

# *MESOAMERICA*

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## **GUATEMALA**

### **Drug Gangs Use Violence to Sway Voters**

It is election time in Guatemala and that means rallies, banners and body bags.

In the campaign period leading up to elections on 9 Sep, government authorities have reported 62 violent attacks on candidates and political activists. On 7 Aug, the death toll was 27, including seven national congressmen and numerous other political hopefuls.

The flurry of bullets and the occasional machete attack have made this the bloodiest campaign season in the history of a country with a long tradition of political violence, including 36-years of civil war that ended in '96. But what makes the bloodletting different this time is that it has been attributed to narco-traffickers and their associates who are intent on infiltrating the nation's political system.

Campaigning is so dangerous that Álvaro Colom of the National Unity for Hope (UNE) party, the leading presidential candidate, flies in a helicopter to avoid being ambushed, and travels with a physician who has extensive experience in treating bullet wounds. Also, he is careful what he eats, to avoid being poisoned. "I hate to say this, but it's more violent now than during the war," he said.

It is not only South America's drug-producing countries that are at risk these days from the impact of the drug trade, or even of becoming narco-states. More and more, corrosive effects are being felt in the countries where the drugs transit, like Guatemala, Mexico and Haiti, as competition grows, in effect, to set up safe zones on the drug routes to the US. This is causing rising levels of political instability, violence and corruption in its wake.

Last month, the three main presidential contenders expressed dissatisfaction with the way the country is dealing with drug trafficking, after a report issued by the US Drug Enforcement Administration (DEA) stated that 80% of the cocaine destined for the US passes through Guatemala. Colom declared: "I have seen caravans with an army of drug-traffickers—we are Colombia already."

Drug cartels active in Colombia, where much of the region's cocaine is produced, have connections with politicians, military officers and others throughout Central America who assist them in getting drugs and drug profits out, usually on small planes or fast-boats.

Guatemala provides an increasingly important transit point, according to US officials, as drug-traffickers take advantage of the country's dire poverty and lawlessness. They have already made considerable progress over the years, political analysts and law enforcement officials say, by installing sympathetic politicians in Congress and in local city halls.

"Controlling the political system is their goal," said Iduvina Hernández, an analyst at a Guatemalan research group called Security in Democracy. "If they can control a small town, they can build a landing strip there and use it as a base. If they have someone in Congress, all the better."

With plenty of money to spend, drug dealers finance as many campaigns as they can and put forward candidates who are on the take. Resistance is met with gunfire.

Colom's chief strategist, José Carlos Marroquín, has been a target of an attempted assassination. Last year, as campaigning got under way, assailants lobbed three grenades at his motorcade and opened fire on the vehicles with automatic weapons. He survived, but the threats against him and his family have continued.

"Politics is dangerous here," said Marroquín, a former newspaper editor. "Along with the regular campaigns, there is a campaign of fear."

In addition to the drug-traffickers, an array of other heavily armed groups, including rogue soldiers, paramilitary groups, street gangs and smugglers, are fueling the violence, none of whom are trigger shy. Street violence is part of life in Guatemala even when an election is not around the corner. People are shot by muggers, caught in the cross fire of rival gangs and taken out by hit men on a regular basis.

Campaign season brings a spike in the killing, but homicides are only rarely solved here and political crime is no exception.

The effect of all the violence on the candidates is profound. They move around with their own private armies, usually in bullet-proof vehicles loaded with small arsenals.

One of those who feel most vulnerable is Colom, a businessman who is leading the pack in the presidential race. People affiliated with his party have suffered more attacks, 16 of the 62, than any other.

### **CICIG Approved by Congress**

Congress, after six months of raucous discussion (or avoidance thereof when opposition legislators abandoned the plenary to break the quorum needed to discuss and ratify the proposal), voted 1 Aug to approve an initiative backed by President Óscar Berger's administration that would allow UN investigators to assist the Guatemalan Public Ministry, Supreme Court and National Civilian Police (PCN) in investigating alleged criminal activities of government officials, organized crime syndicates

and clandestine, armed security groups (“death squads”). The new law will create an International Commission against Impunity in Guatemala (CICIG) if it overcomes possible constitutional challenges from opponents (Vol. 26, No. 7).

It is expected that the PCN and the prison and customs systems will be the first to be investigated by the joint Guatemalan-UN commission, designed to shore up the justice system in a country plagued by high levels of violent crime, human rights violations and corruption.

Human rights groups demonstrated outside Congress on 1 Aug to pressure it to urgently approve the decree creating the commission, aimed at bringing down crime rates, strengthening investigation processes, and contributing to the dismantling of illegal, clandestine security organizations.

According to a recent congressional report, illegal and clandestine security groups severely undermine human rights through their criminal actions, and foment impunity in Guatemalan society.

Although the creation of CICIG was ratified by a majority of lawmakers, the rightwing Guatemalan Republican Front (FRG), Unionist Party (PU) and Reform Movement (MR) voted against it.

However, spokespersons for the FRG, the second-largest party in Congress, stated that, although it is “openly and clearly opposed” to the commission, it will not take any legal action against the legislative decision.

Those who oppose the creation of CICIG argue that foreign interference in internal affairs is a violation of the Constitution. “The Constitution has been violated,” said Arnoldo López, who took part in drafting the Guatemalan Constitution. “National sovereignty is being sold off. There is no need for foreign forces.”

Conversely, spokespersons for the US Embassy in Guatemala welcomed the commission and said it would help strengthen the country’s legitimate institutions.

Former President Marco Vinicio Cerezo (’86-’90, of the Christian Democrat party) stated that CICIG was “conceptually necessary,” although he added that the document creating it contained “errors” that brought it into contradiction with the Constitution.

The commission’s tasks will include an investigation into the existence of illegal security organizations, their structure, *modus operandi*, sources of financing and possible links to state bodies or agents and other sectors that undermine civil and political rights in Guatemala. Another of its missions will be to promote the prosecution of guilty persons, although it cannot itself initiate prosecutions.

Threats against and murders of human rights defenders as well as judges, prosecutors, journalists, activists and union and political leaders, have been linked to these clandestine groups, most of which are a holdover from the country’s brutal civil war.

“They have managed to infiltrate state institutions, with ties to state officials and the police,” stated Adriana Beltran of the Washington Office on Latin America (WOLA) last Nov, referring to the organized network of illegal groups. “You might say they have established a parallel state.”

Philip Alson, the special rapporteur for the UN Office of the High Commissioner for Human Rights, on a visit to Guatemala in early '06, expressed concern about the murders of women, selective killings by members of the police and the military, gang-related killings and social cleansing, which he said had given rise to a widespread sense of insecurity among Guatemalans.

The Inter-American Commission on Human Rights reported in '05 that Guatemala had the highest murder rate in all of Latin America, with 70 homicides per 100,000 of the population.

The head of CICIG will be appointed by UN Secretary-General Ban Ki-moon. The new commission, which will have a renewable two-year mandate, will consist of prosecutors, judges and law enforcement officials who are familiar with human rights, criminal and international law.

### **Current Standing of Presidential Candidates**

Álvaro Colom, who identifies with social democracy, is holding on to the lead in the presidential race, according to a poll by Borge y Asociados in mid-July. An estimated 33% of respondents will vote for the center-left National Union of Hope (UNE) candidate in next month's election, up five points since June.

Former Gen. Otto Pérez Molina of the right-wing Patriot Party (PP) is second with 23.1%—up 9.9 points since June—followed by former national prison director Alejandro Giammattei of the conservative Grand National Alliance (GAN) with 8.9%, and Nobel Peace Prize laureate Rigoberta Menchú of leftist Encounter for Guatemala (EPG) with 5.5%. Support is lower for Luis Rabbé of the Guatemalan Republican Front (FRG), Mario Estrada of the Union for Nationalist Change (UCN), and Fritz García Gallont of the PU.

Significantly, about one-third of those polled in recent surveys are either undecided or unwilling to express a preference.

If no candidate garners more than 50% of ballots cast, a run-off would take place on 4 Nov. In three different scenarios for a run-off vote, Colom would beat Pérez Molina with 52.2%, Giammattei with 59%, and Menchú with 63.9% of the votes cast, according to current projections.

—Clifton L. Holland