7-1-2010

Guatemala: Head Of UN Anti-Impunity Commission Resigns

Louisa Reynolds

Follow this and additional works at: https://digitalrepository.unm.edu/noticen

Recommended Citation

This Article is brought to you for free and open access by the Latin America Digital Beat (LADB) at UNM Digital Repository. It has been accepted for inclusion in NotiCen by an authorized administrator of UNM Digital Repository. For more information, please contact amywinter@unm.edu.
Guatemala: Head Of UN Anti-Impunity Commission Resigns

by Louisa Reynolds
Category/Department: Guatemala
Published: 2010-07-01

"Nothing that was promised is being done. On a personal level, I feel I cannot do anything more for Guatemala," said Spanish Judge Carlos Castresana, who resigned on June 7 as head of the Comisión Internacional Contra la Impunidad en Guatemala (CICIG), a UN-backed entity set up two years ago to combat impunity.

Since January 2008, CICIG has carried out investigations leading to the conviction of dozens of officials. Most notably, CICIG solved the murder of Rodrigo Rosenberg, the lawyer who, in a video made before his death, accused Guatemalan President Álvaro Colom of responsibility for his death. The case took an unexpected twist when CICIG's detailed and painstaking investigation revealed that Rosenberg had orchestrated his own assassination (see NotiCen, May 14, 2009 and January 21, 2010).

CICIG prosecutors also played a major role in the capture of former President Alfonso Portillo (2000-2004), following accusations by federal prosecutors in New York that during his administration he embezzled US$1.5 million from a Taiwanese donation to buy school library books and transferred the funds to a Miami account (see NotiCen, February 18, 2010).

Castresana said that one of the main reasons that prompted his resignation was the appointment of Conrado Reyes, accused of involvement in organized crime, as attorney general. The CICIG commissioner urged Colom to fire Reyes, plunging his administration into a crisis.

"He [Conrado Reyes] has a track record of corruption and was appointed as a result of a pact between pro-adoption lawyers [corrupt lawyers who profit from the adoption of abducted infants by US couples (see NotiCen, March 13, 2008)] and lawyers who protect drug traffickers."

When Reyes was sworn in as attorney general, days before Castresana's resignation, he turned up at the ceremony accompanied by Osman Contreras and Juan Roberto Garrido, two former presidential security guards linked to Carlos Quintanilla, former director of the Secretaría de Asuntos Administrativos y de Seguridad de la Presidencia (SAAS), fired in 2008 after he was accused of involvement in an elaborate espionage operation in the presidential palace.

Quintanilla admits that he worked closely with Contreras and Garrido but claims that he lost touch with them after he was forced to quit as director of SAAS. He also denies any links with Reyes.

However, Castresana pointed out that Contreras and Garrido were hired by the Ministerio Público (MP) immediately after Reyes took office. "These individuals have been brought back to take over tapping the telephones of those in charge of prosecuting drug traffickers," he said.
Castresana accused Reyes of taking control of the Fiscalía Especial de la CICIG (the Ministerio Público's special unit in charge of aiding and liaising with CICIG) and ensuring that sensitive cases were shelved, such as the prosecution of Álvaro Matus, former director of the Fiscalía de Delitos Contra la Vida, accused of destroying evidence during the MP's investigation into the murder of four Salvadoran congressmen and their driver in February 2007 (see NotiCen, February 22, 2007).

Castresana's grievances against the Colom administration also include the fact that the US$223 million in treasury bonds recently approved by Congress did not include a budget increase for the country's severely underfunded justice system. "Two parties are needed for an agreement to work and Guatemala is simply not doing its part," Castresana wrote to UN Secretary-General Ban Ki-moon.

The Spanish judge also claimed that he was subjected to a slanderous smear campaign. "It all began in January after CICIG initiated legal action against former President Portillo," he said. "First, there were attempts to bribe CICIG prosecutors, which failed, then we were subjected to threats, and finally a smear campaign."

A week before Castresana's resignation, lawyer and journalist Mario David García claimed during his daily radio program Hablando Claro that the UN was investigating Castresana for allegedly giving employment to his Haitian lover.

García and former Guatemalan liaison with the far-right Salvadoran Alianza Republicana Nacionalista (ARENA) Luis Mendizábal were responsible for distributing Rosenberg's posthumous videotape.

Back in 1988, García's television program Aquí El Mundo was shut down after he was accused of involvement in an attempted coup against President Vinicio Cerezo (1986-1991), which led Colom to point to a destabilization plot behind the Rosenberg tape.

When Castresana announced his resignation, he mentioned "repeated attacks that have accused me of improper conduct in my private life, which are false and which I need to be cleared of."

So far, the UN has neither denied nor acknowledged Castresana's alleged affair and has merely stated that the only solution is to replace Castresana "in order to end the smear campaign against the commissioner and prevent this from further hindering CICIG's work."

**Colom fires attorney general**

Reacting to Castresana's resignation, President Colom reiterated his administration's support for CICIG. "Sometimes we are limited, legally or in respect to governance or financing, in how we can respond to their requests," he said, referring to CICIG's demands that have not been met.

Four days after Castresana's resignation, the Corte Suprema de Justicia (CSJ) fired Reyes, after he had been in office for less than a month, and said that a new attorney general would have to be
elected. This is the first time in Guatemalan judicial history that the election of an attorney general has been reversed in this way.

Reyes said he accepted the court's decision but insisted that the allegations against him are false.

A new attorney general must now be elected by a "comisión de postulación" made up of 12 academics who will evaluate the track record of all candidates and draw up a final list of six from which Colom will make his choice.

The far-right Partido Patriota (PP) has seized the Reyes scandal as an opportunity to attack Colom, claiming that the president's choice of Reyes for attorney general given his controversial track record proves that Colom is unfit for the task.

The official Unidad Nacional de la Esperanza (UNE) party has hit back by pointing out that two PP spin doctors, Francisco Beltranena and Rodolfo Ibarra, were accused by Castresana of involvement in the smear campaign against CICIG.

The PP says Colom should allow Vice President Rafael Espada to assume the responsibility for choosing the new attorney general, a demand that has also been voiced by Érick Álvarez, president of the CSJ.

However, Colom has stood firm and said he has no intention of giving in to these demands. "The executive is a whole. Asking Rafael Espada to choose would be nothing more than a charade," said Colom. "The vice president would never make a choice that I hadn't previously agreed to."

-- End --