

July 15, 2002

The Honorable Secretary of State Colin Powell  
The State Department  
2201 C Street NW  
Washington, DC 20520

Dear Secretary of State Powell,

We write to you out of growing concern regarding the deteriorating situation in Guatemala. Escalating threats and attacks against human rights workers and others engaged in calling for justice for past human rights abuses undermine the promises of the historic 1996 peace accords. The United States must demonstrate unequivocal support for human rights defenders and increase pressure for government compliance with the important military, justice and social reforms included in the peace accords.

A series of vicious death threats and attacks against many of Guatemala's most prominent human rights defenders as well as clergy, judges and prosecutors, witnesses in key cases, trade union activists, indigenous and peasant leaders, reporters, and forensic anthropologists involved in investigations of massacres, has revealed the continued existence of clandestine groups. Former military, either retired or dismissed from service, are believed to participate in these clandestine groups, and are determined to prevent justice for past abuses and reform of current military structures. Until these groups are investigated and dismantled, freedom of expression is sharply limited and judicial reform is an impossible dream.

Moreover, many of the reforms agreed to in the peace accords have not been implemented. In its January 2002 report to the Consultative Group of donor nations, the UN Mission to Guatemala, MINUGUA, noted that after a period of relative improvement in human rights until mid-1998, the human rights reforms covered in the accords have stagnated or deteriorated. According to MINUGUA's May 2002 report, the military reforms specified in the accords are stalled. The Guatemalan government has repeatedly postponed the dismantling of the Presidential General Staff (EMP), an agency implicated in multiple serious human rights violations. After a period of declining military budgets, in agreement with the peace accords' directive to shift emphasis from military to social spending, military budgets since 2000 have risen sharply. MINUGUA asserts that the Guatemalan military remains, in its training methods and deployment structure, an army focused on counterinsurgency rather than external defense, directly counter to the accords' mandate. Finally, there has been inadequate opportunity for civil society input into the draft of military doctrine that was recently presented to President Portillo.

In this context, we were surprised to learn that the United States has resumed regular military training of Guatemalan soldiers despite the existence of a congressional ban on International Military Education and Training (IMET) and Foreign Military Financing (FMF). Ninety-five Guatemalan soldiers received light infantry training in FY2001. While this training is ostensibly for counternarcotics, it appears to skirt the intention of the congressional ban. The ban, established in 1990, was modified by Congress after the peace accords were signed to permit training in expanded-IMET courses such as civil-military relations, military justice and democratic sustainment. However, Congress has expressed its intention clearly that regular military training

should not be offered until the military provisions of the peace accord were fulfilled. For example, the House appropriations committee report for the foreign operations appropriations bill for FY2002 notes, "The Committee retains the existing ban on Foreign Military Financing and International Military Education and Training (IMET), with the exception of E-IMET, until adequate reforms of the Guatemalan Armed Forces are carried out as established in the peace accords. The Committee is concerned about the postponement of the disbanding of the Presidential General Staff (EMP) and its replacement by civilian institutions." (p. 70)

The critical situation in Guatemala is further complicated by serious allegations of corruption leveled against the President, Vice President, members of the cabinet and members of the legislature. The international community must have confidence that the large quantities of international aid committed to Guatemala does not contribute to further injustice. Even more importantly, Guatemalans must have confidence that their elected government serves national, not personal, interests.

We ask you to take several steps to signal an unequivocal US position concerning the deterioration of human rights in Guatemala. First, instruct the new US ambassador to Guatemala to offer strong, visible support to human rights and other civil society leaders, as well as to judges, prosecutors and witnesses, and to make a renewed effort to pressure for completion of the military, judicial and social reforms prescribed in the peace accords as well as the recommendations of the Historical Clarification Commission's report. Second, push for a prompt, effective investigation of the clandestine groups, which may require the active participation of the international community. Third, immediately suspend all regular military training, including using Defense Department counternarcotics funding but excluding expanded-IMET courses, until Guatemala fully complies with the military reforms in the peace accords. Fourth, send a high-level emissary to Guatemala to deliver an unambiguous message of support for peace accord compliance and for Guatemala's beleaguered human rights community.

The US government has repeatedly called upon the Guatemalan government to implement the 1996 peace accords. This was reaffirmed at the last Consultative Group meeting for Guatemala, in which many international donors, including the United States, sent a strong message linking international assistance to good governance, human rights, and the implementation of the peace accords. Now is the moment to take further action to ensure that the Guatemalan government understands this message.

Sincerely,

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**Voices on the Border**

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