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## **Guatemala's Congress Ratifies, And The Masses Reject, CAFTA**

*by LADB Staff*

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In defiance of massive popular opposition, the Guatemalan Congress ratified the Central American Free Trade Agreement (CAFTA) with the US, becoming the third country to do so. It was a rush job, with lawmakers resorting to extraordinary means to pass the legislation without following usual legislative procedures.

With 126 votes in favor, 12 against, and 20 deputies absent, the unicameral body passed the act as a "national emergency," a maneuver that needed 105 votes to make it legal. Legislators had tried the emergency gambit the day before, when Mariano Rayo, president of the Comision de Economia y Comercio Exterior, presented the CAFTA legislation, but there were not enough votes to sustain it. The measure got the 105 needed votes only after an abrupt about-face on the part of the Union de la Esperanza (UNE) the next day. Rayo is a UNE member.

UNE is closely tied to the official party, the Gran Alianza Nacional (GANAN). The Unidad Revolucionaria Nacional Guatemalteca (URNG), the party that had been the revolutionary guerrilla force prior to the signing of the Peace Accords in 1996, was nearly alone in voting against the CAFTA petition. URNG Deputy Victor Sales said the accord "was negotiated behind the backs of the population. It only defends the interests of a small group of businesspeople, and the government has resisted informing the people of the true content, objective, and effects [of the treaty]." Sales said he supports a referendum because CAFTA "threatens the future of the country, especially of the indigenous peoples. The ratification should have consulted the people of Guatemala through a referendum."

### ***Violent demonstrations***

The day before the "emergency," protestors demonstrated against CAFTA in a bloody confrontation with police that left six injured, a bus burned, and the streets of Guatemala City's core steaming with tear gas. Both the demonstrations and the legislative manipulations came in a context of widespread citizen rejection of the trade agreement. A recent poll showed the majority of Central Americans disapprove of it. They consider the pact unfair to the poor in a region that cannot compete with subsidized agriculture from the US.

The Congress, however, was looking elsewhere; 90% of Guatemalan exports are US bound, and 80% of its imports come from the US. Thus, it joined Honduras and El Salvador (see NotiCen, 2005-01-06) and became the third nation to pass the deal. Nicaragua, Costa Rica, and the Dominican Republic have yet to confront their populations over the measure. The government initially took an admittedly repressive stance against the demonstrations.

"We are not going to repress a demonstration just to repress it, but we believe that if they take strong actions...like blocking highways, we have to guarantee the state of law," said Government Minister Carlos Vielmann. If anything, the minister's statement spurred the opposition to call a national strike for the following Monday, March 14.

## *Demanding a referendum*

The popular sectors that mounted the protests were doing more than expressing their feelings. They demanded a national referendum on CAFTA, something that has not happened in either of the two countries that have already passed the treaty. Somewhat more quixotically, they were also calling upon President Oscar Berger to veto his own government's legislation. The March 14 demonstration surpassed that of the previous week in damage, arrests, and effect, and was not limited to Guatemala City. Reports from the capital tallied 12 arrests and dozens injured.

The principal highways out of the city to the south coast and to the Atlantic coast were blocked early on, with stalled traffic extending several kilometers. Demonstrators marched from two directions. One group from the Universidad de San Carlos de Guatemala (USAC) was led by USAC rector Luis Leal. It was headed for the downtown area. The other, made up of thousands of union members, converged on the US Embassy, easily passing through a Policia Nacional Civil (PNC) cordon set up to protect the embassy. This group yelled slogans and carried placards accusing the US of coercing legislators to pass CAFTA. They defaced the building with paint and continued on toward the Escuela Politecnica, an ancient military compound, where they confronted soldiers, injuring two with thrown rocks. That done, they continued on toward the city center where they encountered PNC and soldiers assembled with orders to prevent their passage toward the Congress and the Casa Presidencial. The marchers were tear-gassed.

Protest leaders tried to negotiate with police, but the PNC responded by launching hundreds of tear gas canisters into the crowd, as protesters shouted, "Malditos, all we want is for the president to hear us," and tossed bottles and sticks at the police. Elsewhere in the country, protesters massed at public buildings and blocked highways and the airport at Santa Elena, in the department of Peten, a premier tourist destination.

In Esquintla they blocked the coastal highway for six hours. In Quiche, they protested in front of the departmental government building. In Huehuetenango they blocked the highway with boulders and a bus. In Chimaltenango they blocked the Interamerican Highway. In Chiquimula they marched on the homes of deputies, calling them "enemies of the people." A day after the demonstrations, amid assurances from the protesters that this was only the beginning and that they would not be intimidated by threats from Vielmann, it appeared that the government did hear them.

Cardinal Rodolfo Quezada Toruno announced that a dialogue would be opened with the government regarding the CAFTA issue, with the cardinal, human rights ombud Sergio Morales, and rector Leal as mediators.

Vice President Eduardo Stein told reporters soon after the announcement, "I wouldn't call it a negotiating round yet," but he did inform anti-CAFTA leaders that they could propose an agenda for talks with the administration."

The Movimiento Indigena, Campesino, Sindical, y Popular (MISC) responded that it would remain firm in its demand that the president refrain from signing the legislation, and it demanded the resignations of Vielmann and PNC director Erwin Sperisen.

Nor was there any great movement on the part of the government. Stein said that Berger would still sign the act. Leal said, "What we can do is make it clear that the population is not in agreement with the treaty and make it clear to the Congress of the United States, and possibly they will not ratify it because there is very profound anti-North American sentiment at this moment."

### *The sides meet*

With that inauspicious beginning, six anti-CAFTA leaders met with Stein the night of March 14. After a three-hour meeting among themselves and another 45-minute meeting with Stein, the protesters said that they would consult their bases and that they had scheduled another meeting with the vice president the next day. Vielmann said he would keep 700 police and 150 soldiers on anti-riot duty in the city and deploy other contingents elsewhere. Before the next-day meeting, however, Berger signed the treaty.

With nothing to offer, Stein showed up at the meeting anyway with a bristling attitude, asserting that the popular organizations "do not have the representation that is assumed. Also, they don't contribute anything and their demands block dialogue." Adding to the demand for the heads of Vielmann and Sperisen, the protestors wanted the streets cleared of police and soldiers, a mining-concession bill withdrawn from the legislature, and a commission to look into abuses committed by police and soldiers during the demonstrations.

Since Berger had already signed the CAFTA, they changed that demand to nonpublication of the decree. A bill does not pass into law until it is published in the official gazette. Mindful of protestor's threats to continue and escalate their demonstrations, reporters asked Stein why Berger signed the CAFTA document before the meeting. "That was his decision," said the vice president.

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