence of the death of women, duties related to family and animal care, feeding and cleaning were fragmented, and the families no longer were a structured unit.

⁷ Equipo de Antropología Forense de Guatemala (Guatemalan Forensic Anthropology Team). Las Masacres de Rabinal. Estudio histórico antropológico de las masacres de Plan de Sánchez, Chichupac y Río Negro. Guatemala, EAFG: 1997, Pág. 186.

⁸ Entity that took the decisions in the organization and expectations of the Community

⁹ Provided loans for corn and fertilizers.

¹⁰ Figueroa Ibarra. C. El recurso del miedo. Essay about the estate and terror in Guatemala. San José: EDUCA, 1991.

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¹¹ The roles of the families of Plan de Sanchez were distributed in the following way:

- Man: dedicates himself to cultivate corn fields, work the land, social relationships, firewood, and business in the market.
- Woman: takes care of the children, cooks, does the laundry, cleans the house, takes care of the animals, takes care of the sick, protects, gives birth, and due to the fact that she is the one that has the most contact with the children, she transfers the culture. "Not only in our culture but also before God, she is the one that has the children, that is the way it has always been since the beginning of time".
- Boys: Beat the corn, bring firewood. Girls: wash, take care of their brothers or sisters and help the mother.
- Elderly people: give family advice, regulate improper behaviors and give the punishment when these happen, they transfer experience and culture, and are the highest authority regarding spirituality and customs.

The death of the children brought as a consequence the breaking off of lineage, and of a family life project that embraced progress expectations for the family and for the community from an affective, social, spiritual, cultural, educational, work and economic point of view.

The death of elderly people broke off with the structure of power in Plan de Sánchez, making it difficult to transfer culture, spirituality, and the traditional ways to settle conflicts within a society of oral transmission.

As time went by, between 1985 and 1988, men sought to restructure their families, and for that objective they married women from other villages, and built new homes. Today, this situation has caused Plan de Sánchez's men to be parents, when they should be grandparents.

On the long term, the massacre and impunity have affected the new generation. The frustrations, painful feelings, sadness and anger, are expressed by parents within the family through family abuse, alcoholism and avoidance at home, and have caused that children undertake the affective support and protective role, as well as the economical support.

2. The Damage Caused to the Cultural Identity

In the Maya-Achí culture, and therefore in the Maya-Achí culture of Plan de Sánchez, there is a cosmologic conception based on the harmonious relationship between persons and nature, just as it exists between the living and the dead. The earth is the place where the ancestors lived and where they still remain, it is the ancestral earth. The earth must be asked for permission before it is opened up to sow, bury the dead or build a house.

The abrupt and extremely violent way in which the earth was damaged, destroyed the harmonious relationship with it; and this rupture remains until today.

People were not able to perform neither their ceremonies: of the rain, the sowing, the harvest, the births, the weddings, the sickness, the dead...nor their celebrations.

The destruction of the corn, the grinding rock, animals and houses goes beyond an economic impact and the damage caused to private property. These elements are the means by which people relate to others of the group, which allows a sense of self that emerges from their relationship with others. It has a symbolic and spiritual importance.

The death of women and elderly people as oral communicators of the culture has produced a cultural emptiness.

2.1 The impact of rape in the community, the family and the woman herself.

Several women between the ages of 12 and 18 years were raped at the massacre of Plan de Sánchez; this also happened in other massacres that took place in the country at that time.

The memory and dignity of the woman as a transmitter and life giver of the group was damaged in a cultural, social, family and individual context.

At an individual and community level the Historical Clarification Commission (Comisión para el Esclarecimiento Histórico; CEH) wrote:

“Report for the Interamerican Human Rights Court on the harm to Mental Health as a result of the Massacre in Plan de Sánchez.” _____ 7

“Through investigations, CEH was able to prove that the rape of women while being tortured or before being killed, was a common practice, addressed to destroy the personal dignity in one of their most intimate and vulnerable aspects. Most of the victims of this rape were Mayan women. Women who survived the crime are still facing problems caused by the deep traumas derived from this aggression, at the same time that communities were violated by this practice. The sexual violence in the social memory of communities has become a reason for collective embarrassment.”¹²

The family impact reaches destruction of the family nucleus due to abandonment by the husband, as it happened to one of the women that survived the massacre Plan de Sanchez.

Individually, women that survived rapes at Plan de Sanchez massacre are stigmatized and criticized by the community. The terror lived during the massacre is still very real. All these facts add up to the impunity in which the actual victimizers of the rape remain, and who live in houses close to those of the victims. The perceived stigmatization, the continuous physical presence of the victimizers and the impunity situation, have evolved into an immense fear that has paralyzed and restrained these women from taking part in the justice processes and making them afraid to speak up.

2.1 The unfinished mourning of the community

The farewell death ritual is vital in Maya-Achí culture. It is the step from life to death, is the farewell of the beloved that goes toward a different place, and is the step to other kind of relationship between the living and the dead. Just as in Mayan culture there is a harmonious relationship with nature, a harmonious relationship must exist between the living and the dead. The dead will rest in peace if the living take care of them and the dead will take care of the living, as long as he is in peace. The dead will look after the wellbeing of living, and will send advice and messages. This will only happen as long as this harmonious relationship takes place. In order for this harmony to exist, the dead must rest in a sacred place where people can pray, take flowers, candles, music, and also a farewell ritual must be carried out: the vigil, a farewell with family, friends and neighbors.

The day when the persons from Plan de Sanchez died, mourning was suspended due to the following elements: destruction of the bodies, the time that had passed until the funeral took place which lasted one day, the precarious conditions of the funeral, and the lack of funeral rituals of their own culture.

The terror and impunity atmosphere that reigned did not allow the people to accompany family members that were being buried or to invite friends and neighbors to accompany the farewell to the dead. It was until 1994, 12 years later, when the exhumation took place, that the community was able to mourn.

3. Replacement of the Traditional Norms and Authorities for Military Norms and Authorities.

The Community social controls used in their culture were replaced by military social controls. This replacement was obligatorily enforced, without the consensus or acceptance of the community.

¹² Guatemala, memoria del silencio. Conclusiones y recomendaciones de la Comisión para el Esclarecimiento Histórico. Comisión para el Esclarecimiento Histórico. 1999. Numeral 91.

Military control was enforced through coercion, threats, fear, impunity, disproportionate and humiliating punishments and in some cases, the deviation of their rules caused death.

During 1984-1985 and up to 1988, men that returned to Plan de Sánchez, were forced to surrender to this military control system and to be a part of the civilian self-defense patrols (PAC). They were forced to patrol together with the same men that took part on the massacre of Plan de Sanchez; they were not allowed to take care of their land, and were forced to build a school and a chapel in the community of the victimizers.

From the massacre until 1988, the destruction of the social structure remained as a result of the following elements:

- The obligatory substitution of the traditional social control systems for military controls.
- The obligation to patrol together with the victimizers of the massacre.
- The impossibility to return and rebuild their community.

From that date on, there was a polarization among the inhabitants of Plan de Sanchez and those of other neighboring communities that were related to victimizers. This situation has worsened since August 2002, when the movement to seek for the indemnification of the ex-civilian self-defense patrols started, and it has deteriorated with the real execution of said indemnification. The polarization has been recently introduced into the inhabitants of Plan de Sanchez when some of the men that patrolled since 1985, requested their indemnification as ex PAC, due to their lack of compensation as victims. This situation has created rejection and division among those who consider that this indemnification must not be accepted due to its significance, and those that have requested it due to economic need and their lack of compensation as victims. It has not only created polarization inside the community, but also the ex PAC that were victimizers are being remunerated for what the Government called “services rendered to the country”.

This polarization has created division among the groups that are not interested in justice and keep a threatening atmosphere, and those seeking justice, the memory, the recovery of history from the victims point of view, the dignity of the dead and the struggle to prevent the events from occurring again as confrontational mechanisms, in order to “find meaning” to the suffering.

Indemnification to the former patrols constitutes a step back in the reconstruction of the social structure, emphasizing differences instead of seeking for a common goal in order to rebuild the country. It leaves a mark in the collective representation, where the attempts to install the norms between what it is allowed and what is prohibited is being threatened again, which leads back to social trauma.

4. Emotional Climate

From the time of the massacre of Plan de Sanchez until the middle of the nineties, the emotional atmosphere is described as permanent tension, terror, paralysis, and silence of the victims.

Trusting relationships were too deteriorated, people from Plan de Sanchez were labeled and made feel guilty for the massacre; furthermore, they have been obligated to live together with the victimizers and see them at common places in the Municipality.

People live with constant mistrust when talking about their own violence experience, reject political participation, and are marked by skepticism regarding justice issues. This makes easier to blame

the victims since there is no control over the victimizers. This language turns into violence that Bourdieu characterized as *symbolic violence*, a language that exercised from power, tends to produce a way of perceiving the world according to the interests of said power, which means, to give a different meaning to the events.¹³

Men and women from Plan de Sanchez have been labeled as “guerrilla” “guerrilla’s son” and/or “guerrilla’s wife”, which is directly perceived as death threat and punishment, causing fear, paralysis, and silence of the labeled persons.

Likewise the survivors from Plan de Sanchez on several occasions have been made responsible for the massacre. The reversal of the guilt to the victims by the victimizers (military members and patrols) has developed as a mechanism in Plan de Sanchez so that the identification of the responsible parties, as victimizers maintain some special prerogatives and retain social control.

The relationship between victim-perpetrator involves a power relationship, where the victim is paralyzed in his position as a victim, due to the fact that the aggressor is still around on a daily basis.

The permanent tension and fear produced by the massacre of July 18, has endured time and is still present, not only individually, but also in the community. This fear produces immobilization when seeking the reconstruction of social structure, and this fear is transmitted to new generations.

The lack of punishment and justice makes it difficult to list the violence effects, and furthermore when there is no social acknowledgement of rapes, the victims remain isolated and stigmatized. This situation does not allow for the reconstruction of the social structure since it makes polarization deeper among social groups.

Iv. Psychological Impact

On a meeting of the focal group and in other areas of the psychosocial intervention, we worked specifically on the repercussion on the individual mental health of the victims of the massacre. Survivor’s expressions match a posttraumatic stress description, shock, unfinished mourning, and psychosomatic disorders. In order to provide a detailed impact on subjectivity, three interviews with three victims of the massacre were held.

The interviewed persons – one men and two women; two of 42 years of age and one of 35 years of age – showed posttraumatic stress symptoms on a severe and chronic level on the re-experimenting main points, hipervigilance and avoidance:

- The re-experimenting symptoms are related to watching and smelling burned bodies.
- They show avoiding symptoms: alcohol use, avoid activities and places related to the massacre, their interest in activities they used to enjoyed has diminished, and in one case, the person wanted to die.
- They show hipervigilance symptoms, which are mainly characterized by sleeping disorders, alert sensation, fits of anger against the family.

¹³ Aguilar Elena. “Efectos psicosociales de la impunidad”. En Seminario Internacional sobre Impunidad y sus Efectos en los Procesos Democráticos” Diciembre, 1996.

- Two of the persons interviewed showed guilty feelings for not having made anything to save their mother, and show symptoms of unfinished mourning: continuous memories, crying, continuous presence of their dead relatives and dreams of the mother.
- Women show disorders that most probably have a psychosomatic origin: dizziness, headache, numbness of the hand and arm; chest pain and difficulty to breathe.
- The three persons interviewed are scared.
- Symptoms previously described have deteriorated the quality of life of the person in an individual, family, social and working level.

V. Conclusions

The community life project of Plan de Sanchez and the bordering communities were seriously damaged due to the fragmentation of the group and the loss of role models inside the group, the elimination of leaders and roles, and the destruction of the culture. All this caused a great disorientation, lack of persons of reference, lack of control perception in their lives and their environment, and great insecurity.

It can be stated that women that survived the rape of the massacre of Plan de Sanchez show or have shown at some point of their lives and for very long periods, the following symptoms: posttraumatic stress, guilt for what had happened, embarrassment, fear, silence, and isolation, psychosomatic disorders, such as headaches, respiratory problems and gynecological diseases.

Women who survived the rapes of the massacre of Plan de Sanchez have seen their physical, psychic, and moral integrity seriously damaged producing deterioration in the quality of their individual, family and social life.

The generalized insecurity context, did not allow for the symbolic mourning process, the external demands were so many, that there was no time to cry for the dead. The mourning process was stagnant, and although the persons knew what and who they have lost, they did not find the meaning of death.

The destruction of the social structure persists due to the obligatory replacement of conventional social control systems for the military control systems, because of the obligation to patrol together with victimizers of the massacre, as well as the impossibility to start rebuilding the community until 1988.

The massacre of Plan de Sanchez and the events that occurred afterwards created a polarization among the members of this community and those of other communities; this situation still goes on due to the indemnification received by the former civil patrols.

Until the mid nineties the emotional atmosphere after the massacre of Plan de Sanchez was characterized by permanent tension, stigmatization, guilt, terror, paralysis, and silence of the victims.

The lack of social role models, the lack of security, the obligation to replace traditional norms and authorities for military authorities and norms, the lack of expectations, the lack of solidarity derived from the breaking off of the group elements and the terror atmosphere have caused a diminution in the conditions and quality of life for the development of people and of the group.

The harm has caused a breaking-off of the community life project that today is being rebuilt with difficulty due to the lack of justice, of acknowledgement of the harm suffered, lack of memory of the victims, and the lack of compensation.

The new generations are growing up without the basic security that an integrated family provides.

A very important number of surviving persons from the massacre of Plan de Sanchez have posttraumatic stress symptoms, unfinished mourning, are scared and have psychosomatic and physical disorders. Regarding the physical disorders, the bad or inexistent medical and psychological attention on behalf of the State, has not allowed to clearly determine the psychosomatic origin of the physical symptoms.

The posttraumatic stress symptoms, unfinished mourning, scare, and psychosomatic disorders shown by the survivors obstruct the personal growth. Due to the fact that this problem has been endured by several persons of the same group, in this case the community, it has restrained the individual contribution that each member provides to the group, or it has deteriorated the quality and performance of the person towards the group, which has directly affected the optimum development of the community life project. At the same time, the breaking off of the community life project has affected their individual life project; creating in this way a circle where individual, family and community issues are closely related.

Vi Recommendations

“Everything that occurred was very painful,
only God knows why this happened to us,
what I ask God is that He enlightens people
that can make justice possible”.
(Testimony of one of the victims)

- That people from Plan de Sanchez and surrounding communities that have been affected by the massacre receive informative workshops regarding the process before the Interamerican System and its repercussions.
- That the victims of the massacre and surrounding communities decide what they want as community reparation. In order for the reparation to fulfill its objective, it must be decided by those directly affected.
- That a consultation for redress should be carried out with the women that survived rape.
- Psychological and medical programs must be developed.
- Validation of the truth regarding the events with a public presentation by a representative of the Government in the Municipality of Rabinal on the date agreed with the victims.
- To carry out the pending judicial procedures where victims are currently involved.
- To set a date together with the victims, for the commemoration of the victims of the genocide of Plan de Sanchez, and another date must be set for the victims of the genocide of the Municipality of Rabinal. This tradition has already existed for several years in an informal way.

For this celebration, the government must designate a budgetary appropriation and the commemoration will take place at the town square.

- To build a monument, previously approved by the victims, which will be located at the town square of Rabinal.
- Implement a Compensation National Plan.

VII. Considerations and Dispositions of the Court Contained in the Reparation Judgment, Regarding the Psychosocial Reparation.

On November 19, 2004 the Interamerican Court of Human Rights published the restoring judgment for the massacre of Plan de Sanchez. The restoration measures are lengthy and numerous, for this reason it is not our intention to list all of them. We only want to emphasize those related with the integral psychosocial reparation, and with the presentation of this expert's work regarding the damage caused to the mental health as a result of the massacre.

It is important to rescue the pronouncement of the Court regarding this matter, and to take advantage of the opportunity that the State is giving to devise a global reparation plan, which is needed in the case of the massacres, and on a specific social and cultural context such as the Maya-Achí. These reparation measures create jurisprudence of great value and usefulness for cases similar to this one, and it can be taken as a reference for the National Compensation Plan.

1. Considerations of the Court on Points F) and H)

f) Medical and psychological assistance

106. The victims that have rendered their testimony before the Court or those who have given their statements before a commissioner for oaths (sworn statement), have expressed that they suffer physical sequels and psychological problems as a result of this massacre. Likewise, the expert Nieves Gómez Dupuis stated during the public audience, that the surviving victims of the massacre suffer from mental health injuries and psychosomatic disorders. The Court considers that it is imperative to stipulate a measure with the objective of reducing the physical and psychological suffering of the victims of the case herein (supra par. 49.10) [sic], which are the result of rape, if they so desire.

107. In order to contribute to the redress of the harm caused, the Court disposes that the State must provide, through their specialized health institutions, and free of charge, the medical treatment required by the victims, including, *Inter. Alia* the medicines that might be needed. Likewise, the State must create a psychological and psychiatric specialized treatment program, which should also be provided free of charge. When providing the psychological and psychiatric treatment, particular circumstances of each person must be taken into consideration, as well as their individual needs, so that collective family and individual treatments can be given.

This treatment must be carried out after an individual evaluation, and as agreed with each person.

108. For this objective, the State must create a committee to evaluate the physical and psychological condition of the victims, as well as the measure that should be taken in each case. In this committee the non governmental organization called Equipo de Estudios Comunitarios de

Acción Psicosocial, must take an active role. If this organization does not agree or it does not meet the conditions to assume the responsibility, the State must identify another non governmental organization with the experience to treat victims, that could replace the previous one. Guatemala must inform this Court about the constitution of this committee within a term of six months. In reference to the medical and psychological treatment, it must begin right after the constitution of the committee and last for a five year period.

**h) Development program
(Health, education, production and infrastructure)**

109. The Commission and representatives have stated the need to develop programs related to health, education, production, and infrastructure that will benefit the members of the communities affected by the events of this case. Likewise, the State indicated that the restoring measures might consist in the obligation of the State of providing social services, according to what has been established by international standards. Likewise, witnesses Juan Manuel Jerónimo and Buenaventura Manuel Jerónimo, specially stated that as a restoration measures educational programs and infrastructure works (roads, road pavement, and drinking water, among others) must be created.

110. Due to the harm caused, not only to the members of the community Plan de Sánchez, but also to the members of the communities Chipuerta, Joya de Ramos, Raxjut, Volcanillo, Coxojabaj, Las Tunas, Las Minas, Las Ventanas, Ixchel, Chiac, Concul y Chichupac by the events of this case, this Court orders that the State must develop in these communities, regardless of the public works that the national budget has already designated for that region or Municipality, the following programs: a) study and diffusion of Maya-Achí culture in the communities affected through the Academia de Lenguas Mayas de Guatemala or another similar organization; b) maintenance and improvement of the communication road systems among the indicated communities and Rabinal; c) sewage system and supply of drinking water; d) provide teachers that are trained on intercultural and bilingual teaching for elementary, junior high and high school (primaria, secundaria y diversificado) for said communities; and e) to build a Clinic with the adequate personnel and conditions, as well as to carry out the training of the personnel of the Municipal Clinic of Rabinal so that they can render medical and psychological services to those people that have been affected and that ask for them.

111. The State must create these programs within a term of five years as of the notification of the sentence, and must submit to the Court each year, a detailed report on their development.

The Interamerican Court of Human Rights Disposes on Points 7, 8, And 9:

7. The State must provide free of charge, through their specialized health institutions, the medical treatment that the victims might need including, Inter. alia, the medicines needed. Likewise, the State must create a specialized psychological and psychiatric treatment, which should also be given free of charge, as stated on paragraphs 106 to 108, and 117 of this Sentence.

8. The State must provide adequate housing to those surviving victims that live in the town Plan de Sanchez and that need it, following the terms of paragraphs 105 y 117 of the Sentence herein.

9. The State must develop the following programs in the communities of: Plan de Sanchez, Chipuerta, Joya de Ramos, Raxjut, Volcanillo, Coxojabaj, Las Tunas, Las Minas, Las Ventanas, Ixchel, Chiac, Concul and Chichupac: a) study and diffusion of Maya - Achí culture in the affected

communities through the Academia de Lenguas Mayas de Guatemala or another similar organization; b) maintenance and improvement of the communication road systems among the indicated communities and Rabinal; c) sewage system and supply of drinking water; d) provide teachers that are trained on intercultural and bilingual teaching for elementary, junior high and high school (primaria, secundaria y diversificado) for said communities, and e) build a Clinic in the aldea Plan de Sánchez, with the adequate personnel and conditions, as well as to carry out the training of the personnel of the Municipal Clinic of Rabinal so that they can render medical and psychological services to those people that have been affected and who request that kind of treatment, in the terms of paragraphs 109 y 111 and 117 of the Sentence herein.