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Guatemala: Congress Approves Modifications To Penal Code & New Anti-narcotics Legislation

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On Sept. 22, the National Congress approved changes in the penal code and passed new anti-narcotics legislation. Under the penal code modifications, two new judicial dependencies were created: an anti-narcotics court (Juez del Narcotrafico) and a court for ecological crimes (Juez contra el Delito Ecologico). Another reform stipulates that judicial proceedings against indian defendants must be carried out in their native language. According to legal experts and several congressional deputies, the Guatemala judicial system maintains procedural and structural elements which have remained unchanged since the colonial period. According to Deputy Carlos Escobedo, the new penal code represents "an important step in favor of the majority since now trials against indigenous persons must be held in their own language." The new anti-narcotics law stipulates the death penalty for convicted traffickers in cases where their activities lead to the death of others. It also provides broad powers to officials investigating money laundering activities, including new authorizations for tracking bank account activity. The law empowers judicial authorities to use assets confiscated from drug traffickers in their own operations. (Sources: Agencia Centroamericana de Noticias- Spanish news service EFE, 09/22/92; Agence France-Press, 09/24/92)

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