

MESOAMERICA

Volume 25, Number 9, September 2006



GUATEMALA

Guatemala: A Good Place to Kill Somebody

UN Special Rapporteur Philip Alston waded through Guatemala's dark waters of murder, femicide and extrajudicial killings in late Aug, and concluding his five-day visit announced, "Guatemala has become a good place to commit murder."

The UN envoy said that the daily murder rate is higher now than it was during Guatemala's 36-year civil war, and said the government must shoulder some of the blame because it fosters a "culture of impunity."

"Impunity is facilitated in important ways by a lack of statistical information and a shortage of in-depth systematic analysis of the problems. The consequence of this lack of information is that the void is filled by anecdotal, sometimes distorted, and often inaccurate accounts of what is going on," Alston said. "The tendency to attribute the great majority of the social ills to the *maras*, or alternatively to organized crime, is systematic."

Alston criticized Guatemala's legislature for stalling on bills that could help confront the country's lack of security, the business community for evading taxes, the international community and civil society for indifference.

"The Republic stands today, however, at a crossroads of the utmost importance," he said. "The human rights challenge ahead is almost as daunting as that which lies behind it."

During his visit, Alston met with representatives from more than 30 social organizations who gave him a report on extrajudicial killings supposedly carried out by police, military and paramilitary groups. The document counted 408 extrajudicial murders this year: 347 men, 51 women and 10 children. The report highlighted the murders of 17 human rights defenders in the last two years.

The Special Rapporteur also met with government officials, including Minister of the Interior Carlos Vielmann, who gave Alston a list of 62 police officials who have been investigated for their part in extrajudicial killings. Of those, 28 were convicted of “grave crimes” and 18 for extortion, while another 16 are fugitives.

Alston also met with the Prosecutor General, the Prosecutor of Crimes against Life and the Prosecutor of Crimes against Human Rights, who filled him in on the investigation of two cases of extrajudicial executions.

“We are the most interested in resolving the extrajudicial executions that are occurring in the country, more than anything those that are tied to police officers,” Vielmann said. “So we have asked the United Nations Special Rapporteur to send two investigators who can help us clear up these cases.”

Alston concluded that Guatemala is facing two options for how to deal with the issue of its spiraling violence.

The first, known as *mano dura* (iron fist) and employed by other governments facing the problem of the ultra-violent youth gangs known as *maras*, ignores “the fact that many of the executions that are taking place are committed by exactly those actors that would be further empowered by any such approach,” Alston said.

The UN envoy recommended a second path, one that he said is reflected in Guatemala’s peace accords and which is based on the development of a working justice system aimed at ensuring the rule of law. While this is supported in rhetoric by nearly all the political actors, Alston added, almost every part of the system is “radically under-funded or dysfunctional or both.”

Village Suffers Blast from the Past

On 21 Aug, government forces in seven or eight military helicopters and two military airplanes descended unannounced and wearing black face paint and ski masks on the small village of Ixtahuacán Chiquita, in the municipality of Ixcán, department of Quiché, sending the panicked villagers fleeing into the jungle.

While officials gave contradictory accounts of the reason for the operation, the local mayor, social groups and residents have filed complaints of abuse and are demanding explanations.

Ixcán was one of the hardest hit regions during the intensified civil conflict of the '80s, terrorized by soldiers from the local military base where officials believed the local villagers were cooperating with the guerrillas that used the nearby jungle for cover. Ixtahuacán Chiquita itself was the site of a massacre in '82 and the surviving population fled into southern Mexico. It was not until the mid- to late-'90s that the residents returned to their village.

Following the raid, which witnesses said lasted six hours, the Ministry of the Interior reported that officials were searching for a cache of three tons of weapons, but were unsuccessful. A military spokesperson confirmed that it was a joint operation between the military and the National Civil Police

(PNC). However, the Secretary of Social Communication for the Presidency said the whole event “was part of a simulation.”

A second village, Finca Chailá, was similarly raided 10 Aug, with the participation of helicopters belonging to the US Drug Enforcement Agency. That operation was aimed at capturing two powerful drug traffickers, Otto Herrera and Carlos Sánchez, both tied to Mexican drug cartels, but it was unsuccessful also.

Defense Minister Francisco Bermúdez announced on 22 Aug that major drug traffickers were changing their principal area of operation from the department of Petén to northern Quiché and Huehuetenango. He denied, however, that the operation one day earlier targeted Herrera, who has an outstanding international warrant for his arrest and an \$8 million reward for his capture, and insisted it was a search for weapons.

“It was chaos; women were crying, the men trembled and it seemed like we had returned to the past, when there were massacres. It was truly worse than a nightmare,” said former mayor of Ixcán Marcos Hernández, of the Guatemalan National Revolutionary Unity party (URNG). Hernández added that the officials treated the people poorly and entered homes threatening to shoot.

The Guatemalan daily *La Prensa Libre* reported that a video shot by the Secretariat of Communication of the Presidency during the operation did not show abuses, however, the mayor and various organizations complained that the soldiers dug in the center of an archeological site and called on the office of the Human Rights Ombudsman to investigate the incident.

Legislator Victor Manuel Sales (URNG) issued a statement tying the operation to economic interests. “In reality, [the raid] did not seek to do anything but intimidate the population and inhibit the organized people’s struggle, which has firmly opposed the hydroelectric mega-project known as Xalalá, and the extraction of oil in several areas in the municipalities of Ixcán and Cobán.”

Medical Strike Resumes; Roosevelt Hospital Intervened

The hope that the medical strike, which began in early June and has paralyzed the national health system, was over was extinguished as doctors left the nation’s public hospitals and headed back to the streets, protesting what they say is the government’s failure to fulfill its promises.

Doctors had ended a 48-day partial work stoppage on 26 July when the government agreed to increase the Health Ministry’s annual budget and to purchase much needed medical equipment and supplies (Vol. 25, No. 8). However, on 9 Aug the doctors went back on strike alleging the government has not supplied the medicine and equipment necessary to attend to patients.

Among the doctors’ demands was the ousting of Health Minister Marco Tulio Sosa; on 28 Aug, Sosa announced he would offer his resignation to President Oscar Berger. While the President has yet to announce whether or not he will accept it, the resignation does not solve the crisis. Whoever replaces Sosa will run into the same problems, principally how to improve the purchase and distribution of medicines. Strike leaders have warned that the national healthcare system is near collapse because of over-saturation—the hospitals cannot handle the volume of patients that need medical attention.

Military paramedics from the Guatemalan Army were mobilized in mid-August to attend patients and help lessen the crisis.

As part of the agreement that temporarily brought the strike to an end, the government promised to request Congress to approve measures to allow for rapid procurement of medicine and equipment for the nation's hospitals, however Congress has done nothing so far.

After the doctors' resumed the strike on 9 Aug, the government began firing doctors, but Berger took control of the negotiations on 17 Aug and reversed the firings. The President toured some hospitals on 25 Aug, after which he said they needed profound changes. Among the problems he encountered, Berger mentioned bureaucratic obstacles that prevented medicines from reaching doctors, a deficient infrastructure, and the inability to quickly attend to patients.

On 6 Sep, Roosevelt Hospital in Guatemala City was intervened by Health Minister Tulio and auditor Adrián Zapata, backed by PNC agents who guarded the doors to avoid any loss of documentation. President Berger ordered the six-month intervention because of "internal incapacity and levels of resistance."

Zapata will work with a team of 10 people to reorganize internal administrative processes and establish controls for the distribution of medicines and supplies. Tulio states that eight people are suspected of committing irregularities and robbery of medical supplies, based on an audit conducted between 1 Jan '05 and 30 June '06.

However, the medical staff at Roosevelt Hospital rejected the intervention, claiming that it is a way to stop the protests and legitimize repressive measures against them. The president and the members of the general assembly of the medical association declared that intervening the hospital will not resolve the health crisis, and insist that what is needed is medical equipment and supplies so that doctors can work in adequate conditions.

The virtual closure of Roosevelt Hospital, which is not receiving any new patients except for medical emergencies, has put additional pressure on other public hospitals.

—*Leland Baxter-Neal*