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Government Blamed For Mounting Mayhem As Un Rapporteur Sees Little Hope For A Secure Guatemala

by Mike Leffert

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Guatemala has racked up an impressive 3,500 homicides so far this year, and that is just according to official figures. The average rate of 16 per day surpasses that of the country's darkest days of the internal war, which, between 1960 and 1996, claimed more than a quarter-million lives. The international community responded to Guatemala's skyrocketing murder rates by sending to the country a special rapporteur for extrajudicial, summary, or arbitrary executions.

Philip Alston arrived in the country Aug. 21. The comparison to the war years was Alston's. Alston told the media by phone a day prior to his arrival, "Post-conflict societies do not always present high indices of violence. Nevertheless, it is illustrative to analyze the example of South Africa, which experienced much violence after the abolition of apartheid. A strong and vigorous campaign to reinforce the effectiveness of the police forces helped a lot in reducing those indices. I believe Guatemala has a lot to learn from other states in this regard."

The government is responsible

Five days later, having conducted his investigations and interviews, Alston blamed the government for the insecurity. He had received reports from local human rights organizations, spoken to officials, and heard testimony from victims' families. He said that the probability of the perpetrators being apprehended, never mind convicted, was scant in Guatemala, "and those are the responsibilities of the state...for the generalized impunity." Alston said he was particularly concerned about the high number of apparently systematic or patterned killings of young women (see NotiCen, 2005-02-10).

Another paramount concern is extrajudicial execution carried out by the Policia Nacional Civil (PNC) and the Army, including "social cleansing" against members of the juvenile gangs, the maras. While these crimes come back to the country as image damage with negative economic results for the business classes, it is the poor who feel the brunt. "The rich can protect themselves, up to a certain point, but the rest of society lives with the fear that a random assassination can affect them or their loved ones at any moment," said Alston.

But for all Guatemalans, he said, "a society that lives under terror of murder cannot continue its life or develop itself as it should." Representatives of social organizations presented Alston with a report on 408 murders attributed to police, Army, and paramilitaries. The largest category of victims was the mara youth. The report singled out several well-known alleged violators. Macario Mazariegos, now chief of police at substation El Carmen in Zone 12 of the capital, has been charged repeatedly since 1991 with extortion, bribery, assault, and threatening death, yet he has been repeatedly promoted within the police force, both in the old Policia Nacional (PN) and the PNC, which was

reformed specifically to do away with this kind of brutality and corruption. After high hopes, the reform has amounted to little more than new uniforms and substantial raises for the cops.

According to other reports made available to Alston, more than 2,000 charges have been brought against police in 2006 for torture, robbery, planting evidence, forced disappearance, kidnapping, inflicting grave injury, and illegal break-ins of residences. The Fundacion Myrna Mack presented confirmation of narcotics and organized-crime police units acting as drug traffickers and informants to the crime organizations. Alston noted that all this occurred with near-perfect impunity, and that, while the government is not responsible for the thousands of executions reported each year, it is responsible for failure to investigate, pursue, or bring suspects to trial.

Of all murders, only 5% are ever adjudicated. In the case of the murders of young women between the ages of 10 and 30, 442 have been reported as of August, only 18% have been investigated, and only 2% could end up in court. Critical of government though he was, Alston stopped short of accusing the state of systematic social cleansing.

Other workers in the field were willing to go further. Iduvina Hernandez of the organization Seguridad y Democracia (SEDEM) noted that some officials in and out of government espouse the idea that some people are disposable and that "the only option is to eliminate them." She counts the Public Ministry among these, accusing the ministry of failing to investigate murders in which the victims have tattoos or criminal records. The procedure in these instances, she said, is that "the crime scene is not secured, and there is a tendency not to consider those cases.

There are some accusations from mothers of murdered persons who say their sons did not have tattoos, leading to the suspicion of the use of some kind of temporary tattoo being applied directly at the scene of the crime." Far-fetched as this charge may sound, spokesman for the Procuraduria de Derechos Humanos (PDH) Marco Tulio Alvarez supports it. "These practices undoubtedly involve officers who have the backing of some authorities or superiors within the security forces," he said, calling the practice "social cleansing."

No public figure in Guatemala seriously doubts deep corruption within the police forces. Even in defending itself against charges of complicity, the government acknowledges police malfeasance. Minister of Government Carlos Vielmann recently defended the government to the media by telling them, "The current authorities are the ones who, more than anyone, have captured and consigned the police, attending to the charges and purging the officers who violate the principles of the PNC, to cleanse the entity. The cost of all this cleansing and counter-cleansing, say analysts, has been the militarization of the security forces and the adoption of anti-democratic practices.

In the past two years, the PNC has contracted 3,000 soldiers and has stepped up combined military-police patrols. This, says Miguel Angel Albizu of the Centro para la Accion Legal en Derechos Humanos (CALDH), is a clear violation of the 1996 Peace Accords, which expressly forbid such use of the military, leading the country closer to a return of militarized civil forces. "Military intelligence has not rested, it has always existed, and the proof of this is the operations in the Ixcán and San Marcos," he said, referring to recent assaults upon indigenous communities in remote areas reminiscent of the war years (see NotiCen, 2006-09-07).

This militarization poses a double threat to Guatemalan society. Not only does it hearken back to the slaughter of innocents during the 36 years of war, but it also subordinates the country's security interests to US hemispheric interests, says Hernandez. That shifts Guatemala's emphasis away from the terror in the streets and moves the government to solve its internal problems by criminalizing youth, says CALDH's Abner Paredes, "since it is preferable to bring the Army into the streets and invest millions to buy equipment than to invest in youth-development programs."

Outlook bleak for all but political opportunism

Alston concluded his brief visit to Guatemala leaving behind a fairly bleak outlook, at least in the short term. The official response to his visit was largely opportunistic and political. President Oscar Berger addressed the legislature, asking it to rally around a push to "defeat the forces of evil" by approving a set of four bills he was sending up. One was aimed at facilitating the process of registering weapons and of importers and sellers of guns and ammunition.

A second was a prison-reform bill, another would create a national institute for forensic science, and the last would regulate private-security companies. The speech was carried on national TV and radio. Rather than rally around, the opposition saw opportunity. Anabella de Leon of the Partido Patriota (PP) asked, "Why now, in the third year of his term, is he seeking this consensus? It should not be in the third year of failure that he turns to us for support and expresses his concern about security." The PP has a plan of its own to deal with the situation and is building the presidential campaign of its founder, ex-Gen. Otto Perez Molina, around it.

Perez Molina has proposed a *mano-dura* (hard-line) approach to security, very much like the profoundly punitive strategies against gang violence that have failed so spectacularly in El Salvador and Honduras (see NotiCen, 2004-02-05, 2004-06-24, 2005-03-03). The general had reason to believe that Berger had pre-empted him since he too was pushing a weapons bill, a private-security-regulation bill, and a public-order bill. He also wants to purge the police, increase the number of police, and purge the judicial system. But his best chance for the next presidency lies with the *mano-dura* approach.

Human rights advocates point out that the country has no real experience with successful democracy and has historically opted for authoritarian approaches to crime when it overreached tolerable limits. Perez Molina has said he simply wants to do for Guatemala what Rudolph Guiliani did for New York. But Albizures hears more of Gen. Efraim Rios Montt, during whose brief *de facto* presidency the country was made safe from street crime with a wave of extrajudicial killings, than he does of the former New York City mayor in Perez's plans. "Surely there is a clamor for security and for the control of delinquency," said the human rights activist, "but preventive or readjustment measures are not proposed nor are alternatives offered to the young. Repression is proposed instead of social investment."

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