

Guatemalan National Wanted for Crimes Against Humanity Charged with Illegal Reentry

A Guatemalan national wanted for his role in the 1980s massacre of indigenous Guatemalans was charged yesterday in federal court in Boston.

Francisco Cuxum Alvarado, a/k/a Francisco Cuxun-Alvarado, 64, was indicted on one count of illegal reentry into the United States. Cuxum Alvarado was detained following an arraignment yesterday.

“Mr. Cuxum Alvarado is in Massachusetts illegally, evading accountability for human rights violations in Guatemala,” said United States Attorney Andrew E. Lelling. “While many immigrants come to this country seeking a better life, Mr. Cuxum Alvarado came here illegally, to escape a dark, criminal past. This case highlights the important work of Homeland Security Investigations and ICE in identifying and removing war criminals, human rights violators, and other dangerous aliens who illegally seek a safe haven in the United States.”

“We congratulate the U.S. Attorney for pursuing justice in this case,” said Peter C. Fitzhugh, Special Agent in Charge, U.S. Immigrations and Customs Enforcement’s Homeland Security Investigation (HSI), Boston. “Homeland Security Investigations looks forward to the disturbing and egregious allegations against this individual being openly and fairly adjudicated in federal court.”

According to court documents, beginning in the early 1980s, there were a series of attacks committed against the indigenous Maya Achi people of Rio Negro, in and around the municipality of Rabinal, in Guatemala. During these massacres, Guatemalan armed forces, assisted by civilian militias known

as the Civil Defense Patrols (PACs), forcibly removed the Maya Achi from Rio Negro and attacked and killed hundreds of them. More than 400 Maya Achi people were killed in the Rio Negro massacres and hundreds of others were forcibly removed from their homes. In addition to the murders, there were mass sexual assaults carried out against Achi-Mayan women.

It is alleged that Cuxum Alvarado was a member of the PAC in Rabinal, and in 1998, was named as a suspect in the March 13, 1982, massacre of women and children at Cerro Pacoxom. In 2018, the Guatemalan government charged Cuxum Alvarado with crimes against humanity for participating in the mass sexual assault of Maya Achi women in and around Rabinal. In connection with the charges, the Guatemalan government obtained an INTERPOL Red Notice for Cuxum Alvarado's arrest, which is a request to law enforcement agencies worldwide to locate and provisionally arrest suspects pending extradition to the jurisdiction in which they are charged. Cuxum Alvarado will be subject to extradition to Guatemala.

On April 30, 2019, Cuxum Alvarado was located in Waltham and arrested. During a subsequent interview with law enforcement, Cuxum Alvarado admitted that he was a member of the Rabinal PAC. At the time of his arrest, Cuxum Alvarado was unlawfully in the United States. He previously unlawfully entered the country in March 2004 in Arizona, and was ordered to be removed.

The charging statute provides for a sentence of no greater than two years in prison, one year of supervised release and a fine of \$250,000. The defendant will be subject to deportation upon completion of any sentence imposed. Sentences are imposed by a federal district court judge based upon the U.S. Sentencing Guidelines and other statutory factors.

U.S. Attorney Lelling and HSI SAC Fitzhugh made the announcement today. This case was developed and supported by ICE's Human Rights Violators and War Crimes Center, and

investigated by HSI Boston's Human Rights Violators and War Crimes Investigative Group and ERO Boston's Fugitive Operations Unit. The Waltham Police Department and the HSI Attaché in Guatemala City, Guatemala assisted in the investigation. Assistant U.S. Attorney George P. Varghese of Lelling's National Security Unit is prosecuting the case.