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Information Control and Human Rights: Transforming Government Archives into Tools for Civil Society *Jesse Franzblau*

Abstract

Government archives hold important clues to human rights violations carried out in secret by dictatorship regimes. Internal state papers also provide insight into the methods that repressive security forces use to violate citizens' rights with impunity. Archival discoveries in places such as Egypt and Tunisia expose the depth of internal repression sustained by security and intelligence apparatuses, and contain critical information for pro-democracy activists pushing for political reform. Latin American civil society actors have years of experience working with similar archives of atrocity. This article provides a case study of truth and justice projects in Guatemala, and examines the role that archives play in these processes. Papers discovered in Guatemala's Historic Archive of the National Police (AHPN) are providing key pieces of evidence for prosecutions of state agents for past political crimes, and continue to expose the core institutions of a police state. The AHPN project is using technology and advanced archival science techniques to harness the archives into tools for civil society to propel forward human rights cases. The cases demonstrate how archives of repressive regimes can be used to prosecute deposed political leaders for acts of torture, assassinations and forced disappearances. The exposure of repressive government secrets through archival excavations contributes to such legal processes that effect the consolidation of democratic systems. In countries like Tunisia & Egypt, pro-democracy activists are learning that it is easier to remove a dictator than to remove dictatorship. Using Guatemala as a case study, this article examines the policy implications of archival discoveries, and explores how archives can serve as important tools to expose and disband the inner-workings of repressive institutions.

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This paper is the result of an independent study project carried out for the University of Michigan Gerald R. Ford School of Public Policy, fall 2011, under the consultation of David Wallace, professor at the University of Michigan School of Information. The author of this paper would like to thank David Wallace for his advice and support on this project.

Introduction

Government security structures produce extensive records in the process of committing systematic human rights violations. These records contain important details for civil society groups investigating the organizational components behind repressive states, including communication networks, surveillance and monitoring methods, and agents of political violence. These records traditionally remain behind closed doors until abusive regimes are no longer in power. Recent document discoveries in Egypt revealed the inner workings of Hosni Mubarak's internal repressive security apparatus that operated for decades. Papers left behind in the Amn Al-Dawla (State Security Police) installations outside of Cairo and in Alexandria exposed extralegal surveillance, interrogation methods, torture, and systematic extralegal executions carried out by Egyptian security forces. In Tunisia, civil society groups are organizing to decide how to manage the files of Ben Ali's secret police forces. These files have the potential to reveal the scope and nature of state oppression under the Ben Ali regime while fueling calls for justice and contributing to demands for security reform.

The process of archival discovery and recovery is well known to activists in Latin America, a region overcoming legacies of dictatorship from the Cold War era. This paper looks specifically at the case of Guatemala, where civil society groups are transforming internal archives into tools for accountability and justice projects, constructing historical memory databases and legal evidence in the process. These archives are essential for exposing state agencies that committed human rights violations in secrecy for decades. The recovery of the files is made possible through technology and scientific advancements, from scanning equipment to digital archiving methods. This has enhanced the capacity of civil society groups to reform security forces and hold individual perpetrators responsible for past state crimes.

In order to fully understand and advocate for contemporary judicial and political reform efforts, it is important to address the history of how abusive regimes take shape. The first section of this paper examines the roots of Guatemala's security apparatus and the way that state-sponsored violence became institutionalized over time. Using declassified U.S. government documents, this section analyzes how millions of U.S. dollars were used to help construct Guatemala's security systems and shape state policy around repressive structures that provided impunity for political violence. Section two follows the paper trail left behind by Guatemalan government forces that operated during the internal armed conflict (1960-96), focusing on the work being done in Guatemala's Historical Archive of the National Police (AHPN). The AHPN project is using technology and advanced archival science techniques to harness the archives into tools for civil society to move human rights cases forward. The third section looks at how

internal government archives are being used as evidence in investigations and prosecutions of former state agents responsible for human rights violations. These records, which reveal the planning, coordination, and implementation of political crimes, provide compelling evidence that is vital to prosecutions. These developments are important for Guatemalan society to deal with the legacy of civil war, and they provide important lessons for other countries working to transform government records into tools for human rights legal advancements.

I. Technology and Secrecy: Intelligence Infrastructure of a Police State

The construction of Guatemala's state intelligence apparatus required vast amounts of resources, including millions of U.S. dollars and advisors to train officials to manage political and personal information on Guatemalan citizens (Doyle, Osorio, & Evans 2000).¹ This involved the latest methods in citizen-tracing tactics, such as fingerprinting and photo identification (Doyle 2007). These efforts necessitated training in information management methods to keep political and personal information in the hands of government officials. This process left behind an extensive record. Tracing the genesis of Guatemala's security apparatus through the internal government records works to penetrate the culture of impunity that continues to pervade Guatemalan society. The exposure of formerly secret archives is central to historical clarification efforts, as it provides tools for civil society to decode past violence and holds institutions and individual actors accountable.

The origins of Guatemala's intelligence and secrecy structure can be traced to the 1950s, when U.S. covert operations began providing early intelligence and training manuals for selective assassination in preparation for the 1954 coup against democratically elected President Jacobo Árbenz. The U.S. Central Intelligence Agency (CIA) provided lists of individuals and instructions for targeted killings to eliminate political opposition figures. Declassified CIA records reveal the intimate details of the operation. The CIA recommended to the Guatemalan military using simple instruments for "disposing" of communists, such as "a hammer, axe, wrench, screw drive, fire poker...anything hard, heavy and handy will suffice" (Doyle & Kornbluh 1997).² These simple tools were sufficient for eliminating political enemies, but the other component of political murder, plausible deniability, was much more difficult to achieve. In order to keep the crimes secret the CIA recommended taking careful measures to hide the killings, as the 1954 training files advise "no assassination instructions should ever be written or recorded" (Doyle & Kornbluh 1997). To achieve this end, the United States helped the Guatemalan state develop the technical capacity for information management, internal communication networks, and coded record keeping to cover up the crimes (AHPN Report 2011). The security forces, for example, often recorded political murders as carried out by "unknown men" to hide their role. As a result, de-coding the intelligence papers now involves diligent archiving, analysis and investigative work to uncover the true perpetrators of past crimes.

*A. The Name of Fear – La Dos*³

The central institution responsible for Guatemala's targeted violence was the Guatemalan military. The military intelligence apparatus served as the nerve center for managing information gathered through surveillance and interrogation and distributing it to the state security forces. The Military Intelligence Directorate (D-2), commonly referred to as *La Dos*, was a terribly feared force, responsible for upwards of 200,000 deaths, 50,000 of these enforced disappearances.⁴ The D-2 achieved notoriety in Guatemalan society by amassing widespread communication networks, using informants, clandestine torture centers, extralegal assassination, and secret mass graves as a matter of policy (CIA 2/19/94). The D-2 had a *Stasi*-effect on Guatemalan society. People were scared to speak with their neighbors, friends, and family about matters that could be perceived as political for fear of *orejas* (informants). The state employed an intelligence web to spy on and target guerrilla leaders for assassination in order to dismantle insurgent organizations. Students, social activists, labor leaders, and any person suspected of guerrilla affiliation were among the "government opponents" targeted (Doyle & Franzblau 2009).

B. The President's Intelligence and Operational Staff – El Archivo

In addition to Las Dos, the President's office managed an intelligence unit integral to the military's assassination operations known as El Archivo (DIA 2/16/1990).⁵ The "Archive" came into existence through a U.S.-sponsored program established to fund and train Guatemala's security forces in the 1960s.⁶ The Archivo was part of the Presidential Staff (*Estado Mayor Presidencial* – EMP) and directly used by the President for security as well as political operations (DOS 3/28/1986). D-2 agents rotated in and out of Archivo positions in order to maintain influence on the agency's operations (CIA 5/18/93). In conversations with U.S. officials, Guatemalan officers characterized the agency as a "little mafia" because it surrounded itself in a culture of impunity through professional cover-ups (DIA 7/13/93).

The Archivo's name perfectly describes the source of its power and influence: its archives. The unit collected information on political opponents, often updating its surveillance techniques to meet the state's counterinsurgency demands. The information stored in the Archivo files can be traced back to the early U.S.-sponsored Cold War assistance. Guatemala was among many countries in the 1950s and 1960s to receive U.S. funding and training for security forces through a program intended to "destroy the effectiveness of the Communist apparatus in free-world countries" (Grandin 2004, 73). In the lead-up to the U.S.-backed 1954 overthrow of Jacobo Árbenz, the CIA created lists of "individuals of tactical importance whose removal for psychological, organizational or other reasons is mandatory for the success of U.S. personnel," including Communist Party members and pro-Árbenz supporters (Schirmer 1998, 157). Guatemalan security services continued to compile dossiers and build networks to apprehend political opponents. The Archivo became a centralized institution for managing and housing this information.

C. The Art of the Political Murder - Deniable Disappearance (1982-86)

In 1999 the U.S. National Security Archive (NSA) made public an internal Guatemalan military document that provided evidence of the targeted 1983-85 disappearance campaign. Known as the Death Squad Dossier, or Military Diary (*Diario Militar*), the logbook catalogues the surveillance and kidnapping of 183 people. The document contains pictures of the victims, with information indicating their political affiliation, dates of capture, and, in ninety-three cases, date of execution. After extensive analysis by NSA Senior Analyst Kate Doyle, as well as legal experts such as Helen Mack, lawyers and investigators determined that the logbook was the product of the Archivo. Further evidence exposed in the Guatemalan police files supports this hypothesis with irrefutable evidence.

This analysis is supported by declassified U.S. government files with information on the Archivo as an instrumental security agency employed by the president's staff in political killings. Shortly after Mejía Victores took power in a coup in August 1983, then-U.S. Ambassador Fredric Chapin reported to Washington that pressuring the Mejía government to solve cases of kidnappings and assassinations would do little to change the policy. The ambassador added that he believed that General Mejía covered up the murder of three U.S. Agency for International Development (AID) workers in February 1983, and had "closed ranks on this issue" shortly thereafter (Embassy 9/6/1983). The following month, Chapin reported another killing of USAID workers in November 1983. According to the report, Chief of the *Estado Mayor Presidencial* (EMP), Juan José Marroquin Siliezar, ordered the murders in response to U.S. pressure on human rights issues. In the ambassador's view, the deaths were meant to send a message to Washington to ease international pressure on the Guatemalan government. The document goes on to state that the presidential intelligence unit, the Archivo, was responsible for the murders (Embassy 11/5/1983).

II. Exhuming Buried Secrets: The Guatemalan Police Archives

A. Transforming Archives into Tools for Justice - Mining of the Archive

In July 2005, the human rights prosecutor (PDH) sent a team of officials to inspect improperly stored explosives at a local police base in downtown Guatemala City. The head inspector of the PDH unit noticed mountains of papers in the windows of a police office building. The ranking police official on site provided the PDH investigators a full tour of the office and informed them that these were the archives of the National Police.⁷ Not to be mistaken for the current Civilian National Police (PNC), the National Police (PN) was integral to the state's violent tactics – so much so the government had to disband it as a condition of the 1994 Peace Accords. The files were enticing, and the immediate reaction was to gather and scan as much material as possible before the state could deny access to what they left behind. The state had blocked access to such

information for decades, steadfastly denying responsibility for any disappearances. Family members of the disappeared looked to the archives as source for answers.

The deteriorating condition of the police archives was a major challenge to organizing and managing the papers. The project benefited early in the organization phase from experts in information science and archival techniques. They received state-of-the-art scanning equipment to assist the document exhumation and data mining process. This support came in part from the Swiss government, as well as from non-profit organizations such as Benetech, a California-based non-profit that specializes in providing technology solutions for human rights projects. Benetech contributes to the Guatemalan Historical Archive of the National Police (AHPN) efforts through statistical studies of the records, exemplifying how technology plays an important role in providing the necessary tools for advancing human rights cases.

B. The AHPN Report – Breaking the Silence of a Police State

On June 7, 2011, the AHPN released a report that culminated five years of research and investigative efforts by the AHPN staff, professional archivists, and international advisors. The 522-page report provides the names of hundreds of police and military officials responsible for human rights violations. The AHPN report also highlights emblematic cases such as the Death Squad Dossier (military log book) 1983-85 killings (currently a case before the Inter-American Human Rights Court), the 1978 assassinations of then-mayor of Guatemala City Manuel Colom Argueta and student leader Oliverio Castañeda de León, the 1984 arrest and forced disappearance of student leader Fernando Garcia, and provides the names of state agents involved in these crimes. The police archive publication was the first of its kind to have access to official internal state records and to provide such intimate details with names of perpetrators and victims of the past violence. This unique report now serves as a model for civil society groups working on document recovery projects in other countries.

The report reveals that the priority of security forces during the civil conflict was to monitor internal social dissidence and political activity. The report references files that describe the use of U.S.-provided equipment, including 35-millimeter cameras to document detained individuals and conduct long-distance surveillance of “demonstrations, protests, or locations for any time of investigations” (AHPN Report 2011, 162). Crime prevention and civil investigations were never an important priority for U.S. advisors, or subsequently for Guatemalan security forces.

C. Preserving Historical Memory - The Content of the Archives

The disclosure of the police records also provides new information about the role of intelligence communication centers that shared information on suspected guerrillas inside and outside of Guatemala’s borders. The international police agency, Interpol, maintained an office in Guatemala’s Judiciary Police unit (later the Police Detective Corps - DIT) and worked with the

Regional Telecommunications Center (CRT or *la Regional*) to facilitate communication between Central American governments (AHPN Report 2011, 237). The CRT operated to connect information between Interpol offices in other Central American countries and Guatemala's office. Through this system, the governments shared intelligence on wanted criminals as well as suspected guerrilla insurgents and political opponents. Interpol maintained an office within Guatemala's police structure until the PN was disbanded following the end of the conflict in 1996. The DIT intelligence officers worked in the Interpol office, benefiting from access to the technical equipment and databases (AHPN Report 2011, 237). This information about Interpol's role in supporting the police forces also suggests that there is more information yet to be revealed. Interpol likely has files with important human rights data that should be reviewed for historical clarification purposes.

III. Historical Clarification and Accountability Using Discovered Archives

A. Human Rights Records as Evidence – The Case of Edgar Fernando García

Edgar Fernando García – a labor leader, student activist, and member the Guatemala's clandestine Worker's Party (PGT) (Doyle 2010) – was detained following a military-orchestrated “cleansing” operation in February 1984. Government agents brought García and another PGT member to police headquarters where their superiors rewarded them for capturing “two subversives.” Edgar Fernando García was never seen or heard from again. Sixteen years after the police filed away their records on Fernando García's detention, police archive researchers unearthed the secret records that exposed the inner workings of the kidnapping and the names of the agents responsible for his disappearance.

Access to the internal files on Fernando García has allowed analysts to decode the communication systems utilized by the police and the military at the height of the internal conflict in Guatemala's cities. Throughout the conflict, the military intelligence directorate (D-2) created counterinsurgency plans for the National Police to carry out security operations in urban centers. The Fernando García kidnapping was the result of a cleansing operation (*Operacion Limpieza*) that involved citywide sweeps, raids, and large-scale arrests. The records reveal communication between the military and police through radio transmissions, telegrams, and direct orders. According to documents, the February 18, 1984 operations led to forty-nine detentions, and Fernando García was amongst those detained.

The police labeled Fernando García as a “subversive” rather than an ordinary criminal because they had prior intelligence of his political activities. In fact, he had become a target of state surveillance years before his 1984 capture, appearing in the *Diario Militar* as early as 1977. Fernando García was an active student at San Carlos University and an executive board member of the CAVISA union (*Sindicato de Trabajadores Industria C.A. de Vidrio S.A.*). The security forces targeted both the San Carlos University and labor unions, CAVISA in particular,

throughout the years of military rule. The police reported on Fernando García, for example, when he led a demonstration on a university campus in 1980.⁸

The U.S. paper trail confirms that the Guatemalan government targeted labor leaders. Five days after Fernando's kidnapping, Amb. Chapin reported that the government was "obviously rounding up people connected with extreme left-wing labor movements for interrogation" (Embassy 2/23/1984). The ambassador also reported that the U.S. Embassy was optimistic that Fernando García would be released, despite reports that he already had been murdered. Fernando García's whereabouts remain unknown.

B. Convictions and the Chain of Command

In March 2009, two former National Police agents were arrested on charges of forced disappearance connected to the kidnapping of Fernando García. The arrest orders went out based on evidence unearthed by investigators in the police archives, most notably a document that listed the promotion of the agents for detaining Fernando García. An investigator from the police archive, Velia Morales, testified regarding the content of the AHPN files, which were displayed in the courtroom. Velia showed the D-2 military plans sent to the National Police to carry out the *Limpieza* operations, signed by the head of the D-2, Byron Disrael Lima Estrada. Velia also revealed the internal communication between the Central Operations Command (COC) sent from Lieutenant Police Colonel Monico Antonio Cano, and orders from the head of the Fourth Corps, Jorge Alberto Gómez López (Fernando García case ruling 10/28/10). Fernando's wife at the time of his kidnapping, Nineth Montenegro, who is currently a member of Congress, presented testimony during the trial. His daughter, a baby when Fernando disappeared and now a lawyer, helped prosecute the case. In October 2010, the Guatemalan courts sentenced the two police agents to forty years in prison for the illegal detention and disappearance of Fernando García.

In addition to the archive records, Benetech statistician Daniel Guzmán presented testimony based on a partial analysis of 31.7 million police archive documents. The analysis looked at the communication between the high command and police commanders, and supported the prosecution's assertion that the leadership of the National Police were involved in planning and coordinating Fernando García's disappearance (Guzman 2011). National Security Archive analyst Kate Doyle presented the U.S. declassified records released through Freedom of Information Act (FOIA) requests, such as the February 23 embassy cable from Amb. Chapin that confirms the Guatemalan government's targeting of labor organizers. The U.S. reporting, contemporaneous to the crimes, is full of information that directly implicates high-level Guatemalan officials, including the President, in the 1983-85 disappearance campaign.

It took more than twenty-five years and the discovery of the police archive records for the Guatemalan state to fulfill its duty to investigate the disappearance of Fernando García. Now as a result of the police archive discovery, the investigations have finally caught up to the masterminds of the 1983-85 kidnappings and disappearances. On April 8, 2011, Jorge Alberto

Gómez López, the Fourth Corps commander who signed the document promoting the material for the detention of the Fernando García, was arrested to face charges for the crime of forced disappearance. Less than two months after that, the Director of the National Police from 1983-85, Héctor Rafael Bol de la Cruz, was detained. Gómez and Bol de la Cruz are awaiting trial for the crime of forced disappearance.

IV. Conclusions and Policy Implications

A. Information in the Service of Human Rights

The Fernando García case exemplifies how internal state records are critical to human rights investigations. The records point to criminal responsibility for crimes against humanity and expose the modus operandi behind acts of political violence. The cover-up, the denial, and the method of communication between the higher authorities and the commanders on the ground all follow the same methodology used in acts of forced disappearance. Activists and investigators use these documents to expose the agents responsible and the intelligence channels maintained during the internal armed conflict. The records are essential for combating impunity for past crimes and ensuring accountability for ongoing abuses.

Benetech's work exemplifies how technology can be employed as a vital tool for human rights clarification and legal advancements. The Benetech programs are based on the central tenet that free technology should be available to anyone working in the service of truth clarification and judicial efforts. For groups with limited resources this is an important service. The American Association for the Advancement of Science (AAAS) estimates that 10,000 human rights groups actively collect information in the field all over the world. Making technology available for these groups to streamline and professionalize their data-gathering efforts helps to empower victims of state abuses and shift information control from the state to the citizen. The Guatemala police archive project demonstrates how sophisticated methods for data collection and analysis are needed to prove that human rights incidents are part of a greater, systematic, government policy (Price et al. 2009). This type of large-scale analysis is important to building credible prosecutions against human rights violators (Guzman 2011).

Government secrets have been exposed through archival excavation in countries all over the world (González 1997). In Paraguay, activists and judges are using the *Archivo de Terror* to piece together the methodology employed in cross-border kidnapping and rendition programs in the Southern Cone during the military dictatorships of the 1970s. In combination with records from other countries, investigators are shedding light on the communication network employed by the intelligence services in the Southern Cone as part of the Santiago-based *Condor* kidnapping and disappearance operations (Osorio & Boccia 2008). These files have fed into prosecutions of military officials from Chile's Pinochet-era and large-scale trials (*mega juicios*) in Argentina. Mexican intelligence archives from the 1970s, housed in the *Archivo General de la*

Nacion (AGN), have provided evidence for domestic and international investigations into Mexico's "dirty war" period (Doyle & Franzblau 2010). Brazil's Political and Security Police (DOPS) files reveal information on the interrogation and torture of suspected insurgents in the 1970s and are being used to investigate those responsible for unanswered crimes. Declassified U.S. government files have been used in prosecutions in Uruguay (the Juan Bordaberry trial), Peru (Alberto Fujimori conviction), Guatemala (Myrna Mack and Fernando Garcia cases), Chile (Manuel Contreras prosecution), and in many ongoing cases in Argentina.

Repressive structures built under authoritarian states are not easily transformed into systems of democratic governance. Just as security apparatuses take vast amounts of resources and advanced technology to build, it takes an enormous effort to disband security mechanisms that are so inextricably intertwined with political repression. The case of Guatemala provides important lessons for civil society groups pushing for reform in other countries. In Egypt and Tunisia, popular demonstrations brought down authoritarian leaders Hosni Mubarak and Ben Ali, disposing political leaders with decades of political rule. For the most part, however, the security systems they commanded and used to protect their own regimes remain firmly intact.

Understanding the development of information systems over time, communication networks, and surveillance techniques is important for two primary reasons. First, understanding these systems helps citizens counteract the secretive policies that become entrenched in repressive regimes. Second, understanding the tools that go into constructing repressive institutions is essential to transition to democratic governance. The keys to overhauling repressive security structures may lie in the paper trail left behind from years of authoritarian rule. Papers possess secrets that are crucial to understanding how the police, military, and internal ministries functioned to maintain social control through systematic intimidation and violence. They contain intimate details on the chain of command adhered to by the police and ministry officials all the way up to the president. They provide tools for victims' groups to push for reckoning for past violence. They are critical to the future of these countries and the basis of hope for achieving a system of democratic governance. Transforming these archives into tools for human rights advancements involves contributions from archivists, document analysts, forensic anthropologists, lawyers, judges, and advocates who are pushing judicial cases forward.

As a matter of policy, it is important for judicial systems to fulfill their role of protecting individuals from the state. In repressive systems, impunity becomes a central mechanism for generating and maintaining a climate of fear that paralyzes societies striving toward institutional reform. Archival records can support human rights legal processes, and thereby help civil society to combat systemic violence and impunity.

¹ There have been extensive articles and books on the history of U.S. funding of Guatemala's security forces. For more background, see Michael McClintock, "The American Connection: State Terror and Popular Resistance in Guatemala." London: Zed Books, 1985, as well as Jennifer Schirmer, "The Military Project: A Violence Called Democracy," University of Pennsylvania Press, 1998.

² These documents were released through the Freedom of Information Act to the National Security Archive, an organization that has worked on declassification efforts since 1986. All of the U.S. government documents referenced in this paper were officially declassified and released through the FOIA process.

³ This title comes from Guatemala's Rhemi report (Proyecto Interdiocesano de Recuperación de la Memoria Histórica (REMHI), commissioned by the Archdiocese office and released in 1998.

⁴ The Peace Accords were signed between the government and guerrilla groups in 1996, officially ending a 36-year long internal conflict. The figures of killings and disappearances comes from the UN Commission for Historical Clarification (CEH) report released in 1999.

⁵ The D-2 and *Archivo* overlapped in many ways. U.S. military intelligence reported that D-2 agents rotated in and out of the *Archivo*, and the EMP in order to exert its influence in the agency.

⁶ AHPN Report, page 234, describes the 1964 creation the U.S. Office of Public Safety Program, and the creation of the *Centro Regional Telocomunicaciones* (CRT), precursor to the *Archivo*.

⁷ Doyle, "The Atrocity Files." Also see Kirsten, Weld, "Reading the History of Politics in Guatemala's National Police Archives," that describes in intimate detail the story of the discovery of the national police papers, and the cast of individuals involved in the early stages.

⁸ AHPN documents, GT PN 30-01 S004, accessed through University of Texas portal.

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