

US-Guatemalan Relations: Continuing the Partnership

Arnold A. Chacon

United States Ambassador to Guatemala

From the United Nations Security Council (UNSC) and the Organization of American States (OAS) to regional law enforcement and counternarcotics cooperation, Guatemala is emerging as a key actor. It is a willing partner with the United States in six US presidential priority initiatives: improving food security, preventing HIV/AIDS, mitigating the impact of climate change, and promoting health, citizen security, and educational exchanges.

In the context of “equal, flexible partnerships” as President Barack Obama laid out at the 2009 Summit of the Americas, US cooperation with Guatemala focuses on complementary action to address problems that affect both our countries. US policy in the Western Hemisphere places a high priority on human rights, social inclusion, and economic opportunity. Reducing the potential for social conflict, particularly concerning women and indigenous peoples, is not only a matter of social inclusion and justice, but also an important step to unlocking the potential for economic growth in Guatemala. Likewise, strengthening police capabilities, the rule of law, citizen security, and protection of labor rights are critical steps for Guatemala to encourage sustainable economic development. The United States and an international group of donor countries and institutions are committed to supporting these goals.

The challenge going forward for the bilateral relationship is for both countries to stay focused on shared goals such as developing and maintaining effective security and judicial institutions and improving food security. The United States and Guatemala can be productive partners on the regional and world stage in promoting democracy, rule of law, social inclusion and human rights.

From Inwardly Focused Country to Multilateral Player

Guatemala is playing a more active role on the international stage, contributing peacekeeping forces in the Democratic Republic of the Congo and Haiti and playing a positive role in the United Nations. Guatemala was elected to a 2012-2013 UNSC term, and served as the chair in October 2012, promoting a discussion of the International Criminal Court. (Guatemala ratified the Statute of Rome in early 2012, one of the first acts of the newly-elected administration and congress.) Guatemala has played a constructive multilateral role in discussions regarding issues from Syria to Sri Lanka to combating violence against lesbian, gay, bisexual, and transgender persons. Guatemala also hosted an OAS conference on human trafficking in October 2012 and will host the June 2013 OAS General Assembly. President Pérez Molina has called for debate in the OAS and other fora about alternative strategies for combating drugs, including possible drug legalization. At the 2012 Summit of the Americas, President Obama said the United States is open to a debate on strategies to deal with the public health and safety impact of drugs. The Pérez Molina government has been less supportive of the Inter-American human rights system

than its recent predecessors, adopting (and later repealing) a decree that sought to limit the jurisdiction of the Inter-American Court of Human Rights regarding atrocities committed during Guatemala's internal armed conflict.

Cooperation to improve citizen security is a top priority for governments and citizens in the region, and for the United States. The US government worked closely with Guatemala and the Central American Integration System to develop the Central American Security Strategy in 2011; Guatemala hosted a key regional conference, which former Secretary of State Hillary Clinton attended, to establish coordination and collaboration under the strategy to ensure the most effective use of Central American countries' and donors' resources. Recognizing the need for joint action to counter transnational criminal organizations, in 2012 Guatemala, Honduras and the United States worked together in support of Operation Anvil, temporarily deploying Guatemala-based US helicopters and Guatemalan pilots and mechanics to Honduras. Meanwhile the country's police, prosecutors, and financial investigative units collaborate in combating a wide range of crimes (gangs, trafficking in persons, counterfeiting, child pornography, money laundering, drug trafficking, and precursor chemical diversion) with US law enforcement agencies such as the Drug Enforcement Agency, Federal Bureau of Investigation, Department of Homeland Security and the Bureau of Alcohol, Tobacco, Firearms and Explosives.



Source: The World Factbook, 2013.

Enhancing Citizen Security in Guatemala

On the civilian law enforcement side, a combination of US-funded community policing, improvements to the justice sector, and crime prevention programs has helped reduce the murder rate by as much as 50 percent in cities in Guatemala's central plateau, an area that had suffered some of the highest murder rates in the country. Though impunity remains high and court proceedings are often prolonged, new approaches have helped increase the rate of resolution of murder cases from three percent in 2010 to 30 percent in 2012 in Guatemala City. US-supported judicial and security sector strengthening programs, part of the Central America Regional Security Initiative (CARSI) that President Obama launched, serve as a model for others in the region. With USAID support, Guatemala has established two high-impact courts that prosecute sensitive cases requiring additional security measures, as many relate to organized crime. USAID support has also enabled Guatemala's Supreme Court to establish six 24-hour courts that facilitate coordination between police and prosecutors, expedite search warrants, and improve efficiencies in criminal justice, thereby avoiding vigilante justice by citizens. The newest 24-hour court specializes in gender-based violence and trafficking in persons. Overall, according to a study by the independent research project Small Arms Survey and others,

homicide rates in Guatemala declined eight percent from 2009, when CARSI began implementation, to 2010, and five percent from 2010 to 2011. According to Guatemalan police statistics, the homicide rate declined nine percent from 2011 to 2012.

Building the Future

Guatemala's partnership in other Presidential priority initiatives—Feed the Future (FTF), Global Health Initiative, Global Climate Change Initiative, the President's Emergency Plan for AIDS Relief (PEPFAR), and 100,000 Strong in the Americas—focus on improving food security, nutrition, health, and education of its citizens to build stable communities. In Guatemala, almost half of all children under the age of five are chronically malnourished, the highest rate in the Western Hemisphere. FTF works to improve food security and reduce chronic malnutrition through coordinated nutrition interventions and agricultural income-generating projects in five departments in the Western Highlands where the greatest levels of malnutrition occur.

From 2010 through the end of fiscal year 2012, FTF plans to invest \$100.8 million in agriculture development and nutrition programs in Guatemala. Although plans for FTF were completed under the previous Guatemalan administration, the Pérez Molina administration has embraced FTF as part of its own “Pacto Hambre Cero” (Zero Hunger Pact) initiative and President Pérez Molina has stressed his commitment to a comprehensive government effort to reduce chronic malnutrition among children by ten percent by the end of 2015.

Two issues of particular concern that affect US-Guatemalan relations are the pending adoptions of Guatemalan children by US families, cases that were caught in limbo when Guatemala's adoption law changed in 2007, and Guatemala's apparent failure to meet its obligations under the Dominican Republic-Central America-United States Free Trade Agreement (CAFTA-DR) to effectively enforce its labor laws, which led to the establishment of an arbitral panel under the dispute settlement chapter of CAFTA-DR. The Pérez Molina administration has worked with members of the Guatemalan Congress and Guatemalan government agencies in an effort to streamline the review process for pending adoption cases. In the CAFTA-DR labor case, the United States and Guatemala mutually agreed to suspend the arbitral panel proceedings for a short period to continue settlement discussions. Despite early delays, Guatemala has been actively negotiating to attempt to reach agreement on a plan to strengthen its enforcement of labor laws.

In law enforcement and immigration, US Customs and Border Protection is training Guatemalan counterparts in land interdiction, and with support from the US Southern Command, Guatemalan officials are creating an Inter-Agency Border Unit that will reassert state presence in Tecun Uman, San Marcos Department, on the border with Mexico. The Guatemalan government is still working to overcome the damage and disruption from the November 2012 earthquake in western departments such as San Marcos, many of which already had high out-migration to the United States before the earthquake.

Nine high-profile criminals indicted in the United States, including former Guatemalan President Alfonso Portillo and leading drug traffickers, are now in jail awaiting extradition to the United States. Meanwhile, during the first quarter of 2013 the Guatemalan government has extradited four major narco-traffickers to the United States. These criminal cases, as well as cases related to human rights violations during the internal conflict, have gone forward through determined work by the attorney general's office and courageous decisions by judges and the presidency. Attorney General Claudia Paz y Paz remains a committed partner in strengthening the rule of law and combating impunity.

Working to Keep Our Relationship Moving Forward

These significant developments, many of them almost unimaginable two years ago, are still fragile. The United States must continue to work closely with the Guatemalan government to achieve shared goals such as strengthened citizen security and greater food security. Guatemala in turn must demonstrate that its commitment to reducing violence and impunity, promoting development, and protecting human rights (both domestically and multilaterally) is robust and permanent. In December 2012, the board of directors of the US Millennium Challenge Corporation (MCC) selected Guatemala as eligible for a Threshold Program. Our partnership will continue to mature as Guatemala and the MCC work toward developing a threshold program, recognizing the meaningful steps Guatemala is taking. Guatemalan officials and citizens will have a keen interest in the domestic US issue of comprehensive immigration reform and what it will mean for several hundred thousand undocumented Guatemalan migrants in the United States. It is in the US national interest that Guatemala continue to evolve into a constructive regional and world partner. Together can we meet the common challenges of the 21st century and create a future in which our societies can prosper.