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New Peace Accord Signals End to War in Guatemala

by LADB Staff

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On Sept. 19, the Guatemalan government and guerrilla umbrella organization Unidad Revolucionaria Nacional Guatemalteca (URNG) signed an accord on measures to reform the armed forces and fortify civilian power in Guatemala. The accord, which calls for far-reaching changes in the country's security apparatus, followed the arrest two days earlier of high-ranking military officers and police accused of corruption. Taken together, the two events generated widespread confidence that the country's 36-year war has come to an end, even though the signing of a final, global peace agreement is still pending. Since May, when President Alvaro Arzu's administration and the URNG signed an extensive agreement on economic and social reforms, the two sides have been negotiating the final "substantial" agenda point that was still up for discussion: measures to fortify civilian power and redefine the army's role in the country (see NotiSur, 06/07/96).

Notwithstanding pressure from extreme right groups in Guatemala to block meaningful reforms, the negotiations advanced with surprising ease since June, and the accord signed on Sept. 19 calls for a broad overhaul of the country's security institutions, as well as legal reforms to greatly strengthen civilian control over the military and police. Following are some of the central points contained in the accord: * A constitutional reform that unequivocally limits the army to defense of the country's sovereignty and territorial integrity, placing responsibility for all domestic security matters exclusively in the hands of civilian police forces. The army will only be allowed to intervene in domestic affairs under special orders from the president and, even then, only for a temporary period with troops obligated to take orders from civilian authorities. * The army will be reduced by 33% from its current size of 37,000 troops, with government programs set up to reintegrate soldiers into civilian jobs.

The Defense Ministry's budget will also be reduced by 33% during the next three years, and the funds that are freed up will be rechannelled into education, health, and public security programs. * A new Civilian Intelligence Department will be set up and controlled by the Ministry of the Interior (Ministerio de Gobernacion). The Defense Ministry's intelligence functions will be greatly scaled back. * The military-run presidential security staff (Estado Mayor Presidencial) will be dissolved, and the government will design a new, civilian-run apparatus to oversee security for the president and vice president.

*The Military Police (Policia Militar Ambulante) will be dissolved within one year of the signing of a final peace accord.

*A new Advisory Security Council (Consejo Asesor de Seguridad) will be created comprising distinguished individuals from the private sector, universities, political parties, ethnic minorities, and professional guilds. The council's members will be selected by the president. * A constitutional reform will be passed to limit the country's military tribunals solely to the review of cases that involve internal infractions by members of the armed forces. All military personnel accused of common crimes will be tried in civilian courts.

*The president will be solely responsible for naming the country's defense minister, who can be a civilian if the president chooses. * The army will be prohibited from running profit-making businesses.

*The country's police forces will be concentrated under one central command run by the Ministry of the Interior and will be multiethnic and multicultural in nature. Professional training for a police career will be established for members, and the police academy will be overhauled to inculcate officers with respect for the Constitution and human rights. (A similar component that upholds the Constitution and human rights and that specifically includes teaching respect for the content and spirit of the peace accords will also be incorporated into military training programs.)

*The country's civil defense patrols (Patrullas de Auto- Defensa Civil, PAC) will be completely dissolved within 30 days after the signing of the final peace accord.

*Judicial and legislative reforms will also be carried out to fortify those government branches. And, the country's legal code will be overhauled to take into account the nation's ethnic diversity and to guarantee respect for human rights.

The signing ceremony attended by high-level diplomats from around the Americas and from European countries inspired emotional speeches by Guatemalan officials. "If everything continues as it has, within just a few weeks we will sign and seal an accord to consolidate a firm and lasting peace in Guatemala, putting an end to 36 years of armed conflict," said President Arzu. "This is a point of departure in the effort to achieve peace. It is a new stage full of challenges and opportunities that must be oriented toward the construction of a better future, which is the right of all Guatemalans."

Indeed, the reforms contained in the latest pact the sixth partial accord to be signed since peace negotiations began mark the culmination of the "substantial" issues contained in the dialogue agenda. The previous agreements include an accord on human rights, a pact to ensure the safe return of refugees in Mexico and elsewhere, an accord on the rights of indigenous peoples of Guatemala, a pact authorizing the establishment of a war-crimes commission to investigate abuses committed by both sides during the war, and the socioeconomic accord signed last May (see NotiSur, 03/03/95 and 04/07/95).

The remaining agenda items are considered "operative" issues that include the steps that must now be taken to implement a final peace accord. These include a calendar and steps for rebel disarmament and demobilization, constitutional reforms that must be approved to carry out the "substantial" accords that were signed, electoral reforms, steps for a definitive cease fire, and a calendar for implementation of all accords plus methods to verify their application. Both sides have publicly committed themselves to completing negotiations on these remaining issues before year-end, meaning that the war will be formally over by December, at the latest.

According to the URNG, of the substantial accords signed to date, the latest agreement is the most important, since it provides the necessary guarantee that all the previous pacts will be implemented. "The pact that we signed here today is the axis around which all the other essential points contained in the peace accords rotate," said Rolando Moran, who heads the Ejercito Guerrillero de los Pobres

(EGP), the largest and militarily most powerful of the four rebel groups that make up the URNG. "Fortifying civilian power is inextricably linked to democratization and the demilitarization of the state and of society. Unless there is strict compliance with this accord, full respect for the rest of the accords will not be possible. Fortification of civilian power will allow us to overcome the chronic instability we have lived with for more than three decades."

Widespread skepticism remains over the government's political will and real ability to carry out the reforms that have been signed. Still, the Arzu administration's bold efforts to crack down on military impunity since the beginning of the year have increased confidence in the government's commitment to abide by the peace agreements. Since January, when Arzu took office, the government has carried out the broadest shake-up in the army hierarchy in decades, and it has arrested dozens of military officers and personnel accused of human rights violations and corruption (see NotiSur, 02/23/96, 03/15/96, and 04/12/96).

Moreover, an unprecedented move by the government to break up a powerful mafia ring in the army and police just two days before the latest peace accord was signed has greatly reinforced confidence in the peace process. On Sept. 17, the government ordered the arrest of nine military officers, five police chiefs, and four top administrators from customs warehouses around the country. The group is accused of directing a vast operation within the government bureaucracy that, among other things, was siphoning off up to US\$15 million per month through tax evasion and influence peddling. The arrested officers include deputy defense minister Gen. Cesar Augusto Garcia Gonzales; Gen. Luis Francisco Ortega Menaldo, currently the military attache at the Guatemalan embassy in Washington and previously the head of the Estado Mayor Presidencial under ex-president Jorge Serrano (1991- 1993); Col. Rolando Augusto Diaz Barrios, head of the military zone in the eastern department of Jutiapa; Col. Jacobo Esdras Salan Sanchez, head of the military zone in the eastern department of Zacapa; and Naval Captain Romeo Guevara Reyes, head of the Pacific Coast Naval Base.

The remaining officers include another colonel, a lieutenant colonel, and two majors. And, among the other individuals arrested are the head of the National Police's Center for Joint Operations (Centro de Operaciones Conjuntas), the National Police Inspector General, the head of the National Police fourth brigade, the head of the National Police motorized brigade, and the head of the central customs offices in the capital. Nevertheless, notwithstanding the growing confidence in the government's commitment to enforce the rule of law by cracking down on corruption and military impunity, skepticism still reigns about whether the government will have the ability to uphold its policies in practice. Indeed, fear of a coup d'etat gripped the country after the arrest of those accused of participation in the mafia ring.

Although conspirators have very little possibility of carrying out a successful coup, nobody discards a putsch attempt, and even government officials warn that right-wing terrorism may explode around the country in retaliation for the arrests and for the signing of the peace accords. "I don't discard the possibility of coup attempts, but given current domestic and international conditions, a successful coup is extremely unlikely," said Foreign Minister Eduardo Stein. "But past experience shows that such far-reaching efforts as the steps we are now taking to crack down on corruption and uphold the law are generally followed by assassinations of judges and government officials, since the

country's mafia rings will attempt to fight back." [Sources: Inforpress Centroamericana (Guatemala), 06/27/96, 07/04/96, 08/08/96, 08/15/96, 08/22/96, 09/12/96, 09/19/96; Agencia Centroamericana de Noticias-Spanish news service EFE, 06/10/96, 07/25/96, 08/04/96, 08/06/96, 08/08/96, 08/12/96, 09/06/96, 09/15-20/96; La Jornada (Mexico), 09/20/96; Agence France-Presse, 06/12/96, 06/23/96, 06/25/96, 07/23-25/96; 08/01/96, 08/02/96, 08/12/96, 08/19/96, 08/21/96, 08/27-29/96, 09/08/96, 09/09/96, 09/11/96, 09/12/96, 09/16-20/96, 09/22/96]

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