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GUATEMALA

Consulates Issue Security Alerts Regarding Travel in Guatemala

The governments of the US, Germany, Great Britain, Canada, Spain and France issued travel advisories in Mar through their respective consulates to warn their citizens about the lack of public security that exists in Guatemala. The advisories warned tourists regarding the dangers to their personal safety while traveling within Guatemala, and advised them to take the necessary precautions to avoid becoming victims of delinquents who prey on tourists.

Some of these dangers include the theft of passports, credit cards and other belongings from hotel rooms and tour buses; pickpockets in crowded areas; armed robbery by thieves in heavily-traveled tourist areas (at least 25 US citizens have been murdered in Guatemala since '99); car-jackings and holdups on rural roads; gang violence in urban areas (especially in Guatemala City); use of public transportation; the possibility of extortion by inexperienced and underpaid police officers; and the weakness and inefficiency of the judicial system.

Violent criminal activity has been a problem in all parts of Guatemala for years. Incidents include, but are not limited to, assault, theft, armed robbery, car-jacking, rape, kidnapping and murder. Criminals often operate in groups of four or more and are confrontational and violent. Well-armed criminals know that there is little chance they will be caught and punished. Traditionally, Guatemala experiences increases in crime before and during the Christmas and Easter holiday seasons.

Large demonstrations occur throughout Guatemala, often with little or no prior notice, and they can cause serious traffic disruptions. Although most demonstrations are peaceful, they can turn violent, and travelers should avoid areas where demonstrations are taking place. The use of roadblocks and/or blocking of public facilities, including the international airport, has increased and demonstrators may prevent tourists caught behind the blockades from leaving the area.

Due to uncontrolled drug and alien smuggling, the Guatemalan border with Mexico is a relatively high-risk area, in particular in the northern Petén Department. The most dangerous area in that region is on the northwestern border of the Petén, in the area that includes the Sierra de Lacandón and Laguna del Tigre National Parks.

Constitutional Court Upholds Congressional Approval of New Pension Law

On 23 Mar, Congress approved a motion to order the publication in the official congressional journal (*Diario Oficial*) of a new pension law to cover senior citizens who are uninsured by the nation's Social Security System, after being ordered to do so by the Constitutional Court (CC) on 14 Mar.

Although Congress had approved the law proposal on 15 Nov '05, thanks to the votes of opposition party legislators, President Oscar Berger of the ruling Grand National Alliance (GANA) had vetoed the measure on 21 Nov, arguing that the government did not have the resources to pay for it. However, on 31 Jan, Congress was able to override President Berger's veto and ordered the publication of the new law; nevertheless, Berger appealed this decision before the CC on 2 Feb, which, on 14 Mar, upheld the authority of Congress to approve and publish the new law (note: a new law does not take effect until published in the *Diario Oficial*).

According to an estimate by GANA officials, the government will need to provide \$131.4 million to cover the requirements of this new law, which will provide retirement benefits for about 213,000 uninsured senior citizens (over 65 years of age).

Decree 85-2005, which will pay such beneficiaries at least \$53 monthly, was one of the commitments made by political parties and by Vice President Eduardo Stein as a condition for obtaining congressional approval of the controversial Dominican Republic-Central American Free Trade Agreement with the US last year.

Congress Ratifies the Inter-American Convention Against Terrorism

On 21 Mar, the *Diario Oficial* published the Inter-American Convention Against Terrorism treaty, which had been adopted by the Organization of American States in Bridgetown, Barbados, on 3 June '02.

Decree 57-2005 was approved by Congress on 31 Aug '05, signed by President Berger on 14 Nov '05, and deposited with the Secretary General of the OAS on 1 Mar '05. According to article 22, section 2 of the Convention, it will take effect on 31 Mar '06.

The Convention binds participating States to prevent, sanction and eliminate terrorism within their national territories, and to adopt necessary measures and strengthen cooperation among member States for the purpose of achieving these objectives.

Latin American Water Tribunal Censures Guatemalan Officials

On 20 Mar, the Latin American Water Tribunal (TLA) censured President Berger and the Minister of the Environment and National Resources, Mario Dary, for favoring open-pit metal mining operations in disregard for the rights of the local population who oppose them.

According to TLA president, Augusto Willemsen Díaz, the case involves the exploitation of gold and silver in the communities of Sipacapa and San Miguel Ixtahjuacán in San Marcos, where the negative

impact of such mining techniques would cause significant damage to the environment and to the inhabitants of the region.

In addition, the TLA blamed officials of the World Bank and other international financial institutions for supporting economically the exploitation of minerals in Guatemala using open-pit mining techniques, and blamed President Berger for not putting a stop to this kind of activity. The TLA also asked the Guatemalan Congress to legislate in favor of the people and not for the benefit of the mining companies and their investors, which include wealthy Guatemalans who have family ties to certain government officials who favor the mining interests.

Constitutional Court Rules in Favor of DR-CAFTA

On 23 Mar, the CC ruled against a legal action presented by a group of social organizations on 24 Feb '04 that argued that the government had failed to consult with the people "on matters of national transcendence," as established by the Constitution, before signing DR-CAFTA and that, consequently, the Free Trade Agreement is invalid.

Human Rights Office Overwhelmed with Calls Denouncing Abuses

The Ombudsman's Office for Human Rights reported that it was completely overwhelmed by more than 1,200 phone calls during a 15-day period in Mar from citizens who denounced human rights abuses by government officials or by other persons, after launching its new hot line service for reporting abuses. Many of the callers denounced intrafamiliar abuses, reported Ombudsman Sergio Morales.

Congress of Centrist and Leftist Political Parties and related Organizations Held

Leaders of centrist and leftist political parties and related organizations in Guatemala, who met from 20-22 Mar to discuss a common political agenda, called this event "a historical step toward the objective of constructing a new Guatemala."

Congressman Pablo Monsanto of the New National Alliance (ANN) declared that, most importantly, the event brought together different ideological expressions with a common theme of constructing a more democratic nation, with social justice and equality.

Héctor Nuila, the General Secretary of Guatemala National Revolutionary Unity (URNG), emphasized that the time has now come to overthrow the oligarchy that has ruled Guatemala for the past 50 years. Nuila emphasized that the congress was held in the midst of a great social movement in defense of national interests, of sovereignty and of national resources, and in the face of the imposition of DR-CAFTA.

For Roberto Madriz of the National Front for Struggle (FNL), the activity was the first step in the process of constructing a new Guatemala with greater justice and dignity, where no one can substitute the voice of the people and popular organizations.

The congress' final declaration represents a commitment to search for solutions to the serious problems that face the country, among them insecurity and access to land and basic services, such as education and health.

The document emphasizes the serious consequences of DR-CAFTA if the country does not adopt measures to protect *campesino* families and small and medium-sized businesses. It also thoroughly rejects the establishment of foreign military bases or installations that place in jeopardy the nation's sovereignty.

Attending the congress were representatives of the Collective of Social Organizations (COS), the FNL, the Mayan League, the URNG, the ANN, the Guatemalan Christian Democrats, the Social Democratic Party (in formation), among others.

Vinicio Cerezo, referring to the future of leftist and center-left movements, stated that the tendency in Latin America, and in forthcoming elections, would be to vote against the neoliberals and right-wing groups because of the failure that these groups have had in solving the social problems.

—*Compiled by Clifton L. Holland*