Transcript: Q&A

Guatemala: National Security and Regional Implications: Q&A

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Question 1

Speaking of repression: Guatemala, like many Central American countries and other countries from Latin America, has deployed the army to fight organized crime, especially in sparsely populated, rural regions. I’d like you to comment on whether you see that as a long-term strategy, if the army is inevitably linked to this fight against powerful organized crime, or if it’s supposed to be a short-term measure in Guatemala. Related to that, the extent to which the Zetas cartel from Mexico is still present in Guatemala. Thank you.

Hector Mauricio Lopez Bonilla

[English translation] Thank you very much. Yes, this is a very good question. One of the questions we’ve asked ourselves is why governments are applying their military to fight against organized crime. After the end of the armed conflict in Guatemala, the big challenge was to have institutions that will be able to tackle matters of security and fight against violence from an institutional vision. Let’s say, have a new police force – to have a national civilian police that will be strong and well trained. This is a very big challenge for us. Trying to create talent from different perspectives, together with the organized civil society and also the specialized civil society. In Guatemala nowadays, 18 years after the peace accords, I can tell you that apart from one private university that’s dedicated to technology, all the other universities and the national university are offering training in all areas of security, investigation, how to tackle criminal issues. So this is a big step ahead and this will allow us to have a different system.

Also when we’re talking about justice – we’re not talking about security only but also about justice. We can’t talk of one without the other. Security and justice are always together. This is one of the big achievements.

When we have involved the army, especially in these areas, it has been to support the police. But in Guatemala in particular, it has to do with a strategy while we strengthen the national police. So the first answer is that it’s not a long-term measure, it’s just a short-term measure so that we have enough time to build a national institutional police. Now we have carried out a lot of work in order to have very skilled people and also to clean the national police. President Otto Pérez Molina, when he started, we had 25,000 police officers. This year we will have 35,000. We also have headquarters, at the regional level, of the national police. Like it was stated in the peace accord, we need to have a police that is closer to the communities, and mainly in the rural areas a police that has to do with the realities of Guatemala. We have many cultures, many peoples and many languages in Guatemala. Therefore we need our police to be appropriate to all these differences.

So we are giving skills and tools and basic weapons to the police and we are sending them all over the country. The army participates in some of the operations when it’s strengthening security, civilian security. But when we reach this 35,000, and at the end of the mandate of President Pérez Molina, there will be a joint force with the army when we’re looking at the border, but all the security matters inside the country will be tackled by the police.

The Zetas since 2007 started to get into Guatemala. They reached their highest point in 2009. There were Mexicans, members of this group, that went to form the Placa [phonetic] in Guatemala. In 2014, the main leaders of the Zetas group who came to Guatemala are in prison in Mexico. Local leaders who were helping the Zetas to come into Guatemala, some of them were extradited to the USA and others are in prison in Guatemala.
So the structure of the Zetas: we have about 125 people in prison, that have been judged by the judicial system. Because of activities carried out in Guatemala, they are in prison. So the presence of the Zetas is like a rural group. We are looking at a new phenomenon that happened in Colombia and in Mexico, just at a smaller scale. Maybe in the past we had five families who were controlling all the trafficking. When all these people have been captured and are sent to prison, we see a fragmentation of these groups and so we have many more groups that are organized at different levels. The presence of the Zetas is not a physical presence anymore. It doesn’t have the effect that it used to have in the past. Last year and this year we captured some very important people in that respect.

Question 2

You touched on the question of transnational relationships and your difficulty in fighting crime. The confidence-building agreements you signed – you signed such an order with Belize in January, but the Guatemalan government has, alas, signed many such agreements with Belize which have not necessarily led to better relations between them. What assurance can you give that on this occasion there will be more success, certainly before the Chiquibul forest is destroyed?

Hector Mauricio Lopez Bonilla

[English translation] With Belize we have a territory rich in rainforest that we can still protect, and we also have archaeological riches. But we also have a shared vulnerability, and this has to do with the illegal trafficking of drugs. So for us to build these trust measures with Belize, this is a priority of our agenda. We could say that we’ve been divorced when it comes to having a common security vision. We have some issues that we’re trying to deal with and we are trying to solve these issues. Apart from that, there is something that we share and we have this very close relationship. There is this commercial activity on both sides of the border regarding many areas.

So we think that if we leave aside our differences, what could be very helpful to build this trust – and I said it at the very beginning – what would help would be to have working groups, task forces, like the ones that we have with Mexico. A high-security group that looks at issues such as transnational organized crime and that looks as well at illegal logging, and also when we look at the cultivation of marijuana, illegal fields that affect both countries, and also when archaeological sites are sacked. These are problems that affect us both.

So in the past we’ve been very closely working in certain areas but there’s no doubt that with the policy of President Pérez Molina at the moment, in the next few weeks in the SICA framework we are telling El Salvador, Honduras and Belize that we could build these high-level groups on security matters, so that we can work at a technical and political level to build joint agendas. From there, we can build on and have joint work that will allow us to improve our relationship in the long term. Because if we don’t have this communication and this relationship on a common agenda, then it becomes very unlikely to get the trust.

So in the next few weeks we will be working in Guatemala. The [indiscernible] will be working there. We will have our first regional meeting of ministers of security. In this framework and the SICA one, we will also present our joint agendas so we can achieve what I said at the beginning: to have these positive synergies that will allow us to have this joint work.
Question 3

When we look at this increased sovereignty that we can see in the region, and that you have presented in your regional and national agendas, in that sense what would be the perspective, or what do you suggest, being so close to the United States? The United States has always had a big input, especially when we look at security matters. In the case of Bolivia, as you know, we’ve had to expel the DEA and also the ambassador. Regarding these issues, we would like to know how you see the relationships with the USA? This can be very complex. A second question I would like to ask you is: in the relationship that you have with the UK, which would be the proposals and suggestions you have?

Hector Mauricio Lopez Bonilla

[English translation] What you just mentioned, this sovereignty – to be able to have a sovereign nation – in order to have more independence when political decisions are taken, I think there is no doubt that during these two and a half years that Mr Otto Pérez has been in office, we can see that sometimes we can have many words in a speech – many things can be said. But when we put this into practice, things are different. So we’re not talking about what we can say, but what we can do.

When we’re talking about sovereignty, I think first of all we need to be able to draft an agenda that is much more realistic. I think I can say in that sense that we are close when we are trying to organize policies, when we work together with Mexico. Working closely together with them has also given us a more autonomous area when we’re trying to formulate all these policies.

I’m saying this because we have to coordinate this first with the people with whom we share a border. We, as I’ve said, we don’t want to be seen just like the southern border. We want to have a full participation in a joint programme that will allow us to do our work better as well. When we talk about independence when it comes to decision-making, we have to formulate, for instance, new alternatives when we’re looking at the fight against drug trafficking. This means that we’re not going to leave the war on drugs aside. We want to limit damages. What affects us as countries of transit and which are the paths that we have to take?

When we talk about de-penalization, de-criminalization, legalization, these are different ways of looking at things. This is a starting point, but not in a unilateral way. We need to go beyond words, beyond the academic discourse, and try to find real policies. This is one action that we want to carry out.

Secondly, we want to cooperate with agencies that fight against drugs – with the DEA, for example – but we need a permanent and concrete coordination on many issues. Because in the past, it has to be said, institutions and international agencies could do what they wanted to do, almost at a confidential level. We’ve said this cannot be made. We cannot have this total confidentiality or secrecy when things are being done in Guatemala. We need to be able to see what has been done because then we don’t want to pay the political cost of things that have happened.

In 2010 we had a very big problem that had to do with an operation related to the war on drugs. There were international agencies. At that point we had to work on certain issues because there could not be these kinds of actions carried out in our country without the Guatemalan authorities knowing about it. So
yes, we are happy to cooperate but we want to work jointly and we have to accept in which areas we want to work and in which ways.

De-penalization is an area in which we would like to work, for instance, because we can see a very specific problem. In one part of the border with Mexico, there is a very special micro-climate in three municipalities and there are the perfect conditions for poppy cultivation. In the last 25 years this has been happening. At the very beginning they were growing poppy in the mountains and then they started getting closer and closer to urban areas. Nowadays we can see these yields – we can see they are growing this around schools, in gardens, in the streets. Everybody is doing it, participating in cultivating the flowers, to try to bring out the resin. So there is all this market around this cultivation and there are people from Mexico and Guatemala working on that. But I’m talking about three specific municipalities that have all this activity around it. We have tried to look at Bolivia – could we grow something else? Or maybe we could start looking at this in a different way, have controlled cultivation.

Why are we talking about de-penalization? Under Guatemalan law, having or possessing a gram of any drug, consuming any drug, producing any drug – marijuana or any other drug – this leads to a prison sentence. We cannot take three communities to prison. We have to look at the reality and we have to look at what else could be done in these areas. There are not many options. So we have to look at this in a creative way and try to present other options that will guarantee dynamism both at a trade and a commercial level. This is a big challenge but we’re working on it and we have our own examples of what we’ve tried to do in this area. This has to do with our sovereignty as well.

**Question 4**

Thank you so much for highlighting the importance of sovereignty and secure borders to Guatemala for fighting against crime. I wondered if the Guatemalan government had any plans to propose a new date for a referendum to decide whether the border dispute with Belize – on Belize’s territorial and maritime borders – will be sent to the ICJ.

**Hector Mauricio Lopez Bonilla**

[English translation] I want to apologize for this, because this has to do with our foreign policy in Guatemala, so I’m not the best person to speak about this. I’m the minister of the interior so I can’t really answer your question and I apologize for it.

**Victor Bulmer-Thomas**

Last year on October 6th there was supposed to have been a referendum simultaneously in both Belize and Guatemala, on the question of whether to send the maritime and territorial dispute to the International Court of Justice. That did not happen, for reasons that we needn’t go into here. So the question is whether there were any plans on the Guatemalan side to propose a new date, because we had heard rumours that there might be an idea in Guatemala to offer to hold it on the same day as the presidential elections next year. I don’t know whether you’re willing to comment on that or not.
Hector Mauricio Lopez Bonilla

[English translation] I think not.

Question 5

You have talked very much about the rule of law. We haven’t heard very much about genocide. Genocide, as the United Nations has put out in very clear terms, has taken hundreds of thousands of lives in your country. Could you tell me the situation at present with your former President Rios Montt and the situation with his prosecution and the position of the prosecutor who hasn’t had much luck with her ideas to – has little luck in trying to get justice for the crimes of Rios Montt.

Hector Mauricio Lopez Bonilla

[English translation] There are two issues that have to do with interior policy. First of all, the Guatemalan government, Guatemala, the institutions of Guatemala, in the building of the rule of law, the fight against impunity – it’s important to have real results, concrete results. But the big question behind this is we need to have a national conscience that will guarantee that what happened during the armed conflict will never happen again. Here, under this concept, there is a lot of ideological debate. I mention this because in the case of Guatemala and Central America, the ideology of the conflict between East and West was very rooted and it’s still present in 2014, as if we still had the Berlin Wall or still lived in a bipolar world. This is not acceptable. The challenges that we see today are different. We have a postwar generation that didn’t live during the conflict. They are not interested in what happened at the time. They are about nowadays, about impunity today, and about the fight against organized crime.

This doesn’t mean that we’re turning our back on what happened in the past, but when we look at the rule of law and justice, we need to have strong institutions. We need to have compliance with the law. In that sense, we are not naming names anymore. Let’s talk about institutions that will have the ability to do things. In that sense, Guatemala will go ahead. It has been going ahead. It has to strengthen its institutions.

When we’re talking about the trial for a crime that we have in our judicial system, but genocide is not considered as such in our country. I know that you have your own concept and maybe you think it’s funny what I’m saying because you disagree with what I’m saying, but I’m trying to explain how we see things in our country. We know that it is a crime against humanity that speaks about mass execution, summary executions to kill an ethnic or religious group, and this didn’t happen in Guatemala. We need to have a much deeper discussion, not just from the anthropological side but from the ideological side, because on both sides we had indigenous people, we had people from the left and the right. We had people from the army. We had indigenous generals. On the guerrilla side they also had indigenous leaders. Most of them were Ladinos. There were also areas in which we only had Ladinos and we could talk about that.

But for us, at the time there was a policy in some parts of the conflict when they were talking about a very low respect for human rights, but not in the way you say. There were excesses, that cannot be denied.
There is proof. There is a lot of work of forensic anthropology that shows all the excesses. But what was behind it – cruelty, the way this was carried out? I think it’s very important for us to have this in the collective consciousness. But if there is something that is distorting reality, that is contaminating what really happened, it’s something that we can’t accept and we think shouldn’t happen. Because when we talk about genocide, the only person of that ends up being a government against its own people. This isn’t happening. This is how we see things. So we could talk a lot about this issue, there is much to be said.

When we look at trials, those trials have taken place when there are claims or when anybody needs to be prosecuted. When it needs to be done, it will be done. We have a human rights entity that carries out this work. For how long? Maybe we will spend 25 years or 50 years talking about this. I don’t know. But we cannot focus only on the justice of the past. The justice of the present is extremely important in order to give credibility to newer generations.

This is the focus that we want to take at the moment now, not looking at what happened 30 years ago. We are losing the best of our youth, young people between 12 and 21 years of age. They are the victims and they are those who commit crimes in our country. This is an endemic problem and we have to tackle it, tackle it very deeply. But this has to do with our national conscience, everybody in the country knowing that this is a very important issue but not the most important issue at the moment nowadays. So it’s part of our fight against impunity but it’s not everything. The entire population shouldn’t focus on that. We don’t want to turn our back on it, we don’t want to leave it aside. Anybody can access the justice system. There are trials that will come in the future.

**Question 6**

I wanted to ask the minister whether the government of Guatemala regards the forthcoming UN General Assembly special session in 2016 on drugs as an opportunity to open up a more healthy debate on this subject, and if so, whether Guatemala has any particular plans about how best to prepare the ground for that event, and whether it’s going to do so in collaboration with other Latin American states.

**Hector Mauricio Lopez Bonilla**

[English translation] Guatemala is a small country, a small country that is trying to have an important role to play in the region. We are trying to speak up about trying to find a new conversation. We are not the first ones to do it. We don’t think we are the first ones to talk about this issue. There are other former presidents and other personalities from Latin America who spoke about it before us, who spoke about the urgent need to have a debate on such an important issue, to see how we can find new alternatives. How can we change the paradigm of the war on drugs? Because at the moment we are talking about a drug prohibition. So far we have talked about it and we haven’t solved the problem.

So in that sense, we want to carry the flag from the presidency in order to be able to refer to other things that have been said. Like for instance, the president of Colombia has spoken about this as well, and this has been crucial. Firstly, the Organization of American States has been the first platform where we have worked on this. We’ve had two meetings. We had a first study carried out and this is in the agenda of the security ministers, that has to do with all the steps that have been taken forward in order to define new ways of tackling drug trafficking. One of the objectives that President Pérez Molina has defined in his
policy has to do with generating strategic alliances with other countries in the region in order to work all together, trying to position this issue in the agenda. Bringing it to the United Nations would be the final objective, when we’re looking at the need for a conversation. This issue has many dimensions, many areas. There are many areas that still have to be discussed. But obviously, as we’ve said, we need to participate in a strategic way with other countries that have a very clear idea of which direction to go.

When President Otto Pérez at the very beginning spoke about new alternatives, and he talked about de-criminalization, this was a very essential point a few years ago. There were many that were outraged: how can you talk about de-penalization? At the time, this was interpreted maybe in the USA as de-criminalization. Some were even seeing this as liberalization. They were saying that the president wanted to liberalize drugs.

So first of all we had to look at what we wanted to present. At the regional level, we’ve started to discuss this. We have it in the work agenda in the different countries. The ministers of security have it in their agenda. We will continue to strengthen this path. We want to present it as a regional agenda to the United Nations for this conference.

**Question 7**

You spoke about regional cooperation and your vision of it. I’m wondering if you can identify some of the major problems facing that. Were you just moving only with [indiscernible] and Mercosur? There are frustrations that are happening from one of your biggest neighbours, in relation to Cuba and Venezuela. I would like to hear a little more about your vision, a little bit about the practical difficulties in regional cooperation, and how that is viewed – if I can take it a step further – with the European Union.

**Hector Mauricio Lopez Bonilla**

[English translation] Without wanting to talk against what has been done in the Organization of American States, a lot has been done but there are other efforts in which Guatemala participates. For instance, to give you a very concrete example for Guatemala, in the past we had ideological differences with Cuba. This has been left behind. Now we have established diplomatic relationships in the last 15 years. This has allowed us to build a cooperation agenda with them. Nowadays, within all these frameworks, we also have a contingent of Cuban doctors who are working in rural areas in Guatemala. They are helping us with issues having to do with preventive health, but also to see how we react to certain situations in the rural areas. We really appreciate this cooperation. We also have the scholarships for young Guatemalans who go to Cuba. They go there to study medicine. This is a big area of cooperation but there are other areas. For instance, Guatemala has been talking much more about prevention. In the next few weeks we’re going to present a national prevention policy. This is cross-cutting to all activities, not just talking about violent homicides. The need for prevention in security, when we’re talking about roads. In many other areas we need to have this kind of cooperation. Cuba is an example for us when we’re looking at how to use sports events or cultural activities to tackle issues related to crime, especially young people who have had problems related to crime. We’ve been working together in that area. This has allowed us to work in that area.
In [indiscernible], as has been mentioned, in the next few days we will be holding the first meeting of ministers of security in Guatemala, in Antigua. This is very important for us because we start to give visibility to the need for joint action in an integral way, so that we can address challenges that we are facing in specific areas of the region. We think it’s extremely important to be able to work in this manner.

**Question 8**

[English translation] I wanted to ask something to do with what has been said about genocide. I think that your answer wanted to separate the crimes of the past from the crimes of the present. I think this is a problem because the rule of law has to do with not having a set of priorities when we’re looking at investigating crimes of the past. All of them have to be equally tackled and investigated. Guatemala still has a pending debt when we’re talking about massive violations of human rights. You say that in your opinion there was no genocide. The commission of the United Nations says there was. A tribunal said there was, a year ago. Maybe ten days later there was a [indiscernible] of this decision. But my question is: do you recognize that there is a pending debt? In such case, what are you doing or what is the presidency doing proactively in order to try to pay that debt? Talking about the disappeared, we are talking about 40,000 people who were disappeared. In Amnesty International, we can see that the army hasn't helped when we’re trying to find out the whereabouts of these people. We’re talking about 40,000 people, families who haven’t been able to bury their dead. So how can you tackle this in concrete ways? What are you going to do to help in that sense?

**Hector Mauricio Lopez Bonilla**

[English translation] Yes, a moment ago I said that we still need to have a debate about these issues. But I need to say something and I think it’s important to say it. We cannot politicize justice because when that happens, what we have afterwards is a judicialization of justice. Actions have to be separate: what has to do with justice on one side and what has to do with politics on another side. There needs to be a cooperation when we’re looking at strengthening the institutions, especially in the judicial area. The bodies that will do the investigations, so that they are impartial – I think that is the only responsibility that there is in that sense.

There is an organized civil society in Guatemala. With all due respect, they are very dynamic, they are participating in all processes. When we look at commissions to select magistrates in courts, for instance, they’re observing the process. When they think that one of these people shouldn’t be chosen, they say so. We also have the media with a high level of participation.

So I think there is social auditing at a very high level in our country. In the end, this is crucial for the country. Of course there is a debt – a very high debt. Not from the side of the government, of the army, it’s the state itself that has this pending debt with society. When we talk about forced disappearance, summary execution or extrajudicial execution – in times of conflict, there is no clean conflict. There are always consequences. We have to make sure that anyone who wants to have access to justice can have access to justice in an independent way. I’m not saying that we turn our back on the past, no. A lot of people nowadays want to solve problems. There are cases that are paradigmatic. People want to tackle present issues but there is a debt. We acknowledge it, and there is a long way to go.
Justice cannot be politicized, it’s something I already said. When there are elections in court, why do they all have a candidate – the press, the civil society, churches, they all have a candidate and they want to go against another one so that their candidate can reach the position. It will reach that level after that. We have justice with political ends. I think that’s the main challenge. If we want to build a real rule of law, justice and politics don’t have to be mixed, because this is a threat against the real rule of law. The rule of law the basis of judicial security in a country and from there we have everything. If there is a certainty in the administration of justice, if there is a certainty and compliance and agreement, then we have everything else. I think this is the general framework.

I just wanted to say lastly that the work that we’ve done together so far with the United Kingdom, with their embassy in Guatemala, has to do with strengthening the development of institutions in security matters, and also in prevention matters. We are working together and we really appreciate the political will from the UK that supports the institutional reforms that allow us to strengthen these institutions, so we can go deeper and further. There is no doubt that the changing paradigm in security will be crucial in order to have better results in the next few years. Thank you very much.

Victor Bulmer-Thomas

You’ve had some tough questions there. You dealt with them very honestly. I hope the audience feels that at the end of that, they are much better informed about Guatemala and indeed the reasons why they should be much better informed about Guatemala. You were very modest about your country but you are the biggest in Central America; you are regarded by your neighbours in a great deal of respect for that reason. I hope now we all understand a little better how important it is that Guatemala and indeed the rest of Central America, with the help of Mexico, comes to grips with some of the major problems that you discussed. Thank you very much. I hope that we will see either you or other representatives of Guatemala back here at Chatham House in the not-too-distant future. Thank you.