



Guatemala in Context

2018
edition



CEDEPCA

Education
that *transforms*



¡Bienvenidos y Bienvenidas!

Welcome to Guatemala, a resilient and diverse country brimming with life. Aristotle advises, “If you would understand anything, observe its beginning and its development.” With this in mind, we invite you to embark on a brief journey through Guatemala’s intricate history. As you explore these pages, let go of your preconceptions and watch Guatemala come to life.

Reach out and touch the vivid tapestry that is Guatemala. Observe and appreciate the country’s unique and legendary beauty, but don’t stop there. Accept the challenge to look beyond the breathtaking landscapes and rich culture. Look closer. Notice the holes, rips, and snags—tragedy, corruption, and injustice—that consistently work their way into the cloth of Guatemala’s history. Run your fingers over these imperfections. They are as much a part of the weaving as the colorful strings and elaborate patterns, but the heart of the fabric is pliable and resilient.

Guatemala hasn’t faded or unraveled over time because the threads of hope are always tightly woven in. We invite you to become an active participant in working for change, weaving threads of hope and peace, in Guatemala.

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Key Moments of Guatemala's History

HOPE¹

In the darkest, most sordid,
hostile, bitter,
corrupt
and nauseating places,
You do your work.
That is why your Son
descended into hell,
in order to transform that which IS NOT
and to purge that which BELIEVES ITSELF TO BE.

ESPERANZA

En lo más oscuro y sórdido,
En lo más hostil y áspero,
En lo más corrupto y asqueante,
Allí obras Tú.
Por eso tu Hijo
Bajó a los infiernos,
Para trnasformar lo que NO ES
Y para depurar LO QUE CREE SER.
¡Esto es esperanza!

There is a book by Edelberto Torres Rivas, entitled “Interpretation of the Central American Social Development”. It was published in 1991 and its main point is to analyze six decisive dates in the history of Guatemala. In order to understand the present historical reality,

1492, 1821

1871, 1920

1944 and 1963

However, we have added two more dates: 1996 and 2015.

The so-called discovery of America it was really an encounter between the European and the inhabitants of Abya Yala which is a Kuna's name for pre hispanic America meaning “our land”. The Iberian kingdoms had been fighting the moors of northern Africa for 800 hundred years. Thus, they were far better prepared for war than the indigenous people of pre hispanic America. In 1821 the creoles started an independent movement in order to free themselves from taxes to the Spanish monarchy; but the harsh situation of indigenous and mestizo people did not change at all after the independence movement. By 1871 the mestizo group represented by the liberal and conservative parties took the power of the State and they decided a mestizo state that is very well in place today. From 1898 to 1920 which is one of the most bizarre periods in our history, the liberal dictator, Manuel Estrada Cabrera, ran the government with iron hand. Finally, in 1920 he was expelled from the country by the so-called unionist movement which was an alliance of different popular groups and some members of the economic elite. They

¹ Julia Esquivel, 1994. Threatened with Resurrection: Prayers and Poems from an Exiled Guatemalan. Second Edition, p. 105-107.

wanted to make Guatemala a democratic nation so much for only good intentions, a coup d'état led by their army put an end to the first attempt to have a democratic society in 1921. Again, in 1944 popular protest led by their teacher's guild, some officers of the army, and just plain citizens began walking in the streets of Guatemala protesting the 14 years dictatorship and this movement generated the most promising period in the history of Guatemala, that is 1944 to 1954.

Six years later, 1960 an internal armed conflict began and lasted 36 years. It finished in 1996 after signing 12 peace accords. All the hostilities ceased and a new historical possibility came into being, especially after the outcome of the conflict: 250,000 dead, mostly non-combatant civilians; 50,000 "disappeared" and a very large number of persons in exile. In order to have a fair understanding of the history of Guatemala, one has to deal with the main features of each of these historical phases, which will clarify what is going on right now.

The Spanish men that came to America with Columbus had one main interest: get rich, go back to Spain, buy a plot of good land, probably buy a nobility title, settled down to enjoy the good life. However, that dream was not easy to fulfill. So, for the Spanish conquistadors it became kind of difficult to go back to Spain, so they decided to stay here and to enslave the indigenous people. We have some exceptions of these cases in which the Catholic Church helped the indigenous but they were very rare cases that did not amount to a significant quantity.

In 1821, the independence movement was an unstoppable force throughout North, Central and South America. There were wars of independence in North America and South America. In Central America, however, everything was settled by a political transaction between economic and political groups, Spanish

born in Spain and Spanish born in Guatemala made a deal from which both groups were going to get gains, and to keep the control of the State apparatus.

From 1492 to 1821 a new type of a Guatemalan grew to good numbers, the ladino population, a mixture of Indian and Spanish, and in latter times a mixture of Indian, Black and Spanish. Mainly the father was Spanish but absent, the mother was an Indian. The issue of identity became an essential part of being a Guatemalan and it was not settled until 1996. In 1871, the ladino took over the power of the State and they designed a ladino nation with a ladino constitution, a ladino by-laws, and the issue of land tenure and land ownership took a dramatic turn as the last communal lands were taken away from their indigenous rightful owners, this event gave birth to the Guatemalan oligarchy which is still very much in control today, and land tenure became the problem to solve in order to have a viable country. Guatemala is basically a forestall and agricultural country, so land tenure is decisive to decide to establish who has power and who has not.

From 1871 to 1944 there are seventy-three years of history that prepared the Guatemalan urban middle classes to demand a long-awaited human rights and civil liberties, in October 20, 1944, after four months of popular unrest, the 14 years dictatorship was overthrown and a triumvirate of two army officers and a civilian man took charge until free democratic elections were going to be held in 1946 for the first time in our history. Also in this occasion women were allowed to vote for the first time in our history.

A constitutional assembly was elected and they approved a new constitution, also established an election program to elect a president and a new congress. Free elections were going to

be taken place for the first time in the history of Guatemala, this event of 1944 gave us our first democratically elected president, Dr. Juan José Arevalo, a teacher, a college professor that pushed for a new labor code to promote and to regulate labor and capital relationships. Also, he proposed the Social Security Institute, freedom of the press, freedom of political parties, freedom of association and a massive program to build modern schools, and to pass a new teacher's tenure system. Also to grant autonomy to the National University, and also he created the humanities school within the National University of Guatemala. Also, this government provided day-care center for working mothers. Again in 1951 we had a second democratic election. This time, Jacobo Arbenz was elected, and he had three main points in his presidential program:

1. To build a hydroelectric project to make electricity cheap and accessible to all citizens.
2. To build a road to the Atlantic coastal plains so that everybody could transport goods overseas.
3. The 900 decree or Land Reform Law.

After a much heated debate, congress voted and approved the law. There is a book by an American scholar Piero Gleijeses called "Shattered Hope". Here Dr. Gleijeses gives a detailed description of the relationships of the Guatemalan and the US government between 1944 and 1954. The 900 decree caused too many misgivings in the private sector, which sought the help of the press to attack the government initiatives. The government was labeled subversive and inclined to communist ideas. The US Ambassador in Guatemala became very active in favor of the opposition and against the land reform program. The CIA prepared what they called "Operation Success" aimed to undermine the government and to join the initiatives in

the direction of overthrowing the government. The land elite, the conservative archbishop, the very conservative protestant church, all came together and the government was overthrown on June 27, 1954.

The status quo held before 1944 came back into place immediately, and remains there until today. The democratic spaces opened by the period 1944-1954 were closed suddenly. The citizens were not able to exert their long-fought, long-won rights; so by November 1960, six years after the CIA intervention in Guatemala, a civil war broke out and lasted for 36 years.

In 1996, the Guatemalan National Revolutionary Unity which comprised the four guerrilla groups and the government of Guatemala backed by the International Community signed 12 peace accords. Among them, and probably the most significant, "the right and identity of indigenous people"; the peace accords on human rights and the peace accord in socio-economic and agrarian reality. The 12 accords are quite accurate on the analysis of the reality of Guatemala, but they have not been implemented properly, in many cases, the causes of the civil conflict are intact and present a latent threat to peace, especially to those who refuse to get into a great national dialogue to solve the perennial problems of our society.

Since **1985**, we have had eight free elections every four years, we have elected eight presidents and vice presidents, even though the second elected president resigned in the midst of his term, accused of political corruption but the Constitution was able to keep the rule of law in place. Again, in 2015 the president and the vice president were forced to resign due to charges of blatant corruption, they are awaiting trial in prison today. The popular protest of 2015 that ousted the government showed an unknown will on the part of the common citizens

since they were not to allow any longer corrupted politicians that used public resources under their own benefit. We have to recognize the role of the United Nations outfit called International Commission Against Impunity of Guatemala (CICIG), which leads the main efforts to eradicate corruption in the public spheres and has the support of most Guatemalans, even though some very conservative sectors have opposed the functioning of the International Commission against Impunity.

What we know as a democratic period began in 1985. Here we have had seven free democratically elected government every four years. It is safe to point out that the outcome of these new crusade against corruption was reflected in our last election of 2015. Jimmy Morales, a TV comedian, without political experience or expertise was elected president. His slogan was very catchy, “I am not corrupt, not a thief”. The popular frustration, the lack of a better qualified candidate and the candid approach of Mr. Morales got him elected. He began his 4-year term on January 15, 2016.

However, in order to take this ship to a safe port there are some steps that need to be taken in order to diminish social conflictivity that is really engulfing the country. Here, some of the main issues: Landless peasants, low salaries, over exploitation of large areas of land on mining, palm tree and oil. Also, drugs, weapons and human trafficking, the precarious health system, the school system, citizen’s security, infrastructure and mainly immigration to the USA. The reenactment of the Peace Accords, which became 20 years old in 2016, the civic lesson learned from the popular protest of 2015, both, should tell us that the new actions and political emergent groups cannot be manipulated anymore, and this is a sign that citizenry is maturing after all these years.

What are the real issues in Guatemala today?

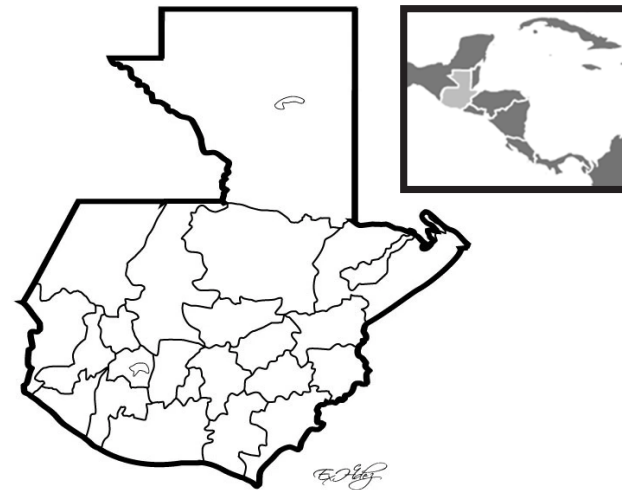
1. Guatemala is a young country, and women and young people are in the leading areas of a new awareness. These two groups must be taken into account for the design and implementation of public policies that benefit the entire society.
2. The political party system, in their case, they have two options, they renewed in a radical way their proposal or they will perish.
3. The present government must be honest and fight corruption in order to contribute to change the old political ways that have caused so much damage since 1821;
4. The private sector has to come to terms with the demands of 80% of the population, 60% lives in poverty and 20% lives in extreme poverty, and the demands are not only political per se, they are life demands, they must comply with their fiscal responsibilities in order to help this country.
5. The civil society which emerged after the Peace Accords, they need to focus on public policies that are viable and that should be implemented in accordance with other sectors of society even with those that show no ideological affinity.
6. The religious sector must begin acting according to the real values and principles of their Christian heritage, they must stop competing for the souls of the Guatemalan people, and they should begin tending bridges among all groups in society.

7. We need to continue to support the work of the International Commission against Impunity of Guatemala until we, as a society, can take care of our decisive affairs of justice, security and the rule of law.

Guatemalans, as a society have the historical opportunity to keep their politicians honest, to implement the Peace Accords, to participate in a great national dialogue without hidden agendas, to learn from history not to make the mistakes of the past that cause so many tragedies, under development and political stagnation. In the specific case, of a Christian organization, such as CEDEPCA, we must keep advancing the Kingdom of God.

Geography

There is Guatemala is the third largest country in Central America, bordering Mexico to the north and west, Belize and the Caribbean Sea to the northeast, Honduras to the east, El Salvador to the southeast, and the Pacific Ocean to the south/southwest. At just over 42,000 square miles (108,889 km²) this mostly mountainous, exceptionally bio-diverse territory compares roughly in size to the U.S. state of Tennessee or the Canadian island of Newfoundland.



Three tectonic plates run below Guatemala's surface, while above are 37 volcanoes, four of which are active: Fuego, Santiaguito, Pacaya y Tacaná². For its consistently moderate climate and immense biodiversity, Guatemala is known as the Land of the Eternal Spring.

1 <http://onu.org.gt/acerca-de-guatemala/> (consulted December 2017).

2 <https://canalantigua.tv/estos-son-los-4-volcanes-mas-activos-en-guatemala/> (consulted December 2017)

Guatemala's estimated 16.2 to 17 millions³ inhabitants (women 51.1% - indigenous 40-60%)⁴ make it the most populous of Central American countries. The capital, Guatemala City (elevation 5,250 ft), is currently the largest city in Central America, boasting over three million people in the metro area. Portions of the ancient Mayan city, Kaminal Juyu, circa 1200 BCE, are preserved near the central part of the city. The word "Guatemala" is derived from Quauhtemallan, the Nahuatl name for Iximché (capital city of the Kaqchikel Maya) and means "the place of many trees." Guatemalan place names ending in *tenango* (place of) and *tlan* (abundant or place) are Nahuatl in origin. Because of extensive contact between Nahuatl and Mayan people before the Spanish conquest, many Guatemalan places have three names.

Spanish is Guatemala's official language. In addition, there are **22 Mayan languages** plus **Xinka** and **Garífuna**, that are spoken in Guatemala⁵. About half of Guatemalans are indigenous Mayas living in all departments of the country. The Xinka are a Nahuatl people who live primarily in southeastern Guatemala near the Salvadoran border, and the Afro-Caribbean Garífuna people live on the Atlantic coast. The largest Mayan groups are the **K'iche'**, **Kaqchikel**, **Q'eqchi'** and **Mam**.

Ladinos are people of mixed race who no longer speak a Mayan language or practice Mayan customs. Since the Spanish invasion, official policy toward the indigenous population has ranged from extermination to assimilation. In practice, this means that determining who is indigenous and who is ladino is fluid and subjective. Guatemalans in general, whether ladino

or indigenous, identify with the term "Chapin," a synonym for *guatemalteco*.

Cultural assimilation (from Mayan to ladino) promises increased economic opportunity to indigenous people who abandon their traditional language and cultural identity. For example, in traditional indigenous communities men speak more Spanish than women and most women wear traditional dress, called *traje*. In a racist society, many parents choose not to teach their ancestral tongue to their children, hoping to provide them more opportunity for economic advancement. In recent decades, many Mayan leaders have proposed the formal recognition of Guatemala as a multi-cultural, multi-ethnic and multi-lingual state. Some progress has been made in the legal and educational realms, but much remains to be done.

³ <http://www.prensalibre.com/guatemala/comunitario/poblacion-supera-los-171-millones> (consulted December 2017)

⁴ <https://www.ine.gob.gt/sistema/uploads/2014/02/26/L5pNHMXzxy5FFWmk9NHCrK9x7E5Qqvvy.pdf>. Some consider that it's 40%, but according to different social organizations and analysts consider that the majority population must reach 60%.

⁵ https://www.oas.org/children/members/guatemala_idiomas.html (consulted December 2017)

Development⁶

The human development index for 2015 is 0.492%, while for the year 2000 it was 0.421%.



Poverty

Poverty is the reality for the majority of persons in the country. It is estimated that 67% of the total population live in poverty, and that 23% live in extreme poverty, with less than US\$3 per day. According to the national report on human development, poverty in Guatemala increased 7% from 2003 to 2013. There are clear contrasts in the city; one can see large, luxurious commercial centers, costly housing developments and, at the same time, view very poor neighborhoods or large settlements in which about 41% of the population live. Inequality is also evident in the following ways: 90% of the indigenous and rural population don't have access to having their basic needs met; 40% of the adult population has had no schooling and lives in precarious conditions; the poor non-indigenous adult population is 39% while the poor indigenous adult population is 73%. This poverty is called multidimensional and the deprivations are summed up in three principal dimensions: education, health, and income.



Education

Despite efforts made by the Peace Accords of 1996 to give more funding and priority to education in Guatemala,

⁶ Data was consulted in Spanish: Informe Nacional de Desarrollo Humano 2015/2016 [National Report of Human Development]. Guatemala. http://desarrollohumano.org.gt/wp-content/uploads/2016/04/INDH_Completo_digital-1.pdf. (Consulted December 2017).

the public education system is generally known to be understaffed and under-funded. The first six years of education are mandatory and supposed to be guaranteed as free of charge, but teachers with few resources are often forced to require monetary and material donations from their students and students' families to keep the school running throughout the year. The estimate of school attendance for 2015 was 47.3% in the preprimary level; 82.3% in primary (grades 1-6); 44.9% in secondary or middle school (grades 7-9), and only 24.4% in "diversified" or high school. During the 2015 academic year, enrolled students reached a total of 4.1 million in all sectors, public and private. The primary reason for absenteeism and school desertion is poverty (63% desertion in diversified - high school - among the indigenous population). According to statistics, the number of registered teachers for 2014 was 253,578. The literacy rate of persons age 15 years or older, is 87.69%; 1,241,032 are unable to read or write. Finally, in higher education, 0.14% (24,442) of the total population graduated in 2013 from private institutions and the public university, and for the year 2015, 4,971 graduated from the public university.⁷



Health

The private sector in the area of health care is growing in recent years, since the public health system is at rock bottom; given this situation, very few people have access to dignified medical services. The national budget of the health sector in 2015 was Q10,158.4 million (\$1,384,000), of which only Q1,657.4 million were designated for the indigenous population, which is the majority in the country. Access to a public hospital in an urban area is 19.7% and 16.7% rural areas,

⁷ http://www.empresariosporlaeducacion.org/sites/default/files/Contenido/Recursos/Documentos/Documentos%20Guatemala/indicadores_educativos_de_guatemala_2016_0.pdf (consulted December 2017).

while access to a private clinic is 28.3% urban areas and 15.4% in rural areas. Records show that, in 2015, only 42.5% of the population was able to cover their medical expenses.



Food security and income

The basic nutritional needs of Guatemalans are not met. According to statistics, 2015 reports show that 16% of Guatemala’s citizens are malnourished, a rate worse than India. 46.5% of children (ages 3 to 59 months) are chronically malnourished⁸. It is estimated that 58% of the indigenous population suffers from malnutrition. Among the causes of this malnutrition are the poor (bad) distribution, planning, and use of the land; the lack of public policies, and the unequal distribution of public resources.

Since Guatemala is a country that is primarily agricultural, and in which thousands of families depend on the cultivation of crops, it is highly vulnerable to the risks from the irregular rains and unusually high temperatures that kill crops and cause immediate food shortages, a sharp rise in unemployment, and disease. Particularly vulnerable are the rural poor who live in the most affected area, Guatemala’s “Dry Corridor,” consisting of 10 of the 22 departments (or provinces) highlighted below. The reports from the Ministry of Health also attribute the increase in preventable childhood diseases, malnutrition, diarrhea, and acute respiratory infections to the erratic rains, especially in the Dry Corridor.

8 https://data.worldbank.org/indicator/SH.STA.STNT.ZS?end=2016&locations=GT-1W&start=1987&view=chart&year_high_desc=false (consulted December 2017)

Minimum Wage vs. Cost of Basic Food Basket (BB) & Basket of Goods and Services (BGS)⁹:

Date	Cost of B.B. per day	Cost of B.B. per month	Minimum wage per month	Cost of B.G.S. per day	Cost of B.G.S. per month
June 2015	Q113.52	Q3,405.60	Q2,644.36 / \$360.24	Q207.15	Q6,214.60
June 2016	Q125.78	Q3,773.40	Q2,740.21 / \$373.30	Q229.53	Q6,885.77
June 2017	Q145.05	Q4,351.35	Q2,893.21 / \$394.15	Q264.68	Q7,940.42

(These amounts are based on an average-sized family of 5.38 people. The Basic Food Basket measures the cost of a family’s basic dietary requirements and the Basket of Goods and Services measures the cost of food, health, housing, clothing, education, transportation, and leisure activities)



Citizen security

Safety and security has seen a worldwide decline over the last decade and 2017 was no different – this score fell more than in any other year of the Index. Unfortunately, Guatemala currently occupies the 108th position, among 148 countries¹⁰, on the issue of security; Singapore is the best on these issues, occupying first place. Further, the Technical Secretary of the National Security Council¹¹ registered, in 2017, a rate of 26.8% homicides for every 100,000 inhabitants; for 2018, the rate was to 25.2%, a decrease of 1.6 points compared with the rate from January 2017.

9 <https://www.ine.gob.gt/sistema/uploads/2017/07/07/20170707130218Qofx8MPyS9OdyK8BAy1XeZ3hIDJ1sUO9.pdf> y <https://tusalario.org/guatemala/Portada/tu-salario/salario-minimo> (consulted December 2017)

10 <http://www.prosperity.com/rankings?pinned=GTM&filter=> (consulted June 1, 2018)

11 Statistics from the 2018 Report of the Technical Secretary of the National Security Council, Republic of Guatemala, p. 6



Additional Statistics

Source: <https://www.cia.gov/library/publications/the-world-factbook/geos/gt.html>. Page last updated May 2018

- Life expectancy at birth: 72.5 (69.1 years for men and 76.1 years for women)
- Median age: 24.9 years
- Mortality rate: 4.7% deaths/1000 live births
- Birth rate: 24.1%
- Open unemployment: 3.1% (4.1% women - 2.6% men)¹²
- Economically Active Persons: 61.5%¹³
- Workers in the informal economic sector: 69.8%
- Population without life insurance: 73.3%
- Population without access to water: 13.5%
- Rural population without access to electricity: 30%
- Population without access to formal garbage collection: 61.7%
- Access to the use of contraceptives: 60.6% (2014-2015)
- The state invests Q0.45 in an indigenous person for each quetzal (Q1.00) that it invests in a ladina/mestiza person
- Only 14% of the schools provide bilingual classes (Spanish-Mayan language)

¹² <https://www.ine.gob.gt/sistema/uploads/2016/09/22/PKdhtXMmr18n2L9K88eMlGn7CcctT9Rw.pdf>. P. Page 10. (consulted December 2017)

¹³ Ibid, p.45 (consulted December 2017)

Government

Guatemala is a representative democracy. The country is divided into **22 administrative regions or provinces known as departamentos**. Each departamento is divided into *municipios*, or municipalities, which are similar to U.S. counties. Guatemala has **340 municipios**. The government functions through three branches: Executive, Legislative and Judicial. Executive power is held by a president who is elected by direct universal adult suffrage to a single term of four years. The President is assisted by a Vice President and an appointed cabinet. The unicameral legislature consists of departmental and national representatives also elected to four-year terms. Judicial power rests in a Court of Constitutionality, a Supreme Court and subordinate courts.

The current government serves from January 2016 to January 2020. Guatemala's next general elections will be held on June 2019. It is estimated that 36 political parties will participate. The candidates who have participated in previous elections - Zury Ríos, Alejandro Giammattei and Sandra Torres - lead the political race¹⁴.



Executive

Jimmy Morales (born James Ernesto Morales Cabrera; 18 March 1969) is a Guatemalan politician, who won the 2015 Guatemalan presidential election with over 67 percent of the vote in the second round. He has served as President of Guatemala since January 2016. In 2013, Morales joined the

¹⁴ <https://elperiodico.com.gt/nacion/2017/08/31/guatemala-tendria-36-partidos-politicos-para-las-elecciones-de-2019/> (consulted November 2017)

National Convergence Front (FCN/Nation), and became its Secretary-General. Prior to his entry into politics, he was a comic actor, TV producer, and a businessman¹⁵.

Vice-President: Ernesto Jafeth Cabrera Franco (Guatemala City, November 16, 1951). He has a degree in medical surgery, and was the Rector (dean) of the Universidad San Carlos de Guatemala between 1994 and 1998.



Congress

The Congress of the Republic of Guatemala (Spanish: *Congreso de la República*) is the unicameral legislature of the Republic of Guatemala. The Guatemalan Congress is made up of 158 deputies who are elected by direct universal suffrage to serve four-year terms. The electoral system is closed party list proportional representation. 31 of the deputies are elected on a nationwide list, while the remaining 127 deputies are elected in 22 multi-member constituencies. Each of Guatemala's 22 departments serves as a district, with the exception of the department of Guatemala containing the capital, which on account of its size is divided into two (*distrito central and distrito Guatemala*). Departments are allocated seats based on their population size and they are shown in the table below. The most prominent parties in 2018 are UNE (31 seats), FCN-NACION (26), and MR (21 seats)¹⁶, all of which are identified as right of center on the political spectrum, with the exception of UNE, which is center left. The current president of congress (as of January 2018) is Álvaro Arzú Escobar, of the Unionista party. Congress is in session January 14 to May 15 and August 1 to November 30.

¹⁵ https://en.wikipedia.org/wiki/Jimmy_Morales (consulted May 2018)

¹⁶ <http://www.prensalibre.com/guatemala/politica/fcnnacion-supera-a-diputados-transfugas-de-lider> (consulted June, 2018)



Judiciary

It is in charge of administering justice, with independence and power to judge. The Supreme Court is composed of 13 members, selected by Congress for a period of five years from a list submitted by the Bar Association, the deans of the law faculties, a university rector and the appellate judges. Each year, they choose a President among themselves who will supervise the trial judges in the country; the president for the year 2018 is José Antonio Pineda. The Judicial Branch functions by means of four (4) entities: 1) Supreme Court of Justice 2) Appeals Court 3) Trial courts 4) Justices of the Peace.

International Commission against Impunity in Guatemala (CICIG)

Guatemala's historically compromised judiciary system made significant strides during Colom's 2008-2012 presidency, due in large part to an international treaty signed in 2006 by the United Nations and Guatemala creating the International Commission against Impunity in Guatemala (Spanish acronym - CICIG). Amnesty International reported that, of 5,960 murders in Guatemala during 2011, only 1% resulted in a conviction.

"After a wave of attacks against human rights defenders in 2002, a coalition of human rights NGOs launched a campaign whose objective was to persuade the Government to establish an authority (body) charged with investigating the activities of these groups ("illegal security forces" and "clandestine security machinery")... after conversations with the Department of Political Affairs, the agreement to establish the International Commission against Impunity in

Guatemala (*Comisión Internacional Contra la Impunidad en Guatemala* - CICIG) was signed with the United Nations on December 12, 2006; ratified by the Congress of Guatemala on August 1, 2007, and went into effect on September 4 of the same year, when the State (government) of Guatemala notified the UN that it had completed its internal procedures for approval and ratification. Ten days later, the General Secretary of the UN named Carlos Castresana Fernández as Commissioner to serve at the head of the CICIG.”-(<http://www.cicig.org/index.php?page=antecedentes>)

In January of 2008, this UN body began its work: to support the Public Prosecutor’s Office, the National Civilian Police and other state institutions investigating a limited number of sensitive and difficult cases of human rights violations and organized crime, including ones linked to corrupt state officials. In August of 2011, four former *Kaibil* military soldiers were convicted of human rights violations relating to the 1982 *Dos Erres* massacre of 201 villagers. In this landmark case, the civilian court sentenced them to a total of 6,060 years in prison, with the victims’ relatives receiving \$1.8 million. This is a vital first step towards justice, essential for healing and reconciliation in the country.

Currently directed by Commissioner Iván Velázquez, the CICIG continues to play an important role in the Guatemalan “*coyuntura*” (juncture or situation). In 2015, the CICIG exposed an investigation that implicated then-president Otto Pérez Molina and then-vice-president Roxana Baldetti; the investigation resulted in orders for pre-trial hearings for both leaders and in indignation on the part of the population, who demanded (and successfully obtained) both of their resignations. In 2016, new cases of corruption were revealed that implicated the son and the brother of

the current president, Jimmy Morales, and later implicated the president himself. Finalmente, the CICIG has requested a pre-trial hearing for Álvaro Arzú, current mayor of the capital city of Guatemala since 2004 and ex-president of the country (1996-2000).

Key Moments in Guatemalan History

1523-27 Under the direction of Hernán Cortés, the Spanish conquistador **Pedro de Alvarado** invades modern-day Guatemala. Because the **Mayan Empire** is a loose network of rival city-states at this point, it takes Alvarado more than a decade to consolidate military control.

1650 Only 12% of the indigenous populations living in Mesoamerica survive smallpox, influenza, sexually-transmitted diseases, bubonic plague, measles, mumps and other “childhood” diseases brought by the conquistadors. Malaria and yellow fever are imported from Africa as by-products of the **slave trade**. (European invaders import African slaves early in the 16th century when the indigenous population, their original source of forced labor, begins to die off.)

1820 Local K’iche’ leaders **Atanasio Tzul** and **Lucas Aguilar** unite indigenous opposition against the colonial regime and lead a successful revolt in Totonicapán against colonial rule. These groups refuse to pay both the ecclesiastical tax imposed by the Catholic hierarchy and tribute imposed by the Spanish empire. The short-lived revolt is put down by an invading ladino militia raised in Quetzaltenango. This uprising illustrates a long history of indigenous resistance to colonial powers and later to the Guatemalan State.

1821 Guatemala and the other four Central American countries declare **independence from Spain**.

1850-1870s Guatemala begins a shift to a **coffee-based** agricultural export economy. After the **Liberal Revolution** in the 1870s, the government expropriates land from indigenous communities and the Catholic Church,

and deeds large tracts for coffee cultivation to key supporters. This policy helps consolidate the power of *latifundistas* (large landowners with political clout) and leaves mostly indigenous *minifundistas* (small landowners) with no alternative but to sell their labor to the *latifundistas*. This is a period of **culture wars** between Liberals and Conservatives, with the Roman Catholic hierarchy, a staunch ally of the Conservatives, paying a steep price in lost political, cultural, and economic power.

1882 Liberal dictator **Justo Rufino Barrios** challenges the waning power of the Catholic hierarchy by inviting the Presbyterian Church in the United States to establish the first ongoing Protestant mission presence in Guatemala.

1901 The Guatemalan government signs an agreement with Boston-based **United Fruit Company**,

United Fruit, a banana producer, soon becomes the largest landholder, employer, and exporter in Guatemala.

1944 Liberal dictator **Jorge Ubico**, who had presided over an autocratic administration since 1931, is overthrown by a popular uprising led by students, teachers and military officers.

1945 Dr. **Juan José Arévalo** is elected president after approval of a new constitution. Social programs influenced by Roosevelt’s “New Deal” are adopted, including: Social Security, a minimum wage, and a national health care program. Labor unions are encouraged and women are given the right to vote.

1950 Col. **Jacobo Árbenz**, a key leader in the 1944 uprising, is elected President. An **agrarian reform** program is initiated, mandating that arable land not under cultivation be turned over to landless peasants, with the goal of transforming Guatemala into a “modern

capitalist state.” Powerful members of the **United Fruit Company** respond by encouraging opposition to the Árbenz government in Washington.

1954 Due to fears of President Árbenz’s alleged “communist sympathies,” the **CIA** intervenes. U.S. military planes bomb military targets, terrorize Guatemala City, and pirate radio broadcasts in order to spread anti-government rumors. President Árbenz sees no alternative but to resign.

1960 An uprising against the corrupt, servile regime of **President Ydígoras Fuentes** is led in November by young Guatemalan army officers **Yon Sosa** and **Turcios Lima**. (Ydígoras allowed the CIA to use Guatemala as a staging ground for the Bay of Pigs Invasion.) This marks the **beginning of 36-year civil war**.

1967 Guatemalan author **Miguel Angel Asturias** wins

Nobel Prize in Literature for his widely acclaimed novel, *El Señor Presidente* (The President) and other writings, and unmasks the growing political and economic chasm between city and countryside, ladino and Maya, rich and poor.

1977 **US military aid** to Guatemala is cut off due to human rights violations. **U.S. officially bans arms sales in 1978** but continues to support the army covertly (primarily through Israel).

1978 **Gen. Romeo Lucas García** is elected through fraud. His brother, Defense Minister **Benedicto Lucas**, initiates a scorched earth counter-insurgency campaign, which continues until the mid-80s. More than 400 Mayan villages are totally destroyed with all inhabitants and animals killed and all homes and crops burned.

1982 **Gen. Efraín Ríos Montt**, a convert to neo-pentecostalism, seizes power

after a coup. Promises are made to end the death squads and dissolve the secret police. He reins in the arbitrary terror of the Lucas years, but still continues the scorched earth campaign, and beefs up highly-militarized rural “development poles.” (See below: 1999, 2012, 2013). Guatemala is censured by the U.N. for massive human rights violations.

1983 **Ríos Montt** is ousted by general, **Mejía Víctores**. **Mejía** begins the transition to a “formal democracy.”

1985 **Vinicio Cerezo** is elected president, the first civilian since 1966, but as **Cerezo** himself admits to the press, the military continues to be the power behind the office.

1987 Formal **peace negotiations** begin in October, with the first publicly acknowledged encounter between the Guatemalan government and the Guatemalan National

Revolutionary Unity (URNG) in Madrid, Spain.

1992 **Rigoberta Menchú Túm**, leader and advocate of Indigenous rights and ethno-cultural reconciliation, from Uspantán, El Quiché, Guatemala, is awarded the **Nobel Peace Prize**. To date, **Menchú** is one of only sixteen women who hold the Nobel Peace Prize¹⁷.

1991 **Jorge Serrano Elías** wins elections and assumes the presidency. He is a member of the National Commission for Reconciliation. Under great pressure, and in an agitated climate, he begins making radical internal changes; for example, eliminating congress and controlling the decision-making powers of the electoral and justice tribunals, as well as cutting off freedom of the press. This is called “serranazo”, a self-imposed coup d’etat (25 de mayo 1993). The population and other state and international authorities,

¹⁷ <https://wilpf.org/women-awarded-the-nobel-peace-prize/> (consulted January 2018)

discontent with Serrano's decisions, demonstrates and generates huge pressure; they succeed in forcing his resignation. Serrano flees in the early morning of June 1, 1993 to Panama¹⁸.

1993 Ramiro de León Carpio, former Human Rights Ombudsman, is appointed by Congress as President following Serrano's resignation. The populace demonstrates continued loss of confidence in Guatemala's corrupt "low-intensity democracy." Abstention rates exceed 80% in both the 1990 and 1994 elections.

1996 Neo-conservative technocrat **Alvaro Arzú**, a travel agent, former mayor of Guatemala City, and son of the landed oligarchy, is elected president. He focuses his energy on getting a peace agreement signed before the end of the year, but despite the peace process, his political effectiveness dissipates due

to charges of corruption and arrogance.

Dec. 29, 1996, marks the formal end of the civil war with the signing of the **Firm and Lasting Peace** in Guatemala City. Unfortunately, the Peace Accords are not ratified by the Guatemalan Congress.

April 24, 1998, the Catholic Church presents *Guatemala Nunca Más*, a report containing more than 6,500 interviews with survivors of the 36 year civil war. The report is based on a three-year study coordinated by **Bishop Juan Gerardi Conedera**. It charges that government soldiers and paramilitary groups are responsible for 85.43% of the violence, guerrillas are responsible for 9.3%; and the responsibility for the remaining 5.27% is undetermined.

April 26, 1998, Bishop **Gerardi** is brutally murdered in his garage.

Four people are convicted of the crime in June of 2000:

retired Col. Byron Disrael Lima Estrada, his son, Capt. Byron Lima Oliva, army specialist Obdulio Villanueva, and Mario Orantes, a priest who shared Gerardi's residence.

The court characterizes the murder as a political assassination, though none of the convicted is considered to be the intellectual author of the crime. Villanueva, one of those convicted, is beheaded in a prison riot in February, 2003, while the verdicts of Lima Estrada and Lima Oliva are reclassified from homicide to accomplice in 2005, reducing their jail terms from 30 to 20 years. (For more, see *The Art of Political Murder: Who Killed the Bishop?* Francisco Goldman, Grove: 2007.)

1999 A healthy voter turnout leads to a resounding presidential victory for **Alfonso Portillo**, a former Christian Democrat and a lawyer with the gift of gab. His adopted party is the Guatemalan Republican Front

(FRG), created by **Ríos Montt**. The Portillo government proves to be corrupt and politically ineffective.

A second report on the war is published in February by the United Nations-sponsored **Commission for Historical Clarification**, as mandated by the Peace Accords. The report finds that more than 200,000 people were killed or disappeared during the armed conflict, and between 1981 and 1983, a deliberate policy of genocide against the Mayan population was carried out by the Guatemalan state. Most massacres were carried out with the full knowledge, or by order of, the highest state authorities: 93% of all cases were attributed to the armed forces and paramilitary agents; 3% were traced to the URNG. The report also charges the CIA with building close alliances with far-right political parties and the economic elite and with supporting systematic state terror as a method of counterinsurgency. **United**

¹⁸ <https://aprende.guatemala.com/historia/personajes/presidente-jorge-serrano-elias/> (consulted December 2017)

States President Bill Clinton subsequently apologizes for decades of U.S. policy in support of a military which he admits, “engaged in violent and widespread repression...” Clinton declares, “[that policy] was wrong and the United States must not repeat that mistake.”

May 16, 1999, Guatemalan voters reject a package of **constitutional amendments**, making the Peace Accords, for all practical purposes, dead in the water. Amendments included proposals to grant the nation’s majority indigenous population equal rights and to curb the power of the armed forces. Since the Guatemalan Congress never ratified the Peace Accords, this package would have given legal standing to the agreements, which addressed the social, political, and economic problems behind the 36 year civil war.

2003 A representative of the landed gentry and former mayor of Guatemala City,

Oscar Berger, assembles GANA (a coalition of micro-parties to win back political power for the traditional elites), and proves ineffective at fighting corruption. Government-sponsored death squads carry out a campaign of “social cleansing” against suspected gang members and repeat offenders. Under these charges, Carlos Vielman (Minister of Interior, Berger administration) and Erwin Sperisen (Director of the National Civil Police, Berger administration) are in prison in Spain and Switzerland respectively. However, in the final months of Berger’s presidency, Vice President Eduardo Stein and Presidential Human Rights Commissioner Frank LaRue succeed in convincing Congress to approve the **International Commission Against Impunity in Guatemala (CICIG)**. (See below, 2008, 2009, 2012).

2005 Tens of millions of **decaying files** are discovered in a police station warehouse

in Guatemala City. These files shed light on the fate of thousands of people disappeared by security forces during the war, and are gradually made available for review.

2007 Álvaro Colom, a Social Democrat and founder of the Unión Nacional de la Esperanza (UNE) is elected president over Otto Pérez Molina (See below, 2012).

2008 The International Commission Against Impunity in Guatemala (CICIG), takes effect in January as an independent investigative body by a treaty-level agreement between the United Nations and Guatemala. Its mandate is to assist the Guatemalan State in investigating and dismantling violent criminal organizations believed to be responsible for widespread crime and the paralysis in the country’s justice system.

April 9, 2008 is a historic day for women and women’s rights

activists as the Guatemalan congress passes the **Law Against Femicide and Other Forms of Violence Against Women**. The law codifies an expansive definition of violence against women and represents an important step in stemming the targeted and brutal murder of women. Furthermore, it serves as a model for women’s rights activists in other countries.

2009 Rosenberg “YouTube” Murder destabilizes Colom’s presidency. CICIG leads an investigation absolving Colom of direct involvement.

2010 Tropical Storm Agatha inundates the country with torrential rains and volcanic eruption immediately follows. These events claim 235 lives, uproot 208,000 people from their homes, destroy nearly 15,000 homes and worsen existing food shortages.

2011 Armed men kill and decapitate 27 laborers on a farm in El Naranjo,

departamento of Petén. The violence is attributed to a dispute between drug traffickers and the farm owner. Separately, renowned Argentine folk-singer and peace advocate, Facundo Cabral, is gunned down after performing a concert in Guatemala City. Three days of national mourning are officially recognized. Both events rock the country, make international news, and are believed to have negatively affected tourism and travel. A tropical depression in October destroys crops and displaces communities.

2012 Retired General **Otto Pérez Molina** is inaugurated president. He promises a “Firm Hand” approach to crime and corruption. Molina enrolls Kaibil special forces to fight narcotics traffic and announces support to extend CIGIG (above) mandate for another two years.

Portillo update: With outgoing President Colom’s approval, former president Alfonso

Portillo faces extradition charges to U.S. for laundering \$70 million through U.S. banks. (see also May 24, 2013)

Former military dictator **Ríos Montt** loses immunity, and is charged by Court of Justice for acts of genocide committed by armed forces under his command in 1982-83 in Guatemala’s Ixil Triangle (San Juan Cotzal, San Gaspar Chajúl, and Santa María Nebaj), which include the forced displacement of 29,000, the deaths of 1,771 individuals in 15 massacres, as well as torture and 1,485 acts of sexual violence against women. Ríos Montt is placed under house arrest as the trial is approved to move forward.

November 7, 2012, has a 7.4 magnitude earthquake with the epicenter in the *departamento* of San Marcos, leaving 52 confirmed dead and thousands of others without homes, electricity, or water.

2013 Guatemala achieves a breakthrough for justice on January 31 with the opening

of the landmark criminal trial of **Ríos Montt** for genocide and crimes against humanity. Ríos Montt, along with his chief of army intelligence, **José Mauricio Rodríguez Sánchez**, moves forward. Both men are accused as the masterminds behind a “scorched earth” military campaign (mentioned above).

May 2, 2013 President Otto Pérez Molina declares a state of emergency in four southern towns after protests against the *Escobal* silver mine turn deadly. The Canadian-owned mine, located in San Rafael Las Flores, Santa Rosa, had been granted a “final” permit in April 2013. Nevertheless, organized resistance to the mine continues.

May 10, 2013, a Guatemalan trial court convicts **Ríos Montt** of genocide and crimes against humanity for killings, forced displacement, rapes, and torture committed under his rule. The trial court acquits Rodríguez Sanchez on the same day.

May 20, 2013 A divided Constitutional Court annuls the verdict against Ríos Montt and sends the trial backward. In its 3-2 judgment, the Constitutional Court rejects the outcome of the trial and leaves the entire future of the process uncertain.

May 24, 2013 Guatemala extradites Portillo to the United States to face corruption and money laundering charges. He becomes the first former Guatemalan president to face trial in the U.S.

April 4, 2014 Guatemala’s bar association suspends Judge Jazmín Barrios from practicing law for one year. Barrios is accused of unethical behavior during the first session of the Ríos Montt trial that began on March 19, 2013.

May 14, 2014 Guatemalan congress passes a resolution that essentially denies that genocide occurred during Guatemala’s civil war. The motion is presented by Luis Fernando Pérez, legislator

for the party founded by Rios Montt. The resolution is supported by 87 of the 158 legislators.

May 16, 2014 Attorney General Claudia Paz y Paz, who had pushed forward the Rios Montt case and other cases against former military officials, is forced to step down seven months early, after a judicial decision reduces her term based on a technicality.

May 22, 2014 A Federal District Court in Manhattan sentences Portillo to a term of five years and ten months in prison for laundering millions of dollars through United States bank accounts. He is also ordered to pay a fine of \$2.5 million. Earlier in March, Portillo had pleaded guilty to corruption charges, admitting that he had taken \$2.5 million in bribes from the government of Taiwan.

June 6, 2014 The Geneva Criminal Court sentences former Chief of the PNC of

Guatemala, Erwin Sperisen, to life in prison for the extrajudicial killing of seven inmates in 2006, in a case known as the Pavón Case.

2015 Portillo is released from a US prison and returned to Guatemala. He offers his first press conference the same day and later launches a political campaign to run for congress.

2015 The International Commission against Impunity (CICIG for its initials in Spanish) dismantles 21 organized crime structures within the Guatemalan government. One case that stands out is the case of customs fraud known as “La Línea,” in which then-president Otto Pérez Molina, then-vice president Roxanna Baldetti, and several Government cabinet members, congresspersons & judges are all implicated.

This generates indignation among the population who organize and are called, via social media, to go out and

protest in “La Plaza” (the constitutional plaza in zone one of the capital city). The number of demonstrators eventually reaches a total of about 100,000 people. The people’s indignation leads them to call for a national strike on August 27, which takes place throughout the country, and has been called the largest march in the history of Guatemala. Protestors denounce government corruption and demand the resignation of the president and his team.

May 8, 2015 Roxana Baldetti presents her resignation and she goes on to be investigated; she is arrested on August 22 for her links with the “La Línea” case. Finally, on September 2nd, the president presents his resignation and one day later he is processed for the same charges as Baldetti. Alejandro Maldonado Aguirre takes office as provisional president.

In September of this same year,

general elections are held in which presidential candidate Jimmy Morales obtains a majority of votes cast, along with his vice president Jafeth Cabrera, both from the FCN-NACION party.

Also in 2015, the CICIG presents an investigation into the financing of political parties, which concludes that the Guatemalan political system is financed by corruption. 25% of political party funds come from criminal structures, another 25% come from business people and 50% come from providers of the state¹⁹.

2016 The 14th of January, Jimmy Morales takes office as president, along with the entire new cabinet and additional team members. In his campaign, Jimmy had made a direct attack on corruption with the slogan, “neither corrupt, nor a thief.” He also added four retired military men as advisors.

¹⁹ Source: El financiamiento de la política de Guatemala, ISBN 978-9929-40-769-5, CICIG, 16 de julio 2015. Page 41

July 18, 2016. Byron Lima is assassinated inside the prison where he has been serving a sentence for the murder of Bishop Juan Gerardi (1998).

The MP (the Attorney General's office) carries out a series of captures of 18 retired military men, charging them with crimes against humanity during the internal armed conflict. Among them, a former retired military leader Benedicto Lucas Garcia (1978 to 1982) stands out, as well as César Augusto Cabrera, who was to become a cabinet member for Jimmy Morales, y Edgar Ovalle, congressman of the official party FCN-Nation party²⁰.

"We can sum up the first year of President Jimmy Morales's government as void of results. His agenda has been of a trivial character; we have not seen him involved in any public policy efforts nor in government strategies. The head of the executive branch was inert until September

20 <https://elperiodico.com.gt/domingo/2016/12/04/los-sucesos-de-2016/> (Consulted December 2017).

when he made it known that his son, José Manuel, and his brother Samuel, were involved in an investigation by the General Registry of Property, an entity to which they submitted a fantasy receipt to simulate a purchase of breakfasts for Q90,000. Morales faced his first pre-trial hearing for abuse of authority by establishing a state of alert (or state of prevention) in August, but it was rejected by the CSJ (Supreme Court of Justice)."²¹

2017 The year begins with tension due to the events involving Jimmy Morales:

March 8. In the midst of the commemoration of International Women's Day, a fire is reported in the "Hogar Seguro Virgen de la Asunción" (Virgin of the Assumption Safe Home), a state institution, in which 41 girls are burned to death. 15 more are severely burned, two of whom later die from their injuries. The girls had been enclosed

21 Ibid.

in a room and when they pleaded for help, they were ignored by police and other personnel. The government is blamed for negligence and for involvement in this massacre.

August 25, the CICIG & MP present an investigation about money laundering and illicit electoral financing by the FCN-Nation political party; they request a pre-trial hearing with the president.

Saturday, August 26, several sectors of the population protest in "The Plaza," demanding the head of state's resignation²².

August 27, President Jimmy Morales declares the CICIG commissioner, Iván Velázquez, "*Persona Non Grata*," after learning of the investigation in progress into money-laundering and illicit electoral financing by the FCN-NACION party; Morales demands the immediate expulsion of Velázquez.

Several organizations file for orders of protection in the

22 <https://nomada.gt/la-semana-que-casi-llegamos-al-abismo/> (Consulted December 2017)

Constitutional Court in order to prevent the expulsion of Iván Velázquez. Three cabinet members renounce their posts in protest over Jimmy's decision, and the U.S. and Europe warn that there could be sanctions for Guatemala. The court stops the expulsion of the commissioner. The population also makes its presence known in the form of protests²³.

September 12 Information is revealed showing that Jimmy Morales, in addition to his salary, has been receiving a monthly "special bonus" of Q50,000 from the army. The General Comptroller's office declares this bonus is illegal.

September 13 Congress approves a law as nationally urgent, to the effect that "*it should no longer be the politicians who are [found] responsible for illicit financing, but rather the accountants of the political parties. And in their*

23 <https://nomada.gt/la-plaza-y-la-corte-frenan-al-congreso-jimmy-amenaza/> (Consulted December 2017)



eagerness to ensure their own impunity from accusations of corruption, they approved a law enabling them to avoid jail by doing what they know how to do best: by paying money.”²⁴

September 14 The people return to “The Plaza” (*La Plaza*), demanding that the law be overturned and that all of the congresspersons resign.

A presidential spokesperson announces that the president will return Q450,000 in supplementary wages that he had received as “bonus” payments.

The congresspersons apologize and call for an extraordinary session. The constitutional court puts a stop to the laws passed on Sept. 13.

September 20 The Association of University Students (AEU) of the University of San Carlos in Guatemala, calls for a national strike, with the purpose of demanding the resignation of

the congresspersons, reforms to the electoral laws, and a national constitutional assembly.

October 5 CICIG and the MP present the case called “Pandora’s Box” that involves deceased ex-military officer, Byron Lima (see 1998; July 18, 2016), and the current mayor of Guatemala City, Álvaro Arzú. A pre-trial hearing is requested for Arzú regarding use of municipal funds for his political campaign, in cooperation with Lima²⁵.

October 30 A community of 80 families is forcibly removed (from their land) in the *departamento* of Izabal. Approximately 1000 families have been forcibly removed during this calendar year. The most recent are: November 1, 25 families in Tactic, Alta Verapaz and November 3, 18 families in Senahú, Alta Verapaz²⁶.

²⁵ <https://nomada.gt/el-negocio-de-arzu-con-el-reo-mas-poderoso-del-pais/> (consulted December 2017).

²⁶ <https://twitter.com/AsambleaSP/status/932268538924097536> (consulted December 2017).

²⁴ Ibid.





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