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atemalan Government Crumbling Under Fallout From Parlacen Murders

by Mike Leffert

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The February murders in Guatemala of three members of Parlacen from El Salvador along with their driver remain unsolved, as do the subsequent murders of four policemen while in jail on charges stemming from the original crime (see NotiCen, 2007-02-22 and 2007-03-01). As hopes of finding the intellectual authors of the killings fade, the political fallout has begun.

Interior Minister Carlos Vielmann was forced to resign his post, and President Oscar Berger moved swiftly to replace him. Chief of the Policia Nacional Civil (PNC) Erwin Sperisen has also resigned. After the deaths of the jailed cops, police next arrested Linda Castillo Orellana de Solis, owner of the car used in the assassination of the deputies, her half brother Carlos Amilcar Orellana Donis, Mario Javier Lemus, and Obdulio Estuardo Waldemar de Leon Lemus. The half brother owns a gas station where gasoline allegedly used in the incineration of the deputies was bought, and the last two were accused of buying the gas after they were identified on closed-circuit TV at the Texaco station on the route taken by the deputies on their last ride.

The arrests did not entirely satisfy El Salvador's President Antonio Saca, who has been applying heavy pressure on the Berger administration, or Saca's police chief Rodrigo Avila, who said, "This does not end the investigation." Nor does it end the mounting confusion in the case. The four arrested suspects were also fingered in testimony from Marvin Roberto Contreras Natareno, an agent of the Division de Investigacion Criminal (DINC) of the PNC. Contreras, too, is in prison. He voluntarily gave himself up after briefly being a fugitive in the case. Had he been arrested along with the four officers who were killed in prison, he might have suffered the same fate.

In testimony he gave in a courtroom on March 16, Contreras gave a description of the recently arrested suspects, but investigations determined he had given himself up on Feb. 24, not four days later as authorities had said. The four-day discrepancy is illegal and puts his testimony in serious doubt. There is no public knowledge of what went on during those four days of incognito custody.

Officials of both the PNC and the Interior Ministry had repeatedly denied Contreras' detention, but Contreras said he had been interrogated by Vielmann, Sperisen, advisor to Vielmann Victor Rivera, prosecutors Alvaro Matus and Candido Bremer, and by fiscal general Juan Luis Florido. He said two Salvadoran prosecutors had also questioned him. All these officials denied Contreras' claim, even though it was supported by El Salvador's chief Avila, who told the media, "Last Saturday [Feb. 24], I was informed that the Guatemalan authorities had captured Contreras, which was denied by Guatemalan Interior Minister Carlos Vielmann." Vielmann responded that he did not know where Avila got his information. On Feb. 26, Saca confirmed that Berger had told him of the arrest. Saca told the Salvadoran press, "There is a fifth arrested; we expect that he will now become a key witness."

But the four-day illegal detention could nullify that witness' testimony, as Guatemala's Prensa Libre pointed out, saying, "If the alleged violation existed, the whole process of indicting Contreras would be vitiated, and this circumstance, in the hands of responsible judges, could destroy the sanction against this defendant and the legal credibility of his testimony to get at the others involved." Few in Guatemala expect anything to come of an investigation with the potential to expose those at the very highest levels of government and business as criminally corrupt.

At the heart of the crime is the supposition that the deputies were involved in transporting millions of dollars in cash and drugs. Said analyst Hector Rosada, "It won't be easy finding out the truth. There will be a legal outcome, they will have convictions, but the intellectual authors behind it will remain hidden."

Little hope for justice

Rosada is a longtime government insider in Guatemala. With this case he sounds ready to throw in the towel, calling the present state of affairs a "state mafia" and accusing the ruling parties of both Guatemala and El Salvador of "complicity" in obfuscation. In El Salvador, Rosada's view is seconded by Human Rights ombuds Beatrice Alamanni de Carrillo, who has said, "There will not be an exhaustive investigation, either in El Salvador or in Guatemala, to reach the truth. Organized crime is a problem in these countries....In each place it is destroying the rule of law."

Defense officials, business leaders, and even diplomats "from a friendly country" have recommended that Berger declare a state of emergency and place the police under military control, according to Vice President Eduardo Stein, but Berger ignored this advice because, said Stein, "We don't want to relive the past with the military running civilian agencies in violation of the Constitution." If there can be no justice, at least there can be blame. Guatemala's legislature called Viemann before a committee to give an account of himself, and he did a poor job of it. At one point he was asked whom he worked with, and Viemann responded by reading off the names and serial numbers of more than 650 police officers.

The performance ended in a vote of no confidence against the minister, obligating Berger to demand his resignation. Viemann had previously submitted his resignation, but Berger refused it. Viemann, Sperisen, and Victor Rosales, head of the prison system, all turned in their resignations on March 7, after the four implicated police officers were murdered in their cells. Viemann falls on sword, government hoisted by own petard On March 26, Berger accepted Viemann's resignation.

According to reports, the entire Cabinet supported Viemann and encouraged him to stay on, but the minister rose to the occasion and did what he thought was the right thing. "The decision was practically made when the subject began to be treated as a political thing. I'm going to assume the political onus that this carries with it," Viemann said. An unnamed official told reporters that Berger tried to prevail upon him to stay on even after his announcement. Viemann told reporters, "I decided to present my irrevocable resignation to the president, and I do it because the issue of public security has been dealt with politically, and not institutionally, by the opposition in an election year."

Soon afterward, PNC chief Sperisen stepped up to do likewise. He said he would go back to his old job as a municipal councilman. Berger accepted this resignation without delay, but there were indications that Berger planned to offer Sperisen a job outside the country. Vielmann agreed that Sperisen had to go so that the next minister would not be burdened by holdovers from his administration. Hector Rosada reacted to the news saying, "The first challenge is to put in a new team because, if they stay with the same team and structure, the situation will be the same. The problem was not Carlos Vielmann but the structures he worked in. The next person will work with the same people, procedures, and vices. Whoever accepts this job without the guarantee of being able to change the structures would be like accepting to be the cover on the sewer."

Mauricio Lopez Bonilla, another analyst, sees a government in ruins coming out of this. "Even with the delicate situation that provoked the final crisis, the departure of Carlos Vielmann just forecasts a period of anarchy, lack of control, and increase of insecurity. I can foresee an insurmountable challenge to administration in what is left of this government. The impact of the departure of this team is too much."

On March 27, it was announced that Adela de Torrebiarte, a member of the Consejo Asesor de Seguridad (CAS), would be taking Vielmann's place. De Torrebiarte was known for having started Madres Angustiadas, an organization formed in the 1990s to combat kidnapping, after a relative was kidnapped. She was a director of the Federacion de Futbol and is head of the Coban soccer club. She told the press that she was eager to take the new job and that the most urgent matter was to purge the PNC and re-establish the credibility of the security forces.

There was nothing particularly new here; Berger had alluded to a purge shortly after US President George W. Bush's visit to Guatemala. The purge fits nicely with Bush's support for Berger's effort to gain approval for a Comision Internacional contra la Impunidad en Guatemala (CICIG). The UN-backed organization would facilitate the dismantling of armed groups in the country. Whether Adela Camacho Sinibaldi de Torrebiarte can accomplish anything in her new job is quite another matter.

She has no experience in any government post. At her swearing in, she called upon the political parties to refrain from using security issues for political gain in an election year. "I ask the presidential candidates not to use the subject of insecurity as an opportunity to gain votes. The division can kill us more than the delinquency." This seemed a strange request, asking candidates to ignore the country's major political issue.

As an editorial in *El Periodico* put it, "The lack of security has become Guatemalans' number-one problem, as have said the special rapporteur of the UN Philip Alston, the delegate of the Office of the UN High Commissioner on Human Rights (UNHCHR) Anders Kompass, representatives of the European Union (EU) and the Inter-American Commission on Human Rights (IACHR)." With the killings of the three deputies and the four accused cops, concludes the editorial, public security is passing through one of its worst crises, both internally and externally.

"As an answer to this outrage, Parlacen has moved its meeting to Nicaragua, to the shame of Guatemala." Otto Perez Molina, presidential candidate and leader of the right-wing Partido

Patriotica (PP) who led the legislative campaign to unseat Vielmann, opined, "The new minister assumes office in the midst of one of the greatest crises of security. It won't be easy to advance in such little time, but she must arrive with the commitment and will to work hard on the purge of the Policia Nacional Civil." Carlos Yat of the center-right Partido de Avanzada Nacional (PAN) commented, "To change ministers in these moments will weaken the government, since de Torrebiarte will have no time to do everything that is needed. What is important is that the middle managers involved in irregularities be fired."

Both these parties and others clearly plan to use security issues precisely as the new minister wishes they would not. Both are already on record as opposing her appointment. From the nongovernmental-organization (NGO) community, Helen Mack of the Fundacion Myrna Mack said, "She will have little time to purge the PNC, but she could she could set the bases for curbing the violence. For that, it will be necessary to promote better coordination with the Public Ministry, since a good police department is useless without anyone to prosecute the cases."

At the least, the government expects de Torrebiarte to move along plans for the creation of a Sistema Nacional de Seguridad and a new Security Ministry. She will have to recover the institutional integrity of the PNC and strengthen its organized-crime and internal-control units. She will also have to bring control back to the Sistema Penitenciario. To most observers, she has scant possibility of accomplishing these tasks

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