

1-4-2007

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## Recommended Citation

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## **The Tenth Anniversary of Peace in Guatemala; A Decade of Governmental Failure**

*by Mike Leffert*

*Category/Department: Guatemala*

*Published: 2007-01-04*

With the passing this month of the tenth anniversary of the Peace Accords of Dec. 29, 1996, in Guatemala, there is little to celebrate as the country finds itself woefully behind schedule in the implementation of the principles and obligations of the treaty the government signed with the umbrella organization of the rebel forces, the Unidad Revolucionaria Nacional Guatemalteca (URNG). Organizations of former fighters and militants on both sides still await compensation and other benefits to which they are entitled, but perhaps none has been so ignored as the Comunidades de Poblacion en Resistencia (CPR), who owed nothing to either side and struggled only for their own survival through years of flight from the Guatemalan Army.

Most CPRs never left Guatemala; they were the internally and eternally displaced (see NotiCen, 2006-09-07). Now, ten years after the war's end, the CPRs can be said to have survived, but barely. One group of 110 families living in the aldea of Santa Clara Chajul, about 465 people according to Instituto Nacional de Estadistica (INE) figures, continues to call itself the CPR de la Sierra, a name they adopted in 1990. Most are of Quiche ethnicity, with some Ixiles among them. Having lost everything family, land, houses, crops, animals, clothes, utensils they started their community in Chajul with nothing more than the scraps they could hand carry from their mountain hiding places.

They have survived as a group by virtue of the solidarity and iron organizational discipline developed through years of being hunted. But they have not prospered far from it. The community diet is corn and beans and local edible herbs. They live today without potable water, without drainage, with electricity supplied to each home by a solar panel, barely enough to light three dim bulbs. Their community has a single health center and two schools, which they built themselves and financed through their own Asociacion Integral Multiservicios (ADIM). A doctor and a nurse staff the health center one day a month to take care of anyone not helped by their own curanderos and comadronas. The teachers at the schools are from the community.

The schools are not buildings but open-air galleries. Said Guillermo Ixcotoyae Us, school director, "We have never received anything from the state. We built the school with our own efforts ten years ago. Now it is too small for the number of students."

Andres Lopez, a member of the Consejo de Direccion Politica General, recounted their situation to a reporter for El Periodico, one of Guatemala's smaller national newspapers. "We have been able, through struggle and the effort of the population, to begin to sustain ourselves with some projects financed by the international community. We are part of the state of Guatemala, and our situation is very precarious. Recently we sought support from the government and from the Congress for the community Union Victoria in San Miguel Pochuta, Chimaltenango, because their farm was ruined by Hurricane Stan, but we got nothing. At this point we have no contact with any state agency. They

have not complied with the Peace Accords; that is a pending challenge. How long has this dragged out? We've seen no change."

Jorge Lavarreda, president of the Centro de Investigaciones Economicas Nacionales (CIEN), verified Lopez's view and added that the problem is not limited to the CPRs but exists throughout rural Guatemala, wherever the state does not reach. "Peace Accord programs reach these groups in an isolated way, not in an integrated manner. Each of the entities decides what it can do, who prioritizes resources, etc., but they don't come to integrated solutions, they don't resolve basic problems," said Lavarreda.

Also speaking to the problem, Hector Rosada Granados, who negotiated the accords for the government, explained, "The accord covering the CPR de la Sierra is the Acuerdo para el Reasentamiento de las Poblaciones Desarraigadas por el Enfrentamiento Armado [Agreement on the Resettlement of the Populations Uprooted by the Armed Conflict], one of the accords that has not been complied with. In fact, we have had high incidences of populations that returned to refugee status and opted for Mexican citizenship. This demonstrated that the Guatemalan state was not capable of fulfilling the obligation it had of providing worthy and secure conditions for their resettlement."

Enrique Corral of the Fundacion Guillermo Toriello was involved in the peace negotiations on the guerrilla side. "These accords really were an initial impetus for access to land or regularization [of tenancy], but the part of productive investment, of technical assistance, and of participation in the networks of commerce has been very limited, they have been ignored by the government. The idea of the accords is for this special transient population to gain access to official programs. But what programs are there? What investments are there?" asked Corral. The ex-guerrilla gave the CPRs full credit for their achievements in the face of neglect. "In the end, it is the community that has endured, and endured. They have substantially raised their level of capacity in education and organization of production and with few resources produced a lot. In the future they could be an example to other collectives in this regard," he said.

### *Never any interest in helping the CPR*

Apart from the government's general noncompliance with its responsibilities under the accords, Sandino Asturias of the Centro de Estudios de Guatemala (CEF) pointed to some other reasons why the CPRs have been left wanting. "First, the political will. The CPRs were not manipulable like the PACs [Patrullas de Autodefensa Civil]." The PACs were the highly politicized civil patrols the army organized to exert its influence throughout the rural war zone. "So there was no real interest in helping them. Second, the peace process was overtaken by the neoliberal and privatization policies of succeeding administrations. This has caused a weakening of the state, logic contrary to the Peace Accords. This has affected all social investment that was not oriented in that direction, along with a lack of fiscal reform that would give the state the resources it needs for its social policies."

Thwarted by the ineffectual and weakened state, the community continues to struggle not just to survive but to advance. For four years, when it was apparent that they could not continue to educate

the children who had outgrown the primary grades, they worked to get secondary education through technology. "My concern is to move the students forward who have finished primary school, because education is what makes change in the human being," said Gregorio Cuyuch, Santa Clara Chajul's vice mayor and vice president of the Consejo Comunitario de Desarrollo (COCODE).

For four years the community has worked to get a solar-powered television remote-learning system, called telesecundaria. They finally got the equipment donated by Fundacion Solar and transported it all by hand, twelve hours through the mountains. "Everything was ready, even the students. We delivered all the necessary requisitions, but it was not approved by the Direccion Departmental," lamented Cuyuch. Ministry of Education coordinator of telesecundaria Maria Luisa Flores supplied a disheartening bureaucratic excuse for the failure. "Look, when we found out about this request we looked for the paperwork and observed that it was not channeled correctly," she said. "Nevertheless, the community of Santa Clara was included in 2007 as a priority. But the paperwork was held up in accounting because there is no money to ensure the jobs of the teachers." It is uncertain what would be required to pay a teacher to administer the telesecundaria curriculum, Cuyuch said. Current speculation is that it could take an act of Congress, or perhaps some as yet unspecified action by the municipalities, or the departmental government.

This issue highlights, for Lavarreda, another shortcoming of the system. "We need to advance in decentralization so that decisions are taken closer to the communities. Even if taxation is increased, it does no good, if there is no parallel process to increase the human and productive capital of people so that on their own they can generate activities that permit them to move forward," said the economist. Education, their last hope in jeopardy It is difficult to imagine what more the people of the CPR de la Sierra could do to keep alive the education initiative upon which they have staked their future.

For the would-be secondary students, 31 of them, the only possibility open to them is to find someone, or some agency, to provide scholarships that would enable them to go to school at Chel, the nearest school offering the curriculum. This would involve an arduous daily trip of 18 km, but so far no one has stepped forward to fund the idea. A less likely alternative would be for the students to live permanently in the larger town of Nebaj. Prospects for the community's continuing primary students are equally grim. "Far from expanding the coverage," said Cuyuch, "they have reduced it. Now we have only three teachers for 162 students. We need at least six." He went on to explain that three teacher positions had been taken from them and moved to schools at the county seat.

The people in the CPRs are among many in Guatemala for whom the civil war has never ended. They have been undergoing a relentless test of self-reliance and survival since sometime in the 1980s, when they responded to the Army's village burnings and massacres by fleeing to the forests. They were not among the many thousands who left the country to languish in the refugee camps of southern Mexico and Honduras.

Continually on the run, they were not resettled until the early 1990s, when a small delegation from their sick and nearly starving communities made their presence known to the world. At that time, international agencies estimated their number at about 23,000, separated into a few main groups, one in the Altiplano of the Department of El Quiche, and another in the vast, unpopulated regions of

the Ixcan in the Peten. At the time of their emergence, the Army and the government showed them no mercy, insisting that these fragile and infirm people were somehow supplying the guerrillas with food and supplies. It was left to the CPRs to prove their civilian status.

In 1992, many national and international observers visited the CPRs, both in the Sierra and in the Ixcan. The visitors attested to their claims of unarmed innocence and victimization, and a UN Special Rapporteur for Guatemala verified their status, as did Guatemala's civil rights ombuds. Thus, the approximately 17,000 people in the CPR of the Sierra and 6,000 in the Ixcan were helped by the international community, forcing the government to take a more benign stance toward them.

The Inter-American Commission on Human Rights (IACHR) invoked the American Convention on Human Rights, of which Guatemala is a party, in their favor, specifically Article 4, the right to life; Article 5, the right to humane treatment; Article 8, the right to fair trial; Article 21, the right to property; Article 22, the right to freedom of movement; and Article 25, the right to judicial protection. All that international activity stirred a number of nongovernmental organizations (NGOs) to help the CPRs, as some had been doing before that, and for a while it appeared that they would prosper as a result. But the decade since the final Peace Accords were signed has proved otherwise.

The tenth anniversary was marked by popular protest against the government for its failure to comply with the provisions of the accords, and President Oscar Berger, perhaps shamed by the performance, has indicated he will take major steps. Berger has sought to enhance Guatemala's international image, and the country has recently managed a seat on the UN Human Rights Council and narrowly failed to gain a two-year seat on the UN Security Council. On the occasion of the anniversary celebration, Berger said he would revisit a plan, scuttled in the 1990s, to reform the Guatemalan Constitution and to promote 13 reforms derived directly from the accords. Berger declined to reveal a specific agenda, but one reform is highly prized among human rights activists, that of limiting the role of the Army to fighting foreign aggressors, prohibiting the armed forces from turning its guns on its own people.

Even with its brutal history, the Army has been called upon in postwar times to provide internal-security functions, much to the horror of the many survivors of government atrocities. Few take Berger seriously regarding these proposals. Ruben Dario Morales, president-elect of the Congress, was extremely doubtful. He recalled other Berger promises that have gone nowhere, including one to hold a national consultation on his presidency. He called the proposal a smokescreen. "It would be better," he said, "to support compliance with state policies like the Rural Development Law or the National Security System."

Other opposition came from the leader of the right-wing Partido Patriota (PP), Otto Perez Molina. Perez Molina was a general in the armed forces during the war. He called the idea "too late," pointing out that it would need the support of the lesser parties in Congress, which he felt certain that it would not get. Berger's Secretaria de la Paz, meanwhile, has been at work trying to put the best possible face on the administration's accomplishments regarding implementation of the Peace Accords.

A report from the agency's director, Norma Quiztan, an indigenous leader, pointed to the president's passage of a law declaring the accords an "obligation of the state," and his formal recognition of the state's responsibility for the many human rights violations of the war. A third jewel in this tarnished crown was the creation of a fund for economic compensation to victims. Critics remind that all this is just verbiage. These responsibilities and obligations are spelled out in the accords.

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