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GUATEMALA

National Dialogue Launched Amid Doubts

President Óscar Berger inaugurated a three-month “national dialogue” on 18 May that aims to bring together members of different social, political and business sectors to define public policies to be developed in the remaining 20 months of his administration.

The dialogue is intended to provide the basis for formulation of a National Agreement about implementation of social expenses and the reduction of poverty. Vice President Eduardo Stein emphasized that the government does not seek to redesign the country for the next 20 years, but to gather ideas from different sectors regarding topics such as transparency, health, nutrition, indigenous populations and their exclusion, and rural development.

Witnesses of honor invited to the event included president of Congress Jorge Méndez, Beatriz de León (president of the Judicial Organization), Roman Catholic Cardinal Rodolfo Quesada Toruño, '92 Nobel Peace Prize winner Rigoberta Menchú, representatives of Evangelical churches and rectors of the country's universities.

Berger inaugurated the event amid doubts voiced by members of different sectors and in the absence of the business sector and political parties. “I admit that some sectors have their own expectations and doubts about this effort, but the goal is to obtain concrete results in 12 weeks. For this reason I am grateful for the presence of those who are here,” Berger said at the inauguration of the national dialogue.

Members of the business sector said they did not attend the inauguration because they were evaluating their participation in the dialogue, while representatives of political parties affirmed that they never received invitations to get involved.

Members of social organizations, such as Alfredo Ché, of the National Coordination of Peasants' Organizations (CNOC), expressed skepticism about the dialogue. According to Ché, Berger's administration “seeks to cleanse its image through a dialogue that could only serve to drain the social movements.”

Juan Tiney, head of the National Indigenous and Peasant Coordination (CONIC), announced that as of 18 May, the group would give the government 30 days to give them concrete answers to a list of demands issued by indigenous groups, labor unions and social organizations in Apr. If the government does not issue any proposals, Tiney announced that CONIC will resume its protest for indigenous rights and labor conflicts on 19 June.

Berger committed himself to meeting their request.

DR-CAFTA Implementation Law Approved

After six months of discussions and despite an unconstitutionality action filed by 32 organizations against the Dominican Republic-Central America Free Trade Agreement with the US (DR-CAFTA), Congress approved a decree on 18 May containing the Implementation Law for the trade agreement.

With this motion, the government hoped to have fulfilled the last requirement for the trade agreement to take effect. However, a few hours after approval of the Implementation Law, the Office of the US Trade Representative requested ratification of three international agreements regulating intellectual property rights.

Congress scheduled an evaluation of the Budapest Treaty on microorganisms, the Patent Cooperation Treaty and the International Union for the Protection of New Varieties of Plants Treaty on its agenda for 22-26 May.

While Congress scrambled to meet the US' DR-CAFTA requirements, a public hearing was held on 11 May regarding the unconstitutionality action presented by 32 social organizations, represented that day by attorneys Adolfo Bauer Paiz, Augusto Willemsen Díaz and Ramón Cadena.

The lawyers argued that conditions established by the US for the treaty to take effect benefit only the US and allow it to “decertify” Guatemala and the other Central American countries involved. The possibility of decertification, which violates a country’s sovereignty, confirms that the US is in control of the bilateral relation, according to their argument.

Other issues they posed at the hearing, which was only attended by one DR-CAFTA defendant, a delegate from the Public Ministry (PM), included labor rights restrictions and widening of the gap between rich and poor that could produce greater poverty.

The PM delegate based his defense on the premise that the arguments presented against DR-CAFTA were “political and not legal.”

A statement released on 11 May by the National Front in Defense of Public Services and Natural Resources said, “perhaps the PM delegate’s silence would have helped him more than professing such an incoherence, since he was faced with solid arguments founded on the Constitution, treaties and agreements ratified by the State.”

Former President Lucas García Dies Unpunished

Former President Fernando Romeo Lucas García ('78-'82) died of natural causes on 27 May at age 82, before the culmination of a judicial process by Spanish authorities for charges of genocide and human rights violations.

Lucas García's death at a hospital in Venezuela, where he resided in exile in the city of Puerto la Cruz, east of Caracas, resulted from cerebral atrophy. Since '91, the retired general suffered from a number of diseases, including diabetes, urinary infection and Alzheimer's, which kept him bedridden during his last years.

Human rights groups lamented Lucas Garcia's death because it liberated him from a possible sentence for charges of genocide, state terrorism, torture, kidnappings and murder.

The Rigoberta Menchú Foundation denounced Lucas García, along with Generals Efraín Ríos-Montt and Oscar Mejía Victores, former National Police director Germán Chupina Barahona, former Minister of Governance Donaldo Alvarez Ruiz, and former Detective Chief Pedro García Arredondo, before the National Spanish Audience (Criminal Court) in '01.

Of more than 200,000 murders during 36 years of internal conflict in Guatemala, the Commission for Historical Clarification estimates that 132,000 deaths occurred during Lucas García's and Ríos-Montt's administrations.

Among these deaths, the National Police under Lucas García's administration are held responsible for starting a fire at the Spanish Embassy in '80 that took 38 lives, including that of Rigoberta Menchú's father, Vicente Menchú.

"Hopefully, in the next world justice stands in favor of victims and orphans," Menchú said after receiving news of Lucas García's death. "It is lamentable that earthly law did not reach him and his crimes remain unpunished."

Menchú said she hopes justice will act against those who remain under investigation, whose ages are all over 60, before it is too late. On 19 July, a commission of the National Spanish Audience will arrive in Guatemala to interrogate them.

Also, members of the military and civilians implicated in the case of the Spanish Embassy fire will present their declarations before the Eleventh Jury of the First Penal Instance in June, which cited Ríos-Montt after the Guatemalan First Court of Appeals denied him an action for temporary protection requesting that the jury not handle the case.

Country Vulnerable to Approaching Hurricane Season

Seven months after tropical storm Stan struck Guatemala, and with only 20% of 2,885 reconstruction projects finalized, weather experts warn that the country is vulnerable to risks posed by the rainy season and the approaching hurricane season, which extends from 1 June to late Nov.

In May, the official start of the rainy season, the country experienced flooding in some areas, landslides, the collapse of a road, and a rise in the main rivers.

"A disaster will happen, it will, and we must be prepared. We started warning about this a year and a half ago," said David Smith, executive secretary of the Coordination Center for Prevention of Natural Disasters in Central America.

When the ground becomes saturated and the probability of landslides increases, one of the main concerns is construction in high risk areas. Constructions near rivers, beaches and hillsides present great threats.

Deforestation, erosion, accumulation of waste in rivers are among the causes for the country's vulnerability. Authorities agree about the necessity of raising awareness of the danger of inhabiting high risk areas, of deforestation, and of using rivers as garbage dumps.

—*María Gabriela Díaz*