

# Guatemalan Hit Squads Come to the U.S.A.

BY MARTHA HONEY AND RICARDO MIRANDA

It was 4:30 A.M. on Friday, January 5, 1996. *The Washington Post* carrier was making his rounds down Irving Street in Brookland, a suburb of Washington, D.C. Phil Mayo, a bus driver, had gotten up a few minutes earlier, and he recalls hearing the newspaper hit his pavement—the reassuring start to a normal day.

Mayo walked over to his window. Outside, the sun had still not risen, and the temperature was falling. The street was empty. He glanced across the street at the yellow Victorian house belonging to his neighbors, the Pertierras, noticing their newly leased Acura in the driveway. A few minutes later, Mayo was just opening his front door to leave for work when a tremendous explosion ripped through the neighborhood. Across the street, fifteen-foot-high flames were engulfing the Pertierras' car.

José Pertierra didn't hear the explosion. He always slept soundly. But he was awakened by his Guatemalan wife, America, shaking him and shouting, terrified, "José! José, a bomb!" The forty-four-year-old Cuban-American lawyer leapt out of bed and ran downstairs, thinking his house was on fire. "Then I saw huge flames coming from the yard," he says. "It was incredible. The flames were really high and very hot. My car was somewhere in the middle of them."

At that moment, two images flashed through Pertierra's mind. The first was of Orlando Letelier, the former left-leaning Chilean foreign minister who died in 1976 when his car was blown up at Sheridan Circle, in downtown Washington. Agents

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working for Chile's ultrarightist military had planted the bomb. The second was of the Guatemalan army.

Pertierra had good reason to suspect the Guatemalan military. He represents Jennifer Harbury, the Harvard-educated lawyer whose Guatemalan guerrilla husband, Efraim Bamaca, was killed by the army, allegedly under orders from a paid CIA informant. Since 1992, Harbury has been waging a relentless, high-profile campaign, including two hunger strikes, to learn the truth about her husband's capture, torture, and murder.

"The only controversial case I have is Harbury's," says Pertierra, an immigration lawyer. "And everyone connected with Jennifer has felt threatened."

Pertierra called 911. Within a few minutes, fire engines arrived and doused the flames. The car was a total write-off. Heavy water damage made it impossible, authorities said, to determine what type of incendiary device was used. But FBI investigators concluded that the fire bomb contained an "accelerant" to augment the explosion. The bomb "appeared not to have been the work of children or vandals," said FBI spokeswoman Susan Lloyd. "They're pros," concluded another agent.

The Guatemalan army reacted quickly to the fire-bombing. "We believe that the bombing was done by the lawyer himself and Jennifer Harbury, his client. It was a self-attack, intended to get publicity," asserted military spokesman Colonel Julio Caal.

Four days after the bombing, Pertierra

was in his downtown Washington office when the fax machine suddenly came alive. The message was marked CONFIDENTIAL. It contained the names of "two possible suspects": Colonel José Luis Fernandez Ligorria and Federico Baechli.

The fax was signed by a high-ranking Guatemalan official who has been critical of human-rights abuses. When asked to elaborate on his fax, he said: "Who else in D.C. dislikes Harbury so intensely? Ligorria and Baechli are very close. They work together. They discuss things. They share the same line of thinking. Baechli is a mechanic and knows about cars. I can't see anyone else doing it."

Ligorria and Baechli are an odd couple. Fred Baechli, a naturalized U.S. citizen who left Guatemala thirty years ago, owns an auto-repair shop and used-car showroom on East-West Highway in Silver Spring, Maryland. He recently worked as a Washington lobbyist for the Guatemalan army and government. His auto showroom serves as the headquarters for The Fraternity, a Guatemalan social club whose members are staunch supporters of the military. "I give them the shop to have their meetings," Baechli told us. "I help them in every way."

Fernandez Ligorria, former chief of Guatemala's notorious intelligence branch, G-2, was accused in Guatemala in early 1995 of involvement in cocaine trafficking and a car-theft ring. He also has been linked to death-squad activities. Ligorria has denied all the charges, and criminal proceedings against him in Guatemala were quickly dismissed. Ligorria now attends the Inter-American Defense College at Fort McNair, in Washington, D.C. He refused numerous requests to be interviewed for this article.

Baechli denies being involved in the bombing of Pertierra's car. "I would love to find out who did it," Baechli says, laughing. "We Guatemalans are not that dumb." He adds that he thinks the bombing was



JORDIN ISIP AND MELINDA BECK

done in a "sloppy" manner. Like the Guatemalan military, Baechli suggests that activists opposed to the Guatemalan government might have done it for "publicity."

Baechli does not hide his distaste for Harbury and Pertierra. "She's damaging the country of Guatemala. People don't care for Harbury, nor her lawyer. So I don't know who did it, but if ever I find out I'll give you a call."

Neither Baechli nor Ligorria has been charged in connection with the bombing. The FBI has been investigating it, and Baechli confirms that the FBI has spoken

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to him about it. But no suspects have been named and no arrests made. The Ligorria/Baechli trail, however, reveals evi-

dence of a campaign of low-intensity warfare being waged by Guatemala's military here in Washington, D.C. This campaign is aimed at silencing the military's critics, as well as winning the hearts and minds of U.S. government officials and Guatemalans living in the Washington area.

**T**he Pertierra car bombing is not an isolated incident. The Guatemalan military has been sending G-2 hit-squads into the United States to intimidate or eliminate its opponents, according to former Guatemalan intelligence and mili-

tary officers, human-rights activists, and a former Drug Enforcement Agency agent. "Absolutely, without a doubt, they operate in the U.S.," says Celerino Castillo, who worked as a DEA agent based in the U.S. embassy in Guatemala from 1985 to 1990.

Castillo says he first became aware of these G-2 operations when in about 1987 a CIA agent in the embassy "asked if I knew anyone in the Palace from whom they could get five blank Guatemalan passports. He told me they were sending some G-2 guys to California to go hit somebody from G-2 who was asking for political asylum or was testifying," Castillo says. He says one of his informants got the blank passports. A hit team, equipped with false identities, was dispatched. Castillo says he later heard someone had been "bumped off."

Castillo says that CIA officials in Guatemala "signed off on" and "financed" this operation. "I strongly believe that for several years they have been involved in coming over to the States and killing people and then going back to Guatemala," says Castillo.

Danilo Rodriguez, a former guerrilla who is now a lawyer and political analyst in Guatemala, also says that the G-2 "has carried out this kind of operation" in the United States and Mexico. "G-2 does not have agents permanently based in other countries. Rather they have informants who do the groundwork. Then they send in operational teams to quickly carry out specific missions and return to Guatemala," Rodriguez says.

In interviews, two former G-2 members and two former soldiers also said they know G-2 is running operations inside the United States. "Of course they are. When they want to eliminate someone, they do it. They have international operations," says a former G-2 officer now living in Washington, D.C. In addition, these sources and human-rights activists say G-2 agents and informants have regularly been seen taking photos of protesters at demonstrations in Washington, D.C.

In early April 1995, two FBI agents called Jennifer Harbury at her home in Texas and, although it was close to midnight, insisted they urgently needed to see her. Harbury says the agents told her they had learned that "a group of [Guatemalan military] officials" had paid someone "to assassinate the 'gringa' of the hunger strikes." The FBI sent guards to Harbury's house, but no arrests were ever made.

In late 1994, Harbury's name appeared at the top of a death list of eight people that the Guatemalan Anti-Communist Unit distributed to the press in Guatemala. Pertierra says he recently received a reliable tip that he, too, has been targeted by a death squad.

In early 1995, Peter Kerndt received a death threat at his office, one day after speaking at a public event in Los Angeles

with Harbury. The caller warned, "Peter, I am going to kill you." Kerndt's sister, Ann Kerndt, along with Bill Woods, a Maryknoll priest, and four other Americans were killed in a suspicious plane crash in Guatemala in 1976. The Kerndt family and human-rights groups believe the Guatemalan military shot down the plane.

Since February 1995, the Guatemalan Human Rights Commission in Washington has received anonymous phone and e-mail threats. One called Harbury "a communist whore" and another accused commission members of being "idiot, lying, communist bastards." An e-mail message received February 11, 1996, declared, in Spanish, "Thank God for the Guatemalan army . . . the least corrupt institution in Guatemala." It denounced the commission for its "retrograde ideas."

Commission staff member Sister Daniela Ortiz, a survivor of rape and torture by Guatemalan security forces (see Page 27), has received numerous telephone threats since returning from Guatemala in 1989. Several threatening calls were made to her Washington home over the past year. Two days before she began her vigil in front of the White House, she found a package addressed to her lying in her yard. It was filled with shit. Like Harbury, Ortiz had been demanding that the Clinton Administration release all information it has on her case and investigate the evidence that an American was involved in her abduction.

Last July, the Commission's office, located in a house in Brookland, was broken into under peculiar circumstances. The iron security door was ripped from its hinges, apparently after being hooked up to a truck. The thieves took only two telephones and an answering machine containing an update on Harbury's case; they didn't bother to take the cameras, computers, or cash also within easy reach.

During this same period, the Guatemalan prosecutor in Harbury's case, Julio Arango, came to Washington to take a deposition from the key witness, a former Guatemalan guerrilla prisoner of war, who had seen Bamaca during his captivity and had managed to escape. At his downtown hotel, the prosecutor received an anonymous telephone call that sounded like a bomb ticking. Back in Guatemala, he and family members received several similar threatening calls. His car has been followed on various occasions, and he was shot at while working in his office in the Public Ministry. The bullet lodged in his desk. Several weeks later, he resigned from the Harbury case.

At 1:30 A.M. on January 6, 1996, the night after Pertierra's car was fire-bombed, a shot was fired into Harbury's Washington residence, lodging just four feet from her housemate's bed. Harbury was in Guatemala at the time, trying to enter an army base in an effort to locate her

husband's body. No one was injured in this shooting, and both the FBI and residents of the house remain uncertain whether it was simply a neighborhood gang shoot-out or a message sent by the Guatemalan military.

Gilson Urizar, a former Guatemalan policeman now in exile in Washington, told the FBI that on four separate occasions he has been followed, and once an American who spoke perfect Spanish took his photo. "I'm absolutely sure at least one of the men was G-2. He had the typical military-style haircut and carried a woven bag used by G-2 to hide their machine guns."

Commission members say other Guatemalan exiles have received threats, but have been too afraid to report these incidents to the authorities or the press.

In February, Congresswoman Connie Morella of Maryland wrote Attorney General Janet Reno stating her concern about these incidents. "They strongly suggest that these attacks may have been instigated from outside the United States by Guatemalan citizens, and thereby constitute acts of international terrorism." Morella urged the Administration to "make clear to Guatemalan officials that the United States will not tolerate threats or attacks, be they official, unofficial, or extra-official, against its citizens."

In her letter, Congresswoman Morella expressed an additional concern: "There are several prominent Guatemalan security and intelligence officials of questionable reputation currently in the United States serving in diplomatic posts or inter-American organizations." Morella added that "it cannot be ruled out that they may have played some role in these incidents."

**G**uatemala is the scene of the Western Hemisphere's longest-running and bloodiest civil war. It turned into a killing field following the CIA-engineered coup in 1954 that toppled President Jacobo Arbenz, a democratically elected social reformer.

In the ensuing four decades, as the army battled guerrillas, Guatemalan civilians—some 55 percent of whom are of Mayan Indian descent—have paid the price. An estimated 200,000 civilians have been killed or disappeared, mostly at the hands of the army or military-linked death squads. More than one million Guatemalans have been forced to flee their homes, half a million of whom have become refugees in southern Mexico.

During the last decade, the U.S. government has worked hard to try to restore a facade of democracy through elections and an often-shaky Guatemalan civilian government. Peace talks between the Guatemalan government and the leftwing guerrilla movement, URNG, after being stalled for five years, have recently shown signs of forward movement. But power

continues to reside with the army, human-rights abuses remain rampant, and no official has ever been prosecuted for past crimes.

A February 1996 Amnesty International report documents "a disturbing pattern of human-rights violations in Guatemala. Extrajudicial executions, 'disappearances,' torture, death threats, harassment, and intimidation persist. The violations have been directed at many sectors of society" and "those responsible . . . continue to benefit from almost total impunity," Amnesty reports.

With increasing frequency, Guatemalans have been seeking safety and economic security in the United States, as well as Mexico. Guatemala's exiles are victims of both war and poverty. The United Nations estimates 80 percent of Guatemalans live in extreme poverty and two out of five children die before reaching the age of five. Many flee because they have been threatened or tortured, or had family members killed or disappeared.

There are an estimated 100,000 Guatemalans in the Washington, D.C., area. Other cities—Los Angeles, Chicago, Houston, and New York—have more, but Washington is the hub of Guatemalan political activities in the United States.

"Here in Washington are the same divisions we have in Guatemala, the same problems, and the same dangers," says Gilson Urizar, a former soldier and policeman who says his "official duties" included kidnappings and robberies in Guatemala. Urizar says he received death threats after he described these criminal activities in the Guatemalan press.

With help from the Guatemalan Human Rights Commission, Urizar fled to the United States, but he says he continues to be followed and harassed in Washington. The Commission, which monitors and publicizes the human-rights situation in Guatemala, has been deeply involved in supporting Harbury. Its members have been harassed, as have members of Coalition "Missing," which shares office space in Brookland with the Commission. The Coalition represents U.S. citizens and their families who were victims of military and police violence in Guatemala.

Scattered around Capitol Hill and DuPont Circle are a dozen or so other small solidarity groups involved in Congressional lobbying, publicizing human-rights violations, and waging legal actions. These organizations are run by Guatemalan exiles and Americans, many of whom also received death threats while working in Guatemala and were forced to flee.

The Guatemala Committee of the Washington Area, for instance, has staged protests in front of the Guatemalan embassy and the White House and organized last year's successful boycotts of Starbucks and The Gap, as well as other U.S. compa-

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nies charged with maintaining standard conditions in their Guatemalan plants. Several protesters, including David Bryden and John Friedrich, say their actions have been observed and photographed by Guatemalans in dark suits and sunglasses whom they suspect work for G-2.

Besides these advocacy groups, there are social-service organizations devoted to helping Guatemalans obtain work, health care, English lessons, housing, and legal status. One of the largest is CASA of Maryland, which operates out of a Takoma Park church and a nearby house, helping immigrants find employment.

"Now it's the time of the Guatemalans. The time of the Salvadorans is over," says Carlos Gutierrez, director of CASA's employment services. He explains that since the 1990 Salvadoran peace accord, many Salvadorans have gone home. Guatemalans now account for most of the area's Latin-American immigrant community.

"Our civil war continues to propel people to leave," says Gutierrez, a former union organizer who fled Guatemala in 1992 after narrowly escaping an attempt on his life. Most of the Guatemalans he assists "don't want to talk about what they've lived through," he says, both because they want to forget and because they continue to fear reprisals from Guatemalans linked to the military.

**P**itted against the human-rights and social-service organizations is a network of Guatemalan immigrants aligned with the army. Over the last year, they have been loosely grouped within The Fraternity. One of the oldest and largest Guatemalan organizations in the Washington area, The Fraternity meets every Wednesday night in Fred Baechli's auto showroom.

Officials of The Fraternity claim it is purely an apolitical, social club, but the underlying mission of The Fraternity's leadership is to build support for the Guatemalan military. A year ago The Fraternity, together with the military section of the Guatemalan embassy and the Defense Ministry in Guatemala, began a

campaign to counter the avalanche of negative publicity being generated by Jennifer Harbury.

On March 23, 1995, Democratic Congressman Robert Torricelli of New Jersey stepped before a bank of microphones and dropped a bombshell. The Congressman, who is on the House Intelligence Committee, revealed that he had information that Harbury's husband, guerrilla commander Bamaca, had been murdered on the orders of Colonel Julio Alpirez, a Guatemalan officer on the CIA's payroll. Alpirez has also been implicated in the 1990 murder of Michael Devine, an American innkeeper in Guatemala. Alpirez denies involvement in both crimes.

As Torricelli spoke, Harbury stood nearby, holding an eight-by-ten black-and-white photo of her dead husband. She had just ended a twelve-day hunger strike in front of the White House, demanding that the Clinton Administration tell what it knew about her husband's disappearance. Torricelli's revelations were the first official confirmation Harbury had that her husband was, for certain, dead. She wept quietly.

"At least now I know they are no longer making him suffer," she told the press. "But I will not rest until they give me the body of my husband." She hasn't. Over the last year Harbury has devoted herself to trying to locate and exhume her husband's remains. The Guatemalan military has sought to check her every move.

The Torricelli press conference was another black eye for both the Guatemalan military and the CIA. Inside the palace in Guatemala City, Fred Baechli, who was in town for a graduation ceremony in which one of his military buddies was made a general, huddled with Defense Minister Mario René Enriquez. Baechli, a large, gray-haired man of Swiss-German descent whose family owns plantations and properties in Guatemala, boasts of his long and close associations with the country's top military and political elite. Baechli says he travels frequently to Guatemala on business, and diplomatic sources say he maintains close links with the military section of the embassy in Washington.

"People are sick and tired of Harbury in Guatemala," Baechli said in a recent interview at his Potomac home. Sitting in his spacious living room filled with huge Chinese porcelain vases, mounted ivory tusks, carved wooden figurines, and other *objets d'art*, Baechli lost his temper as he spoke of Harbury. "She's been doing extremely big damage in Guatemala. I think she exceeds the rights an individual should have in another country. And people that I socialize with in Guatemala, they are fed up with her."

Baechli contends that "a lot of organizations want to destroy Guatemala's credibility and image, especially the relation with the U.S. Guatemala is being treated

very unfairly," adding that he wanted to lend a hand to show that "the civilians as well as the military have been changing drastically in the last few years."

Down in Guatemala in March 1995, Baechli, together with Guatemala's top military leaders, mapped out a two-pronged plan to counter the negative publicity. Prong one was hiring lobbyists to polish the Guatemalan military's image on Capitol Hill. The other was uniting the Guatemalan community and quelling dissent in Washington.

On April 7, 1995, Guatemala's defense minister, Mario Renée Enriquez, signed a \$540,000 contract with one of Baechli's buddies, D.C. lobbyist Robert Thompson. Over the next several months, Thompson's team—which included Baechli himself, who was registered as a foreign agent and received \$10,000 a month—wined and dined key Congressional and Clinton Administration contacts. The lobbyists also produced a twenty-four-page "white paper" attempting to burnish the army's human-rights record.

Baechli says Colonel Fernandez Ligorria "stopped by" when he and the top military leaders were signing the lobbying contract. Another member of the lobbying team remembers Ligorria's active involvement. "When we met the minister of defense and the president in Guatemala, Ligorria was there. We planned the white paper. He was a very active participant." This source adds that Ligorria "came to several of the weekly meetings up here" in Washington, D.C., including one on Capitol Hill.

The Guatemalan embassy, along with members of The Fraternity and other organizations, also decided to launch a weekly radio program, "Voice of Guatemala," which finally went on the air last November. The embassy's military section supplies news reports about Guatemala, which include the "social works" carried out by the army, and the Guatemalan military also reportedly pays for the radio program.

**F**or years it has been common practice for powerful Latin-American politicians and military brass who fall from favor or are accused of human-rights abuses or other crimes to receive overseas posts in order to get them out of their country and keep them quiet. It's called "the golden exile." Diplomatic and human-rights sources say the State Department has routinely cooperated by issuing visas so that embarrassing individuals can be tucked away inside embassies, the Organization of American States, Inter-American Development Bank, the World Bank, and the International Monetary Fund, as well as the United Nations.

Last July, Colonel José Fernandez Ligorria won his golden exile. He received a scholarship to attend an elite course at the

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Inter-American Defense College, based at Fort McNair in Washington, D.C. The college is part of the OAS, but the military section of the Guatemalan embassy arranged Ligorria's posting. The all-expenses-paid course includes trips to Latin America and around the United States, as well as lectures on hemispheric security, economic and military cooperation, philosophy and doctrine, and human rights.

At the time, Ligorria was virtually unknown in Washington, but over the previous year, he had received mountains of bad press in Guatemala.

In late March 1995, when Torricelli fingered Colonel Alpírez as both the CIA agent and the architect of Bamaca's and Devine's murders, Alpírez's friend and colleague Ligorria was already in deep trouble.

Attorney Danilo Rodríguez and human-rights activist Jorge Recinos accused him of directing a drug-trafficking ring, dealing in stolen cars, and heading a death squad, all during his tenure as chief of G-2.

During the late 1960s, Ligorria, Alpírez, and embassy military attaché Roberto Letona Hora had studied together at the Polytechnic School, Guatemala's elite military academy. Two decades later, in 1989, Ligorria and Alpírez received scholarships to take an advanced general staff and command course at the School of the Americas at Fort Benning, Georgia.

In the early 1980s, both officers took part in the military's infamous "scorched-earth" campaign against Indian villages in which tens of thousands of peasants were killed. A Defense Department document, recently released to the Washington-based National Security Archive, praises Alpírez as "excellent at this assignment" of "eliminating insurgents and insurgent sympathizers." According to Rodríguez, who was a guerrilla fighting against the military, Ligorria participated in massacres of civilian communities in the northeast Ixcán region.

In 1992, Ligorria was named second in charge of the National Police, a position he allegedly used to organize a car-theft ring.

In early 1995, Recinos and Rodríguez

went to court in Guatemala to accuse Ligorria of drug trafficking and car smuggling.

The charges played big in the Guatemalan press, and Ligorria denied everything. He called on the U.S. embassy, "a neutral body, to investigate me." And he warned those who were spreading "falsehoods" that he would "exert all my rights" against his accusers.

The charges were quickly thrown out of court after the intervention of the military's lawyer, Julio Citron. (Citron was the same lawyer who for months had been blocking Harbury's attempt to gain access to a military base where she believes her husband is buried.)

So, instead of going to jail, Ligorria found himself on a plane to Washington.

Ligorria's human-rights record was not, apparently, of major concern to the State Department. "The embassy was aware of the allegations against him, so a thorough background check was done and he was found to be eligible for a visa," says Mary Granfield, the Guatemala desk officer in Washington.

Rodríguez and Recinos were shocked that Ligorria received a U.S. visa. Beginning in 1993, they met ten times with embassy officials, including Ambassador Marilyn MacAfee, to provide details and documents about Ligorria's human-rights violations and criminal activities, they say. "It seems that Ligorria has power and good relations with the embassy and had collaborated with them in the past," says Rodríguez.

A State Department official familiar with the subject confirmed that the embassy in Guatemala had "met or spoken on several occasions" with Rodríguez and Recinos. But he said that although "Colonel Fernandez Ligorria's name has been linked publicly to alleged criminal activity or human-rights abuses," he was still "found qualified for issuance of a visa."

Coalition "Missing" has demanded that the U.S. government cancel the visas of Ligorria and several other high-ranking military officers in Washington who have been accused of human-rights violations. Ligorria, for his part, is nearing the end of his course and is scheduled to return to Guatemala in July. Human-rights activists in Guatemala are not sure they want him back.

Meanwhile, Pertierra and his wife, America, can no longer sleep soundly at night. "We wake up a lot," Pertierra says. "Any noise that we hear makes us go to the window. And every morning at 4:30, at the time of the bomb, we wake and we cannot sleep again."

The FBI still has a team working on the case. And Pertierra says he knows he's "lucky." "In Guatemala there are thousands of people who don't have anyone to protect them from their own government." ■