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## Guatemala Decertified

*by LADB Staff*

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Continuing its diplomatic assault on the perceived intransigence of the Alfonso Portillo government (see NotiCen, 2003-01-16), the US has "decertified" Guatemala. Decertification is a diplomatic tool derived from the drug war that can carry with it a panorama of economic and other negative consequences.

But in this case, President George W. Bush notified Congress by letter that, although Guatemala no longer deserves to be listed among allies in the US effort against drug trafficking, penalties would be waived because of US vital interests. The waiver of punishment has rendered the decertification largely symbolic of the Bush administration's continuing frustration with Portillo. "We have gone to them repeatedly for a number of months and laid out measures that must be taken to avoid this," said a Bush administration official. "They fell short of our expectations."

Guatemala, charge US drug officials, has increasingly been used as a transshipment point for Colombian cocaine and heroin destined for the US market. US drug authorities have been repeatedly inconvenienced by the failure of the Guatemalan administration to cleanse itself of corrupting influences and stabilize its law enforcement infrastructure. Particularly irksome has been the revolving door at the top of the country's police leadership. Substantial numbers of people have served briefly as chief of the Policia Nacional Civil (PNC), and the drug unit functioned under nine different leaders before finally being disbanded and hundreds of its officers fired (see NotiCen, 2002-10-24).

"This constant upheaval makes long-range planning for operations and investigations nearly impossible and working relationships very difficult," acting assistant secretary of state for international narcotics and law enforcement affairs Paul E. Simons told the US Congress. "Narcotics trafficking, alien smuggling, car theft, money laundering, and organized crime in general are on the increase in Guatemala. Some of the leaders of these activities have very close ties to the president and regularly influence his decisions, especially with respect to personnel nominations in the military and the Ministry of Government."

The US has also found it difficult to work with Guatemala's dysfunctional judiciary. Officials were especially piqued in 2001, when Judge Delmi Castaneda allegedly accepted a bribe to dismiss a criminal case against narcotraffickers. The judge lost her judgeship over the incident, but was not prosecuted. Unable to get satisfaction from Guatemalan institutions, the Drug Enforcement Administration (DEA) has shifted strategy to extradition, Will Glaspy, DEA spokesman, has said. Increased pressures could result in extraditions, but history is not on the side of the renewed strategy. Independent journalist Frank Smyth has covered the drug enforcement scene in Guatemala since the 1980s, and pointed out to the press there that, in the last 15 years, only one narcotics case has resulted in an extradition.

Smyth said that the DEA is aware of this sad record and has a plan. "Now that the DEA knows that the idea of extradition of suspects has not been well received in Guatemala, Will Glaspy confirmed to me that the DEA will try to extradite Guatemalans suspected of narcotraffic who live in other countries," said Smyth. "This strategy would mean capturing narcotraffickers who travel abroad, and from there process the extradition." The veteran drug reporter commented that decertification has little chance of producing results, especially in cases where the military is involved. "In more than a decade they haven't extradited anyone; after four years of attempts with Col. Carlos Ochoa Ruiz, they haven't been able to bring him in, even though there is an open charge in Florida," said Smyth.

In Guatemala, authorities have concerned themselves more with the economic implications of decertification than with the problems of the drug fighters. Despite the decision to forego sanctions, economists were troubled. They cautioned that the effects of the US action could result in decrements in local and foreign investment. Foreign investors could refrain from visiting the country, and there could be difficulties with exports due to a loss of confidence. Guatemalan banks saw an influx of private capital from neighboring countries during 2002, and that could dry up.

Tourism and foreign aid are also vulnerable to the fallout from decertification. Officials at Banco de Guatemala, the central bank, have expressed fear that growth for the country, estimated at 2.8%, could be compromised, since the US remains its principal trading partner. The Guatemalan government voiced strong and immediate objections to Washington's action. Said Foreign Minister Edgar Gutierrez, "We consider this decision a unilateral measure that does not respect equality among countries, and we therefore reject it. We're not going to protest, but we are demonstrating our disagreement." Gutierrez noted that the US view on the country's drug efforts is not shared elsewhere. He cited the latest report of the Organization of American States (OAS), wherein the Comision Interamericana para el Control del Abuso de Drogas (CICAD) recognized "the advances and progress realized by Guatemala in the struggle against drugs."

The report evaluates all 34-member states' drug efforts during 2001 and 2002, and says of Guatemala, "All the progress that the country has been developing, both in the area of reduction of demand, and in reduction of supply, manifests its will to comply with the commitments assumed with the Multilateral Mechanism of Evaluation." Gutierrez distributed copies of the report to the press. Guatemala, anger at Washington hubris aside, is most concerned about the possible effects of decertification on the Central American Free Trade Agreement (CAFTA) negotiations (see other article, this issue), slated for completion by December 2003. Simons had already rattled that economic saber, commenting that Washington "hopes that Guatemala cooperates more before the conclusion of the free trade negotiations." That concern led Gutierrez to declare, "Our expectation is to achieve certification much before the time specified by US law, which is in September. President Bush can recertify before that. We believe that we can achieve it."

The other countries of the isthmus, also involved in the trade negotiations, are equally concerned about the repercussions. They promised their support to Guatemala to keep the country from being locked out of CAFTA. Said Costa Rica's Foreign Trade Minister Alberto Trejos, "Guatemala merits, and will receive, total solidarity from the countries of the region, but it is a challenge for them, a specific subject between two countries, and it is not appropriate that we get mixed up in the

discussion. However, it is appropriate to give all our solidarity in order that the [CAFTA] process continue."

-- End --