

# **GUATEMALA: DRUG TRAFFICKING AND VIOLENCE**

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## GUATEMALA: DRUG TRAFFICKING AND VIOLENCE

### EXECUTIVE SUMMARY

The bloody eruption of Mexican-led cartels into Guatemala is the latest chapter in a vicious cycle of violence and institutional failure. Geography has placed the country – midway between Colombia and the U.S. – at one of the world's busiest intersections for illegal drugs. Cocaine (and now ingredients for synthetic drugs) flows in by air, land and sea and from there into Mexico en route to the U.S. Cool highlands are an ideal climate for poppy cultivation. Weapons, given lenient gun laws and a long history of arms smuggling, are plentiful. An impoverished, underemployed population is a ready source of recruits. The winner of November's presidential election will need to address endemic social and economic inequities while confronting the violence and corruption associated with drug trafficking. Decisive support from the international community is needed to assure these challenges do not overwhelm a democracy still recovering from decades of political violence and military rule.

Gangs and common criminals flourish under the same conditions that allow drug traffickers to operate with brazen impunity: demoralised police forces, an often intimidated or corrupted judicial system and a population so distrustful of law enforcement that the rich depend on private security forces while the poor arm themselves in local vigilante squads. Over the past decade, the homicide rate has doubled, from twenty to more than 40 per 100,000 inhabitants. While traffickers contribute to the crime wave in border regions and along drug corridors, youth gangs terrorise neighbourhoods in Guatemala City.

The outrages perpetrated by the most violent Mexican gang, the Zetas – who decapitate and dismember their victims for maximum impact – generate the most headlines. Violent drug cartels, however, are only one manifestation of the gangs and clandestine associations that have long dominated Guatemalan society and crippled its institutions. How to change this dynamic will be one of the most difficult challenges facing the winner of November's presidential election. Both Otto Pérez Molina and Manuel Baldizón have promised to get tough on criminals, but a hardline approach that fails to include a strategy to foster rule of law is unlikely to yield anything more than sporadic, short-term gains.

For decades, the state itself was the most prolific violator of human rights. During the 36-year conflict that ended with the peace accords of 1996, the armed forces murdered dissidents in urban areas and razed villages suspected of harbouring guerrilla forces. Just as Guatemala was recovering from years of political violence, control of the South American drug trade was shifting from Colombia to Mexico. Increased interdiction in the Caribbean, plus the arrest of Colombian cartel leaders, allowed Mexican traffickers to begin taking over drug distribution in the late 1990s. Mexican President Felipe Calderón's crackdown after 2006 forced traffickers to import increasing amounts of contraband into Central America and then move it north over land.

The shipment of more drugs through Central America has had a multiplier effect on illegal activities. Violence is especially intense in coastal and border departments, where traffickers and gangs have diversified into other activities, such as local drug dealing, prostitution, extortion and kidnapping.

In some regions, narcotics traffickers have become prominent entrepreneurs, with both licit and illicit businesses. They participate in community events, distribute gifts to the needy and finance political campaigns. Their well-armed henchmen offer protection from other gangs and common criminals. Those who finance opium poppy cultivation provide impoverished indigenous communities with greater monetary income than they have ever known. But these domestic trafficking groups also operate with impunity to seize land and intimidate or eliminate competitors. Local police and judicial authorities, under-resourced and widely mistrusted, offer little opposition.

There are signs of progress. The attorney general is reviving long-stalled investigations into past human rights abuses while aggressively pursuing the current threat posed by organised crime. A veteran human rights activist was tapped by the outgoing government to reform the police. The International Commission Against Impunity in Guatemala (CICIG), a UN-Guatemalan initiative, is pursuing high-profile criminal cases. Donors are financing vetted units, providing new investigative tools and build-

ing new judicial facilities. Moreover, over the past year, Central American authorities, with international help, have arrested half a dozen high-level Guatemalan traffickers who are awaiting extradition to the U.S.

But ending the impunity that has allowed trafficking networks and other illegal organisations to flourish will require a long-term, multi-dimensional effort. To shore up recent gains and lay the ground work for sustainable reform it is urgent that:

- ❑ the new president allow Attorney General Claudia Paz y Paz to complete her four-year term, fully support Police Reform Commissioner Helen Mack and encourage CICIG's efforts to pursue high profile cases and build prosecutorial capacity;
- ❑ political and business leaders work together both to increase government revenues for crime-fighting and social programs and to devise anti-corruption initiatives that will hold officials responsible for their use of public funds;
- ❑ regional leaders increase cooperation to interdict illegal narcotics shipments and to break up transnational criminal groups through entities such as the Central American Integration System (SICA);
- ❑ the U.S. and other consuming countries provide financial aid commensurate with their national interest in stopping the drug trade and aimed not just at arresting traffickers but also at building strong, democratically accountable institutions; and
- ❑ international leaders open a serious debate on counter-narcotics policies, including strategies designed to curtail both production and consumption; it is past time to re-evaluate policies that have failed either to alleviate the suffering caused by drug addiction or to reduce the corruption and violence associated with drug production and trafficking.

**Guatemala City/Bogotá/Brussels, 11 October 2011**

## GUATEMALA: DRUG TRAFFICKING AND VIOLENCE

### I. INTRODUCTION

Over the last five years Central America has become the principal route for illegal narcotics headed from South American producers to U.S. consumers. As improved interdiction makes shipping drugs directly into the United States or Mexico more difficult, traffickers are funnelling contraband overland through an isthmus that contains some of the hemisphere's poorest countries. In Central America international drug organisations have found the perfect environment for their illegal activities: rampant impunity, abundant weaponry and a steady source of recruits among youths who have little hope of bettering their lives through education and steady employment.

Guatemala, the northernmost country in Central America, is the gateway for drugs travelling overland into Mexico. As more drugs pass through its territory more Guatemalans are dying in drug-related crimes. During the past decade, the Northern Triangle of Central America (Guatemala, Honduras and El Salvador) has become one of the most violent regions in the world. Tragically, countries that endured guerrilla war and/or military repression during the Cold War are now suffering the ravages of a 21st century battle against organised crime.<sup>1</sup>

Guatemalan authorities, with the help of donors, are making some progress against the criminals and clandestine networks that infiltrate government institutions. An activist attorney general, Claudia Paz y Paz, is pursuing cases against both the organised criminals of today and the perpetrators of massive human rights abuse in the past. She is backed by a unique UN-Guatemalan initiative – the Commission Against Impunity in Guatemala (CICIG) – that is working to investigate and prosecute the clandestine groups that penetrate the state.<sup>2</sup> A noted human rights defender, Helen Mack, has taken on the job of police reform commissioner, charged with devising a strategy to create more efficient, honest and professional civilian security forces.

But institutional change is hampered by the fractious nature of Guatemalan politics. Elections are competitive but polarising; parties are personalistic, rarely lasting beyond one or two electoral cycles. Most disturbingly – in a country flooded with drug money – there is minimal oversight of fundraising for campaigns that are among the most expensive in the Western Hemisphere. Politicians have little reason to unite behind a program of reform, especially one that might run counter to the interests of their anonymous donors.<sup>3</sup>

Guatemala is not a failed or collapsing state. It holds regular local and national elections. It has functioning public schools and universities, clinics and hospitals. Private cars and buses jam the streets of Guatemala City at rush hour, while semi-tractor trailers carrying produce or merchandise clog the winding mountain highways that connect the capital to the interior. The middle and upper classes shop in U.S. and European chain stores at air-conditioned malls, while crowded outdoor markets cater to those with less income. The economy, despite a downturn in 2009, has grown at an average of 3.3 per cent over the last decade.<sup>4</sup>

By World Bank standards, Guatemala is a lower-middle-income country, though its bustling commerce and affluent upper classes mask deep inequalities that have left half the general population – and most of the indigenous population – living below the poverty line, scratching out a precarious existence as street vendors, manual labourers or subsistence farmers. In highland communities, less than a few hours outside the capital city, a majority of children suffer from malnutrition.<sup>5</sup> In the country as a whole, one in four adults cannot read or write and 42 in 1,000 children die before the age of five, the highest mortality rate in the hemisphere after Haiti and Bolivia.<sup>6</sup>

The more affluent have long enjoyed low personal tax rates and generous exemptions, while the public sector strug-

<sup>1</sup> See Crisis Group Latin America Report N°33, *Guatemala: Squeezed between Crime and Impunity*, 22 June 2010.

<sup>2</sup> See Crisis Group Latin America Report No°36, *Learning to Walk Without a Crutch: An Assessment of the International Commission Against Impunity in Guatemala*, 31 May 2011.

<sup>3</sup> See Crisis Group Latin America Briefing N°24, *Guatemala's Elections: Clean Polls, Dirty Politics*, 16 June 2011.

<sup>4</sup> World Bank (<http://data.worldbank.org>).

<sup>5</sup> "Guatemala Global Health Initiative Strategy", U.S. Agency for International Development (USAID), Centers for Disease Control and Prevention (CDC), U.S. Peace Corps, 11 December 2010, p. 4.

<sup>6</sup> World Bank (<http://data.worldbank.org>).

gles for the resources to provide basic services, to combat corruption and crime and to promote and protect human rights, including the right to live without fear of violence.

This report examines the drug trafficking organisations that operate in Guatemala and analyses the institutional vacuum that has allowed them to flourish. It is based primarily on extensive interviews with prosecutors, police, local and national officials, experts and activists. Field work was carried out in the capital and in three departments traversed by major drug routes: Alta Verapaz, Izabal and San Marcos. The report first explores the threat posed by Mexican cartels, particularly the ultra-violent group known as the Zetas. Next, it looks at the nature and magnitude of violence and the institutional failures that have allowed criminals to operate with impunity. Finally, it examines the family-based mafias whose activities may not make headlines but whose dominance of local politics and business may pose the greatest threat to Guatemalan democracy.

## II. THE ZETAS

The massacre at a remote site in northern Guatemala was gruesome, even by the standards of a country long subjected to extreme violence. Neighbours arriving at Los Cocos ranch on the morning of 15 May to buy fresh milk found the bodies of 27 farm workers, including two women and three teenagers, lying in a pasture. All but two had been decapitated.<sup>7</sup> A survivor – who said he played dead and then managed to hide – told reporters that attackers killed the workers one by one, in a spree that began at 7pm and did not end until 3am the next day. They left a message for the landowner written in blood across the ranch house wall: “What’s going on, Otto Salguero? I am going to find you and leave you like this”.<sup>8</sup> It was signed “Z-200”, believed to be a cell and/or the nom de guerre of a commander from the Zetas drug cartel.<sup>9</sup>

Authorities think the attackers were trying either to extort money or exact revenge for a drug deal gone bad. Both Salguero and the workers came from the neighbouring department of Izabal, home base of Guatemalan traffickers who are now competing for control of drug routes with the more ruthless Zetas.<sup>10</sup>

The government reacted swiftly to the killings, sending troops into Petén under a state of siege decree giving the army authority to conduct searches, confiscate weapons and limit some freedoms of assembly and movement. They soon found a campsite, with vehicles and weaponry, used by the twenty to 40 Zetas allegedly responsible for the massacre. Within four days, they had announced the capture in the neighbouring department of Alta Verapaz of one of the men believed to have directed both the killings at Los Cocos and the murder and decapitation of a man and a woman whose bodies were found a few days earlier in the same area. Hugo Álvaro Gómez Vásquez was identified as a former member of the Guatemalan special

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<sup>7</sup> “Ven manos de zetas en la masacre de 27”, *Siglo21* (online), 16 May 2001; and “Identifican a 14 víctimas de masacre en Petén”, *Noticias de Guatemala* (noticias.com.gt), 17 May 2001.

<sup>8</sup> “Sobreviviente de masacre fingió estar muerto tras ser apuñalado”, *Agence France-Presse*, 16 May 2011. See also “Lo que provocó el Estado de Sitio en Petén”, government ministry (www.mingob.gob.gt), 20 May 2011.

<sup>9</sup> Jorge Carrasco Araizaga, J. Jesus Esquivel, “‘Los Zetas’, al Ataque”, *Proceso*, 5 June 2011, p. 15. According to this Mexican magazine, Mexican, Guatemalan and U.S. officials have identified Z-200 as a Mexican in his mid-30s from the state of Veracruz. Some officials believe that the name identifies the Zetas who operate in Guatemala, not an individual leader. Crisis Group interview, Guatemala City, 25 August 2011.

<sup>10</sup> Crisis Group interview, presidential adviser, Guatemala City, 17 May 2011.

forces (the Kaibiles) and a Zeta who went by the name “Bruja” (witch).<sup>11</sup>

The rapid arrest did not put a halt to the terror campaign. A week after authorities took the suspected Zeta commander into custody, the group claimed responsibility for another grisly murder, this time in Cobán, the capital of Alta Verapaz, where authorities had imposed a state of siege for 60 days earlier in 2011 in an effort to disperse and dismantle the cartel. The dismembered body of Allan Stowlinsky Vidaurre, an auxiliary prosecutor, was found in four plastic bags left in front of the governor’s palace, while his head was left in a fifth bag at a nearby outdoor market. A note signed Z-200 warned: “This is for those who keep on making mistakes, one by one we will keep on killing ...”<sup>12</sup>

Again, police and prosecutors reacted quickly. Less than two weeks after Stowlinsky’s body was found, they arrested fourteen alleged Zetas in the city of Cobán, including a Mexican whose cell phone had a video recording of the auxiliary prosecutor’s murder. During the operation, authorities also confiscated a small arsenal of weapons.<sup>13</sup>

By September, 65 Zeta members were in custody, including about a dozen suspects arrested in mid-July on a farm in Ixcán, a municipality in El Quiché that borders the Mexican state of Chiapas. Guatemalan intelligence located the group after noticing “suspicious movements of people and Mexican merchandise, particularly beer”. Apparently they were preparing to party: authorities also found racehorses and gamecocks at the farm. The media dubbed the affair “las narco fiestas”.<sup>14</sup>

According to an official with the office of public prosecutors (Ministerio Público, MP), those arrested are Zeta operatives who will face trial in Guatemala on a variety of charges, ranging from murder to carrying firearms illegally to illicit association.<sup>15</sup> But the authorities admit that they are far from crippling the Zetas and other Mexican traffickers who are bringing to Central America the cartel wars that have taken tens of thousands of lives inside Mexico. “We have forced them to disperse out of Petén into other

departments”, said a presidential adviser. “But the problem is not just the Zetas and not just Petén. These groups have almost inexhaustible resources and an abundance of potential recruits”.<sup>16</sup>

There is little appetite among leaders across the political spectrum for extending military operations to other departments, however. Security operations against the Zetas are straining the budget at a time when the president and Congress are already locked in a battle over rising levels of public debt. President Álvaro Colom said in May 2011 that operations in Petén cost the state between 1 and 1.5 million quetzales (about \$127,000 to \$190,000) a day.<sup>17</sup> His government downgraded the state of siege to a less drastic state of alarm in mid-August, and an adviser said it hoped to soon return the department to normality.<sup>18</sup>

Opposition to prolonged military operations against the traffickers goes beyond their cost. Memories of the military atrocities committed during the armed conflict that raged across Guatemala from 1960 to 1996 are still vivid. Moreover, many view President Felipe Calderón’s deployment of troops to battle organised crime in Mexico as a mistake that has generated a death toll of some 37,000 over the past five years.<sup>19</sup> “Mexico is a disaster”, the presidential adviser said. “They aren’t winning the war; they’re just generating more violence. We have no intention of making the same mistake”.<sup>20</sup>

But the violent eruption of the Zetas within Guatemalan territory is lending greater urgency to the battle to contain organised crime. The killings at Los Cocos and the murder of the auxiliary prosecutor marked a dangerous escalation from internecine conflicts among trafficking groups themselves to attacks designed to terrify bystanders and government officials.

The Zetas first made headlines in Guatemala in 2008, when they killed the Guatemalan trafficker Juancho León, a former associate of the Lorenzana family, in a shoot-out at a resort near Rio Hondo, in the north-eastern department of Zacapa, that left eleven people dead.<sup>21</sup> Eight months later, the Zetas and Guatemalan traffickers waged a battle with assault rifles and grenades through the streets of Agua

<sup>11</sup> “Imputan cinco delitos a presunto responsable de masacre en Guatemala”, Associated Press, 21 May 2011; and “MP acusa a comandante Bruja por triple asesinato en Petén”, *Prensa Libre*, 25 August 2011.

<sup>12</sup> “Hallan cadáver descuartizado de un fiscal en Cobán”, *Siglo21* (online), 24 May 2011. In Guatemala, auxiliary prosecutors (*fiscales auxiliares*) do detective work, collecting evidence and interviewing witnesses.

<sup>13</sup> “Mexicano tenía celular con video del asesinato de fiscal”, *Siglo21*, 4 June 2011.

<sup>14</sup> “Autoridades frustran narcofiesta en Quiché y capturan a 11”, *Prensa Libre*, 11 July 2011.

<sup>15</sup> Crisis Group interview, Guatemala City, 14 September 2011.

<sup>16</sup> Crisis Group interview, Guatemala City, 30 August 2011.

<sup>17</sup> Eddy Cornado, “Llama ignorantes quienes piden estado de sitio nacional”, *Siglo21*, 26 May 2011.

<sup>18</sup> Crisis Group interview, Guatemala City, 30 August 2011.

<sup>19</sup> Mexico’s *La Reforma* newspaper has an online database of killings linked to trafficking groups. As of 4 October 2011, it had registered 9,742 narco-style executions in 2011, bringing the total since 2006 to 37,513. See *Ejecutómetro 2011* (<http://gruporeforma.reforma.com>).

<sup>20</sup> Crisis Group interview, 17 May 2011.

<sup>21</sup> Luis Ángel Sas, “PNC señala que ‘Juancho’ León fue emboscado”, *elPeriódico*, 29 March 2008.



Zarca, a village near the Mexican border in the western department of Huehuetenango. That clash left at least seventeen dead, though the toll may have been higher: news media reported that a helicopter took away some of the dead and wounded before police arrived.<sup>22</sup>

The relatively peaceful relations that formerly reigned among Guatemala's family-controlled drug mafias broke down with the killing of León, said Edgar Gutiérrez, a former foreign minister.<sup>23</sup> Gutiérrez and other experts believe Guatemalan traffickers may have invited Zetas into the country to eliminate León, members of whose organisation (known as "Los Juanes" or "Los Leones") were considered "*tumbadores*" (drug bandits), who stole shipments from other organisations.<sup>24</sup> But the Zetas, ex-Gulf Cartel enforcers who broke with their bosses in 2010, did not leave after fulfilling their mission. "The Zetas decided to stay", said Gutiérrez. "They are undesired guests, competing with their former hosts".<sup>25</sup>

How many Zetas are in Guatemala and where do they operate? Gutiérrez estimates that the group numbers about 500 and that most are Guatemalan nationals. Those who operate in the country are a "franchise" of the Mexican cartel, not an invading force from the north, he said. Under increased pressure from authorities in Alta Verapaz and Petén over the past six months, according to Gutiérrez, the group has dispersed and spread toward the east and south west, increasing its control of border departments.<sup>26</sup>

Others believe there have never been more than about 200 Zetas in Guatemala.<sup>27</sup> A February 2009 U.S. diplomatic cable put the number in Cobán at about 100.<sup>28</sup> Though a few hundred may not seem a large number, the Zetas' fearsome reputation and ample financial resources make them

formidable adversaries for Guatemala's under-resourced security forces and for their rivals in the illegal narcotics trade. Sources in border regions said that many local traffickers and gang members are now claiming membership in the Zetas, both to protect themselves and to intimidate others.<sup>29</sup>

In Guatemala, the Zetas compete with local traffickers associated with both the Sinaloa and Gulf cartels. Their vendetta against former associates in the Gulf cartel seems especially virulent. Shortly after the massacre at Los Cocos, handwritten banners signed by Z-200 appeared in the departments of Alta and Baja Verapaz, Quetzaltenango and Huehuetenango. One of them stated: "The war is not with the civilian population or the government, or much less with the press ... it is against those who work with the Gulf". But the message ended with a warning: "Press, cut the crap before the war is against you".<sup>30</sup> Despite the threat, national newspapers and TV channels continue to report on the Zetas without apparent self-censorship, though local outlets must act with far greater caution.

The Zetas' increased presence in Guatemala probably results from a combination of push and pull factors: increased pressure in Mexico and Colombia and the lure of lucrative drug routes across Central America. Mauricio Boraschi, the anti-narcotics commissioner in Costa Rica, says that crackdowns in Mexico and Colombia have "generated the famous balloon effect" according to which repressing the drug trade in one region forces it to emerge in another.<sup>31</sup> The Zetas and other Mexican organisations are also drawn to the drug corridor running from Izabal on Guatemala's eastern border with Honduras and El Salvador through the central departments of Alta Verapaz and north into Petén, which borders the Mexican states of Chiapas, Tabasco and Campeche. And they have battled with other trafficking groups for control of the department of Huehuetenango, which borders Mexico on the west.<sup>32</sup>

The Zetas, unlike the established drug networks in Guatemala, are not simply *transportistas* (movers). They are a diversified mafia that runs various criminal enterprises from extortion to kidnapping to murder for hire to prostitu-

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<sup>22</sup> The newspaper *el Periódico* (15 December 2008) quoted witnesses as saying that the helicopter came prepared with medical equipment and blood serum to treat the wounded. See also Velia Jaramillo, "Alarma en el Sur", *Proceso*, 1 February 2009.

<sup>23</sup> Crisis Group interview, Guatemala City, 24 April 2011. Gutiérrez was also secretary of strategic analysis under President Portillo. He is now director of the Fundación Derechos Económicos, Sociales y Culturales para América Latina (DESC).

<sup>24</sup> Crisis Group interviews, Guatemala City, April and May 2011. See also Julie López, "El ocaso de los Lorenzana", *op. cit.*

<sup>25</sup> Crisis Group interview, Guatemala City, 24 April 2011.

<sup>26</sup> Crisis Group email correspondence, Gutiérrez, 26 September 2011. See also Edgar Gutiérrez, "Guatemala hoy: La reconfiguración cooptada sobre instituciones fallidas", in L.J. Garay and Eduardo Salcedo-Albarán (eds.), *Narcotráfico, Corrupción y Estado: Cómo las redes ilícitas reconfiguran instituciones en Colombia, México y Guatemala* (Bogotá and México, in press).

<sup>27</sup> Crisis Group interview, official, office of the public prosecutor, 14 September 2011.

<sup>28</sup> The U.S. embassy Guatemala City cable 09GUATEMALA106, dated 6 February 2009, is available from Wikileaks ([www.wikileaks.ch](http://www.wikileaks.ch)).

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<sup>29</sup> Crisis Group interviews, Cobán, 3-4 May; Puerto Barrios, 6-7 May; and San Marcos, 11-12 May 2011.

<sup>30</sup> Julio Revolorio, "'Zetas' dejan mantas advirtiéndole a la prensa limitar su cobertura", *el Periódico*, 22 May 2011. Crisis Group interviews, officials in the office of public prosecutors and the presidencia, Guatemala City, 25 and 30 August 2011.

<sup>31</sup> Alex Leff, "Mexican cartels carve bloody swath through Central America", *Global Post* ([www.globalpost.com](http://www.globalpost.com)), 4 January 2011.

<sup>32</sup> See Crisis Group Report, *Guatemala: Squeezed between Crime and Impunity*, *op. cit.*, pp. 15-16.



tion and human trafficking.<sup>33</sup> They also use their superior firepower to steal drug shipments and force Guatemalan groups to pay protection money. “The Zetas are essentially extortionists or *tumbadores* (drug bandits)”, said Miguel Castillo, a political scientist at Francisco Marroquín University.<sup>34</sup> That makes them more volatile than the traditional groups, which have cultivated support in their communities, eschewing violence that might attract too much attention and disrupt business.

Guatemala is no longer just a way station for drugs traveling from Colombia to the U.S. but increasingly a staging area and storehouse for drugs awaiting safe passage into Mexico.<sup>35</sup> This, too, increases tension among the traffickers, since it raises the risk that shipments may be stolen by competitors or confiscated by authorities. It also means that some Guatemalan traffickers are emulating the Zetas by diversifying into other businesses, such as migrant smuggling, extortion and kidnapping, all of which tend to be more violent than trafficking itself.<sup>36</sup>

Prominent among the Zetas’ ranks are former members of the Kaibiles, such as Gómez Vásquez. The Kaibiles share a military background with the Zeta founders, deserters from the Mexican army’s Special Air Mobile Force Group who were first hired as enforcers by the Gulf cartel in the 1990s. Their relationship with the Zetas pre-dates the Mexican group’s appearance in Guatemala. In September 2005, Mexican authorities arrested six heavily armed ex-Kaibiles in Chiapas, one of the Mexican states bordering Petén.<sup>37</sup> The then Mexican defence minister, Clemente Vegas, said that the Zetas were hiring Kaibiles to help train new members and replenish their ranks at a time when they were finding it difficult to recruit sufficient numbers among Mexico’s armed forces.<sup>38</sup>

By recruiting Kaibiles, the Zetas secure forces that have been intensely trained in logistics, heavy weaponry and jungle warfare. “These are men able to stand still for twelve hours without blinking”, said retired Army Colonel Mario Mérida, a director of military intelligence. “But they aren’t useful to the army after the ages of 25 to 27, so they become a valuable resource for private security

companies – or for organised crime”.<sup>39</sup> The Zetas’ mode of operations reflects their military training. About 15km from the site of the massacre in Petén, authorities discovered a campsite complete with electrical generators, a TV set, Guatemalan military uniforms and a cache of two dozen assault rifles. “They act like an invading force”, said Castillo. “They bring everything with them so they don’t have to depend on anyone”.<sup>40</sup>

Hiring ex-Kaibiles also allows the Zetas to acquire the services of combatants who are legendary – or notorious – in their own right. One of the worst atrocities committed during Guatemala’s decades-long internal conflict occurred in La Libertad, the same municipality where Los Cocos is located. In December 1982, Kaibiles slaughtered the inhabitants of the village of Dos Erres, including women and young children. Thirteen years later, during the peace negotiations, forensic experts unearthed the remains of 162 villagers in an abandoned well.<sup>41</sup> A total of 223 bodies have been found so far in common graves near the site of the massacre.<sup>42</sup>

The methods used at Los Cocos and Dos Erres were eerily similar. Survivors of both massacres said that the attackers worked methodically, interrogating and then killing each victim. The techniques used by Zetas, writes Iduvina Hernández, a human rights activist who heads the Security in Democracy project (SEDEM), are the same as those taught to Guatemalan elite troops during the armed conflict: “Immobilising with hands and feet tied behind, individual torture to get information, gradual execution ... until the group is eliminated”.<sup>43</sup> Claudia Paz y Paz, the attorney general, has said that Guatemala should review how the army recruits and trains Kaibiles and perhaps reconsider the need for army special forces. “We can’t separate what is happening now from what happened during the war and how structures were created at that time to generate terror”, she said in a television interview.<sup>44</sup>

<sup>33</sup> Crisis Group interview, presidential adviser, Guatemala City, 17 May 2011.

<sup>34</sup> Crisis Group interview, Guatemala City, 28 June 2011.

<sup>35</sup> See Thomas M. Harrigan, “US-Central America Security Cooperation”, testimony before the U.S. Senate Caucus on International Narcotics Control, 25 May 2011.

<sup>36</sup> Crisis Group interviews, presidential adviser, Guatemala City, 30 August 2011; U.S. official, Washington, DC, 26 September 2011.

<sup>37</sup> Jorge Alejandro Medellín, “Indagan nexos entre kaibiles y ‘Los Zetas’”, *El Universal* (online), 28 September 2005.

<sup>38</sup> Cited in Colleen W. Cook, “Mexico’s Drug Cartels”, Congressional Research Service, 16 October 2007, pp. 7-8.

<sup>39</sup> Crisis Group interview, Guatemala City, 27 April 2011.

<sup>40</sup> Crisis Group interview, Guatemala City, 28 June 2011.

<sup>41</sup> See “Guatemala: Memoria del Silencio”, a report by the UN-sponsored Commission for Historical Clarification (CEH). The massacre at Dos Erres is described in the Spanish version of the report, Anexo 1, vol. 1, Caso 31, which is available at <http://shr.aaas.org/guatemala/ceh/mds/spanish/anexo1/vol1/no31.html>.

<sup>42</sup> Rosario Orellana, “Inicia juicio contra 4 presuntos responsables de masacre Dos Erres”, *elPeriódico*, 25 July 2011.

<sup>43</sup> Iduvina Hernández, “Cría kaibiles y te crecerán los Zetas”, *Plaza Pública*, 20 May 2011. Also Crisis Group interview, Iduvina Hernández, Guatemala City, 17 May 2011.

<sup>44</sup> Video, CNN México, 16 June 2011, <http://mexico.cnn.com/nacional/2011/06/16/los-zetas-obtienen-el-poder-por-medio-del-terror-fiscal-de-guatemala>.

Fifteen years after the signing of the peace accords, Guatemala is now beginning to prosecute those responsible for ordering the atrocities committed during the armed conflict. Paz y Paz is the first attorney general to detain a former member of the military high command for the atrocities committed during counter-insurgency campaigns. On 17 June 2011, police arrested retired General Hector Lopez, 81, who served as army chief of staff in the early 1980s, on charges of genocide, crimes against humanity and forced disappearances. On 2 August, a “High-Impact Tribunal” convicted four former special forces soldiers to 30 years in prison for each of the victims killed at Dos Erres, bringing each sentence to more than 6,000 years.<sup>45</sup>

These are still isolated cases, however. The climate of impunity that allowed those responsible for serious human rights violations to escape justice for more than three decades today permits organised crime figures to evade prosecution. Despite the end of military rule – and the courage of individual police, prosecutors and judges – human rights activists say that Guatemala remains a country where justice is subject to the law of “plata or plomo” – bribes or bullets. “There are many causes of crime and violence in Guatemala”, said Mario Polanco of the Mutual Support Group (Grupo de Apoyo Mutuo, GAM), a human rights body that tracks homicides. “But the fundamental reason is the weakness of the state”.<sup>46</sup>

### III. VIOLENCE AND DRUGS

Over the past five years, an average of 6,000 people have been killed in Guatemala annually, a figure that approaches the number of homicides each year in the entire European Union, with nearly 36 times the population.<sup>47</sup> Only at the height of the civil conflict in the early 1980s – when the armed forces under military presidents, Romeo Lucas García and Efraín Ríos Montt, allegedly slaughtered entire villages – did violent deaths in Guatemala exceed the numbers being killed today.<sup>48</sup> To put these numbers in a regional context, the murder rate in 2010 (42 per 100,000) was 16 per cent higher than Colombia’s (38 per 100,000) and nearly triple neighbouring Mexico’s (16 per 100,000), where drug violence has surged since President Calderón launched his anti-narcotics campaign five years ago.<sup>49</sup>

Central America’s Northern Triangle – Guatemala, Honduras and El Salvador – is the world’s most violent region outside of an active war zone, according to Kevin Casas-Zamora, a former vice president of Costa Rica. “It’s a crisis that puts at risk the very significant achievements that the region has made over the past two decades”, he said, including the formation of “imperfect but reasonably good democratic systems”.<sup>50</sup>

<sup>45</sup> Emily Willard and Laura Perkins, “Four Kaibiles sentenced to 6,060 years each for Dos Erres massacre”, Unredacted: The National Security Archive (nsarchive.wordpress.com), 4 August 2011. Two ex-Kaibiles have also been arrested in Canada and the U.S. See Kate Doyle, Jesse Franzblau and Emily Willard, “Ex-Kaibil officer connected to Dos Erres massacre arrested in Alberta, Canada”, The National Security Archive (www.gwu.edu/~nsarchiv), 20 January 2011.

<sup>46</sup> Crisis Group interview, Guatemala City, 27 April 2011.

<sup>47</sup> “Informe Estadístico de la Violencia en Guatemala”, UN Development Programme (UNDP)-Guatemala, December 2007; and “Informe Anual Circunstanciado, Tomo I: Situación de los Derechos Humanos en Guatemala”, Procuraduría de los Derechos Humanos, January 2011. According to the European Union, about 6,490 people were killed in the 27 member states in 2008 (<http://epp.eurostat.ec.europa.eu>).

<sup>48</sup> Commission for Historical Clarification, annex, (<http://shr.aaas.org/guatemala/ceh/report/english/toc.html>).

<sup>49</sup> Guatemala is not the most violent country in Central America: both Honduras and El Salvador had murder rates of more than 70 per 100,000 in 2010. For Guatemala’s rate see “Homicidios en Centroamérica”, *La Prensa Gráfica*, 2010. For the other countries, see, “PNUD: Latinoamérica es la región con mayores índices de violencia”, *Infolatam*, 15 September 2011; “Honduras y El Salvador, los más homicidas”, *ContraPunto* (www.contrapunto.com.sv), 31 December 2010. For Colombia, see “FORENSIS – Descripción del comportamiento del homicidio”, Instituto Nacional de Medicina Legal y Ciencias Forenses de Colombia, 2010; “América Latina, una de las regiones más violentas, PNUD”, *CNN México*, 14 September 2011. For an analysis of rates over the past decade, see Carlos A. Mendoza, “El Triángulo Norte de Centro América: El Triángulo de la Muerte, 2000-2010”, *The Black Box* (ca-bi.com/blackbox.com), 23 July 2011.

<sup>50</sup> “A Conversation on the Future of Central America: The Challenges of Insecurity and Trade”, the Brookings Institution, Washington, DC, 20 May 2011. The Central American Integration System (SICA) focused on security issues during its 31st presidential summit in Guatemala in June 2011. This included the design of a sub-regional response mechanism and \$100 million in assistance from the U.S.

Not all these deaths can be attributed to drug trafficking. Of the 5,960 murders committed in the country in 2010, 41 per cent occurred in the department of Guatemala, the most urbanised region of the country, where gangs and common criminals are mostly responsible.<sup>51</sup> But the geography of murder outside the capital area suggests that drug traffickers – whose activities, as noted, also include human trafficking, extortion and kidnapping – are behind the violence. Apart from Guatemala, the departments with the highest homicide rates over the past five years (Chiquimula, Escuintla, Zacapa, Izabal, Santa Rosa and Petén) are located along the country's coasts and/or its northern and eastern borders.<sup>52</sup>

In a 2010 study of crime in Central America, the World Bank concluded that the principal driver of violence in the region was the illegal drug trade, outranking other possible factors such as the prevalence of youth gangs, the availability of firearms and the legacy of past conflict. It found that drug-trafficking hot spots (generally coastal or border areas with relatively high volumes of narcotics seizures) had murder rates “more than double those in areas of low trafficking intensity in the same country”.<sup>53</sup>

This means that the violence in Guatemala today is concentrated in ladino (mixed or non-native-American) regions, not in the interior departments with largely indigenous populations that bore the brunt of both guerrilla and military repression during the armed conflict.<sup>54</sup> Analysts and activists who work with the Maya population, however, fear that may be changing, as traffickers penetrate remote communities offering thousands of dollars in return for hiding truck or car loads of drugs awaiting shipment into Mexico.<sup>55</sup>

It is not trafficking alone that foments crime, analysts say. Cocaine en route to the U.S. has been traversing Central America since the 1970s. But the unprecedented amounts coming through the region today generate enormous profits that are then invested in other illegal rackets, from weap-

ons sales to prostitution to kidnapping and extortion rings. Some of the *transportistas* take payment in the form of cocaine, contributing to the rise of *narco-menudeo* (small-scale drug dealing). “Drug money has a cascading effect”, said Francisco Jiménez, a former Guatemalan government minister. “It provides the capital for a whole series of other illicit enterprises”.<sup>56</sup>

What makes Guatemala so important to traffickers? Geography is obviously key. As the northernmost country of Central America, it is the gateway to Mexico for drugs arriving in Central America from South America by air, land and sea. Drugs arriving anywhere in Central America must necessarily pass through Guatemala on their way overland through Mexico and into the U.S. After peaking in 2008 and 2009, drug flights into Petén and other remote regions have declined, according to experts in Guatemala City and Washington, who attribute the decrease to improved air interdiction with the help of a fleet of helicopters provided by the U.S. But drug flights into neighbouring Honduras appear to be increasing.<sup>57</sup> From there, traffickers ship their cargos across the border into the departments of Izabal, Zacapa or Chiquimula and then move them through Alta Verapaz or Petén and into Mexico.

Since the 1990s, air and sea interdiction by the U.S. Coast Guard has made it difficult to ship South American drugs into the U.S. through the Caribbean. Greater pressure by authorities in Colombia has also made it harder to export directly from that country, forcing traffickers to move cocaine through Ecuador, where it leaves by boat for northern ports on the Pacific coast, or through Venezuela, where it heads north along the Caribbean coastline via boat and plane.<sup>58</sup>

About 95 per cent of the cocaine in the U.S. comes through Central America and Mexico, according to U.S. government assessments.<sup>59</sup> The amount shipped directly from South America to Mexico has declined dramatically over the past five years as Mexican authorities put more pressure on the cartels. While in 2006 55 per cent of the illegal narcotics heading for the U.S. landed first in Mexico, by 2010 that amount had dropped to just 7 per cent. Instead, drug shipments land first in Central America. The percentage of U.S.-destined drugs arriving in Honduras

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<sup>51</sup> Calculation based on data from “Informe Anual Circunstanciado”, Procuraduría de los Derechos Humanos, op. cit.; and “Informe Estadístico de la Violencia en Guatemala”, UNDP, op. cit.

<sup>52</sup> “Guatemala hacia un Estado Comunitario, Informe de Desarrollo Humano 2009/2010”, UNDP-Guatemala, 2010, p. 369.

<sup>53</sup> “Crime and Violence in Central America”, World Bank, September 2010, p. 22.

<sup>54</sup> According to the Commission for Historical Clarification (CEH), annex, op. cit., El Quiché suffered nearly half the human rights violations during the war. In contrast only 1 per cent of the homicides committed over the past five years occurred in El Quiché, according to figures from the UNDP and the Procuraduría de los Derechos Humanos.

<sup>55</sup> Crisis Group interviews, Guatemala City, 5 May; Izabal, 7 May; and San Marcos, 11 May 2011.

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<sup>56</sup> Crisis Group interview, Guatemala City, 14 September 2011. Jiménez now coordinates security and justice programs for Interpeace, an independent peacebuilding organisation that works with the UN.

<sup>57</sup> Crisis Group interviews, Guatemala City, 20 April 2011; and Washington, DC, 4 April 2011.

<sup>58</sup> See map in Appendix B and graph in Appendix C below. On the increasing shipments from Venezuela, see Crisis Group Latin America Report N°38, *Violence and Politics in Venezuela*, 17 August 2011, p. 7.

<sup>59</sup> Harrigan, testimony, op. cit., p. 3.

has risen from 7 per cent to 24 per cent over the past five years; the amount coming in via Panama is up from 3 per cent to 24 per cent and through Guatemala from 9 per cent to 17 per cent. About 12 per cent comes through Costa Rica, a proportion that has remained fairly stable, with the remainder landing in Nicaragua (2 per cent), Belize (2 per cent) and El Salvador (1 per cent) or unknown locations.<sup>60</sup>

As the quantities of illegal drugs passing through the narrow Central American isthmus have increased, so has competition for control of drug routes. “Central America is a bottle neck that stands between Colombian suppliers and Mexican distributors”, said John Bailey, a professor at Georgetown University in Washington. “Transshipment is intensely competitive and very lucrative”.<sup>61</sup> When the drugs get closer to the U.S., their value multiples. A kilo of cocaine worth \$1,000 wholesale in Colombia more than doubles in value to \$2,500 when it reaches Panama, then rises to \$6,500 in Costa Rica, \$10,500 in Honduras and reaches \$13,000 by the time it gets to Guatemala. At its final destination in the U.S., that kilo is worth about \$30,500 wholesale, an increase of more than 3,000 per cent over its original price in Colombia.<sup>62</sup>

Geography is not the only reason that Guatemala and the rest of Central America have become crucial to the drug trade. Poverty provides it with a vast, marginalised population that is easy to recruit or intimidate. Half of Guatemala’s population lives below the national poverty line. About a quarter are illiterate.<sup>63</sup> The region also has an abundance of both legal and illegal weapons, including stocks left over from the civil wars. Guatemala, which imposes few controls on the sale of firearms or ammunition, has the highest rate of civilian gun ownership in Latin America, with more than twice as many guns per 100 people (sixteen) as either neighbouring El Salvador (seven) or Honduras (six).<sup>64</sup>

But most analysts agree that the crucial advantage Guatemala offers to organised crime and common criminals alike is what it does not have: effective state institutions”. It is not a question of failed states”, said Carlos Castresana, the Spanish prosecutor who directed CICIG from 2007 to 2010. “It is a question of absent states, because between citizens and criminals, there is nothing”.<sup>65</sup>

## IV. THE INSTITUTIONAL VACUUM

Institutional weakness is not new to Guatemala. During much of the twentieth century, the armed forces dominated the state, operating with little regard for elected officials, judicial authorities or the constitution. There are elected presidents, who can and have reorganised the military and the police, and an elected Congress, which controls the budget. The constitution provides for a judiciary that is independent of the executive and legislature. But despite the end of military rule and internal conflict – and hundreds of millions of dollars in international aid – Guatemalan leaders have not managed to build strong political and judicial institutions. Guatemalans are still waiting to collect their peace dividend.

### A. LEGACIES OF AUTHORITARIAN RULE

Until the 1990s, the armed forces considered itself the “spinal column” of the government, supervising not only internal security but also operations ranging from customs and border control to civic action and vaccinations.<sup>66</sup> Civilian power remained subordinate to military leaders, who protected the interests of certain economic and political elites, ignoring (or repressing) the impoverished Mayan majority. After the CIA-engineered coup that toppled Jacobo Arbenz in 1954, the army ruled Guatemala directly or indirectly for four decades. Of the sixteen presidents from 1954 to 1996, only six were elected (in violent, often fraudulent contests that excluded the left), and three of these were former military officers.<sup>67</sup>

The result was an authoritarian state that was both militarily brutal and institutionally weak. U.S. Ambassador Viron Vaky, in a prescient 1968 memo, warned that his government’s support for Guatemala’s counter-insurgency strategy had “deepened and continued the proclivity of Guatemalans to operate outside the law”. The army’s indiscriminate elimination of opponents, Vaky went on, “says in effect that the law, the constitution, the institutions mean nothing, the fastest gun counts”.<sup>68</sup> Atrocities peaked in the early 1980s, when the army slaughtered peasant farmers believed to be sheltering guerrilla forces, espe-

<sup>60</sup> U.S. government interagency estimates made available to Crisis Group in June 2011.

<sup>61</sup> Crisis Group interview, Washington, DC, 7 April 2011.

<sup>62</sup> UNODC estimates from 2008 cited in “Crime and Violence”, World Bank, op. cit., p. 38.

<sup>63</sup> World Bank data, op. cit.

<sup>64</sup> “Crime and Violence”, World Bank, op. cit., p. 75.

<sup>65</sup> “A Conversation on the Future of Central America”, op. cit. Also Crisis Group interview, Carlos Castresana, Washington, DC, 22 May 2011.

<sup>66</sup> See Susanne Jonas, “Democratization through Peace: The Difficult Case of Guatemala”, *Journal of Interamerican Studies and World Affairs*, 42, no. 4, special issue: “Globalization and Democratization in Guatemala” (winter, 2000), p. 16.

<sup>67</sup> Kees Koonings and Dirk Kruijt (eds.), *Societies of Fear: The Legacy of Civil War, Violence and Terror in Latin America* (London, New York, 1999), Appendix II, National Executives of Guatemala, pp. 56-57.

<sup>68</sup> U.S. Department of State, Policy Planning Council, memorandum, 29 March 1968, reproduced in National Security Archive Electronic Briefing Book, no. 11, document 5.

cially in the northern, heavily indigenous provinces of Quiché, Huehuetenango and Alta Verapaz.

Under international pressure and supervision, three democratically-elected governments negotiated a series of peace agreements with guerrilla forces beginning in 1990 and culminating six years later in the final “Accord for a Firm and Lasting Peace”. Donors pledged \$3.2 billion in aid, about two-thirds of it in the form of grants.<sup>69</sup> Rule-of-law reform garnered \$300 million in pledges, so much that experts feared the justice and law enforcement sectors would not be able to absorb all the new funding.<sup>70</sup>

Fifteen years later, Guatemala has little to show for foreign assistance designed to bolster rule of law. Despite rising levels of violence, it has so far proven incapable of devising a national strategy to combat crime. In 2009, under pressure from a diverse coalition of civil society groups, the executive, legislative and judicial branches signed a “National Accord for the Advancement of Security and Justice”, including 101 proposals based largely on measures agreed to under the 1996 accords. Two years later, another sweeping accord lay fallow, victim to fragmented politics. “We don’t seem to be able come together on any national project”, said Héctor Rosada-Granados, a security expert who played a key role in the 1990s peace negotiations. “We don’t think in terms of national problems but in terms of the problems facing the poor or the rich or the indigenous. We still can’t imagine a country that holds all of us”.<sup>71</sup>

Security and justice sector reforms remain a key focus of U.S. and European multilateral and bilateral aid to Central America. From 2009 to June 2011, donors contributed approximately \$1.3 billion in the form of grants or loans for multi-year projects to improve security in the region.<sup>72</sup> Of this, \$497 million was in bilateral grants, with Guatemala receiving two-thirds (\$325 million). Despite the apparent success of individual projects – such as the 24-hour courts established in Guatemala City and two neighbouring municipalities – the country’s law enforcement and judicial institutions remain underfunded and demoralised.

## B. LAW ENFORCEMENT AND JUSTICE

The peace accords of 1996 included an ambitious agenda to reform the military and strengthen civilian power. No

longer would internal security be the principal mission of the armed forces, which were charged instead with defending Guatemala’s territorial sovereignty. The agreement mandated the reduction of the army by one-third in size and budget. It also ordered the dismantling of the paramilitary Civilian Self-Defence Patrols (blamed for numerous abuses in rural areas), along with the rest of the counter-insurgency apparatus. In place of the National Police, a small, poorly trained force that was subordinate to the military, the accords called for the creation of a new National Civil Police (PNC) with more and better trained personnel, formal hiring and promotion procedures and a commitment to being genuinely multi-ethnic.

In terms of troop numbers, the requirements of the peace agreement have been fulfilled, even exceeded. Under Alvaro Arzú, the president who signed the accords, the army trimmed its size from about 47,000 in 1996 to 31,000 the following year.<sup>73</sup> Nine years later another conservative president, Oscar Berger, cut the army back to about 15,000 troops, half what was mandated under the Peace Accords, in an effort to reduce costs and create a smaller, more professional military.<sup>74</sup> The police grew from about 12,000 in 1996 to 17,000 in 1999 to about 25,000 today, 25 per cent above the 20,000 stipulated under the peace accords.<sup>75</sup>

Despite these increases, Guatemala still has a small police force relative to its population. At 169 per 100,000 inhabitants, the number of officers per capita is well below neighbouring El Salvador (362), Nicaragua (197) and Honduras (184).<sup>76</sup> Size is not the only factor that affects the PNC’s ability to fight crime. In a country where about half of the population is indigenous, 84 per cent of the police are not.<sup>77</sup> Moreover, the indigenous communities speak more than twenty Mayan languages, plus a non-Mayan language (Garifuna) on the Caribbean coast. Few precincts have enough or the right kind of translators to work in rural communities.

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<sup>73</sup> UN Mission for Guatemala (MINUGUA), cited in J. Mark Ruhl, “The Guatemalan Military since the Peace Accords”, *Latin American Politics and Society*, 47, no. 1 (spring 2005), p. 60.

<sup>74</sup> Crisis Group interviews, Guatemala City, 24 April and 17 May 2011.

<sup>75</sup> “Informe anual circunstanciado”, Procuraduría de Derechos Humanos, op. cit., p. 30. See also, “Rescuing Police Reform: A Challenge for the New Guatemalan Government”, WOLA, January 2005.

<sup>76</sup> See “Tentáculos de la criminalidad trascienden fronteras en Centro América”, Ministerio de la Gobernación de Guatemala, 30 May 2011 ([www.mingob.gob.gt](http://www.mingob.gob.gt)).

<sup>77</sup> “Informe Nacional de Desarrollo Humano 2009-2010”, UNDP, op. cit., p. 202. On the indigenous population, see “World Directory of Minorities and Indigenous Peoples”, UN High Commissioner for Refugees (UNHCR), September 2011, which estimates that Guatemala’s 21 different Maya groups make up about 51 per cent of the national population.

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<sup>69</sup> Rachel Sieder, et al., “Who Governs? Guatemala Five Years after the Peace Accords”, Hemisphere Initiatives, January 2002, p. 2.

<sup>70</sup> Report No. ICR0000623, World Bank, 10 March 2008, p. 3.

<sup>71</sup> Crisis Group interview, Guatemala City, 26 April 2011.

<sup>72</sup> “Mapeo de las intervenciones de Seguridad Ciudadana en Centroamérica financiadas por la cooperación internacional”, Inter-American Development Bank, Washington Office on Latin America (WOLA), June 2011.

The professional, multi-ethnic police force envisioned in the peace accords is still far from a reality, according to Helen Mack, a long-time human rights activist appointed by President Colom to head a police reform commission. “In the PNC you find all the structural problems of Guatemala: discrimination, exclusion, racism”, she said.<sup>78</sup> Higher standards – such as the requirement that police have a high school degree and complete ten months of police academy training – have been undermined by scandals, including accusations that promotions and scholarships for foreign study are being bought and sold.<sup>79</sup>

Meanwhile, the rank and file is battling increasingly sophisticated criminals with little institutional or professional support. Police earn about 4,000 quetzales a month (approximately \$520). Most do not work in their hometowns (a policy designed to limit corruption and favouritism), so they live at their precincts while on duty, often in miserable conditions, and spend hours commuting home by bus on their days off.<sup>80</sup>

Police in Salamá, in Baja Verapaz, a department in north central Guatemala, said they stayed in a small rented house near the station, with 30 men sharing two bathrooms. But they consider themselves better off than before: until recently many had to bunk in empty jail cells.<sup>81</sup> In Izabal, a coastal department that borders Honduras, El Salvador and Belize, an officer said that when all are on duty, some are forced to sleep on the floor and in hallways.<sup>82</sup>

Police “are tired and bored; they don’t sleep well and they don’t eat well”, said Mario Mérida, the former director of military intelligence. “That means they are individuals who are very vulnerable to being bought”. Mediocre pay and miserable facilities undermine not only efforts to curb corruption but also the broader goal of transforming the PNC into a professional force. “The conditions they live and work in are demoralising”, said Mack. “The self-esteem of the police is very low”.<sup>83</sup> Maria Xol, with the Executive Committee for Justice in Alta Verapaz, an NGO that trains police, said that even good officers quickly became demoralised. “There is no real incentive to do your best or seek promotion”, she said. “They don’t even see themselves as authorities”.<sup>84</sup>

Members of the PNC interviewed in Alta and Baja Verapaz, Izabal and San Marcos – key border or transit departments – voiced similar complaints: they did not have enough vehicles, and those they had broke down frequently, spending days, even weeks, in the garage. The gas ration – seven gallons a day – was insufficient to cover both towns and rural areas reachable only via rugged dirt roads (and often unreachable during the rainy season). Even if they managed to get to remote villages, they could not interview the inhabitants for lack of translators proficient in local languages.

All complained that compared to criminals, the police packed little firepower. “Here we are with our *pistolitas*, and they have automatic rifles”, said an officer in Izabal. “What can we do when confronted with that kind of power?” The majority of agents carry only revolvers, though some have automatic weapons, generally the Israeli-made Tavor assault rifle. Traffickers, meanwhile, carry assault weaponry, including AK-47, AR-15 or M-16 rifles, grenades and even RPGs. In addition to weapons, authorities have also seized army uniforms and body armour from traffickers. “We don’t need incentives or benefits or bonuses”, the officer in Izabal replied when asked what his men wanted most; “we need bullet proof vests”.<sup>85</sup>

Traffickers flaunted their superior force in Salamá in November 2010, a month before authorities declared a state of siege in the neighbouring province of Alta Verapaz. According to police, several dozen men wearing balaclavas and carrying assault rifles and grenade launchers (*bastones chinos*) surrounded the station, located on the highway between Guatemala City and Cobán. They showed the police bundles of cash in both quetzales and dollars. “Some spoke with Mexican accents; others were Guatemalan. From the way they acted, they seemed to be ex-military”, said a policeman. “They wanted to make sure that the police here would work with them, not any other group”.<sup>86</sup> Only the imposition of the state of siege saved them from further attack, the Salamá police said.

Money, firepower, mobility – especially the ability to disperse and regroup quickly – give traffickers a clear advantage over police. “We outnumber them, but we’re spread out”, an officer said. “We travel two men to a vehicle. They drive around with ten men in each pickup, and usually there’s more than one pickup”. Such blatant displays of force stopped temporarily when the government deployed troops to Alta Verapaz in December and January. But by April, two months after the state of siege ended, traffickers were again driving around with their weapons on display, according to local police and residents. Sever-

<sup>78</sup> Crisis Group interview, Helen Mack, Guatemala City, 16 May 2011.

<sup>79</sup> Ibid.

<sup>80</sup> Crisis Group interviews, police officers, Alta Verapaz, Izabal and San Marcos, May 2011.

<sup>81</sup> Crisis Group interview, Salamá, 2 May 2011.

<sup>82</sup> Crisis Group interview, Puerto Barrios, 7 May 2011.

<sup>83</sup> Crisis Group interview, Helen Mack, Guatemala City, 15 May 2011.

<sup>84</sup> Crisis Group interview, Maria Xol, Asociación de Justicia de Alta Verapaz, Cobán, 3 May 2011.

<sup>85</sup> Crisis Group interview, Izabal, 7 May 2011.

<sup>86</sup> Crisis Group interview, Salamá, 2 May 2011.

al pickups blocked a police car on a road not far from the station, a policeman said, just to intimidate.

In Morales near the north-eastern coast and Malacatán on the western border with Mexico, both police and residents told similar stories. “The *narcos* travel in three or four cars, with their weapons in sight”, said an officer in Malacatán. “They have the newest cars and the biggest weapons”, said a teacher in Morales, “and they travel in convoys”. By such displays of force, the traffickers vividly demonstrate to both authorities and local residents that they are wealthy, well-armed and utterly unafraid of arrest.

Perhaps the PNC’s greatest disadvantage is the widespread distrust felt toward law enforcement by the population. A study prepared for the U.S. Agency for International Development (USAID) by the Latin American Public Opinion Project found that the public had less confidence in the police than in any other justice sector institution. In a survey that graded confidence in political institutions on a 1 to 100 scale, the police score of 31 was only slightly better than that of political parties (29), the least trusted political institution. The army, in contrast, got a score of 56, while the most respected institutions were the Catholic and evangelical churches, with scores of 66 and 65, respectively.<sup>87</sup>

The PNC’s image problem deprives it of a vital law enforcement tool: citizen cooperation. In every precinct visited, officers complained that the local population would not cooperate. “There is no tradition of reporting to the police”, said one in Cobán. “We don’t have an accurate idea of what is going on in many communities”. “In the highlands, they don’t have faith in the authorities”, said another in San Marcos, where there is a large indigenous population and a growing problem of opium poppy cultivation. “The respect of the population has been lost”.

Police acknowledged that Guatemalans had good reason to fear collaborating with law enforcement. “A lot of information leaks out”, said the officer in Izabal. “And everyone knows that the state cannot protect most witnesses”.<sup>88</sup> By the time agents managed to execute search warrants, he said, criminals had almost always fled, along with the evidence: “Police, prosecutors, the judge himself might warn them”. Suspicion also hampers collaboration among the police themselves. In one precinct, an officer advised against visiting a station in a nearby town, warning that it was “very infiltrated; you never know who you are talking to”.<sup>89</sup>

This lack of trust both within institutions and among the general public also hampers the work of prosecutors. “The general attitude is that saying anything to authorities will just get you and your family into trouble, even killed”, said a prosecutor in Puerto Barrios. A prosecutor in San Marcos said it was important to gather evidence as quickly as possible. “Most people will only give you information if you talk to them right away, at the scene of the crime itself. If they have a chance to go home, their family will convince them that it is too dangerous to say anything”.<sup>90</sup>

In Cobán, a prosecutor said that his office had heard rumours that traffickers were extorting local businessmen but could not confirm such tips without community collaboration. “No one dares present a complaint”, he said. “They are afraid there might be Zetas here in the MP”. Such fears, he added, were not unreasonable. “I am terrified myself that there might be people here who know or work with the Zetas. But if I suspect someone, how can I prove it?”<sup>91</sup>

Prosecutors said that new tools – such as DNA analysis and greater access to wire taps – were helping them solve crimes that would have been nearly impossible to investigate a few years ago. But like the police, they suffered from a lack of resources. Lines for wire taps are in especially short supply, said one in San Marcos. “For every ten requests I make, I might get one”.<sup>92</sup>

Despite high rates of drug-related violence, most prosecutors work with little or no security. District offices visited in Cobán, Puerto Barrios and San Marcos during early May were protected only by one lightly armed guard, who took visitors’ names without searching their belongings. Outside the office, most prosecutors have no security. A prosecutor who worked in a border town in San Marcos said he had been followed several times by a luxury SUV with tinted glass, a vehicle associated in small towns with traffickers. “All I can do is try to leave the office and my home at different times and change my route”, he said.<sup>93</sup>

The prosecutor in Cobán said the office of public prosecutors had requested additional police protection to no avail: local forces were already stretched providing security to government officials and politicians. “I go to the courthouse alone, on foot, and so do the other prosecutors”, he said. “I am terrified something will happen to one of our staff”.<sup>94</sup>

<sup>87</sup> Dinorah Azpuru, et. al., *Cultura política de la democracia en Guatemala, 2010* (Guatemala, 2010), pp. 120-121.

<sup>88</sup> Crisis Group interview, Puerto Barrios, May 2011.

<sup>89</sup> Crisis Group interview, Alta Verapaz, May 2011.

<sup>90</sup> Crisis Group interview, San Marcos, 11 May 2011.

<sup>91</sup> Crisis Group interview, Cobán, 3 May 2011.

<sup>92</sup> Crisis Group interview, San Marcos, 12 May 2011.

<sup>93</sup> Crisis Group interview, San Marcos, 12 May 2011.

<sup>94</sup> Crisis Group interview, Cobán, 3 May 2011.



His worst fears became reality on 24 May 2011, when the dismembered remains of Vidaurre, the 36-year-old auxiliary prosecutor, turned up in five black plastic bags in downtown Cobán. Although extra security was provided to the office in Alta Verapaz, Attorney General Paz y Paz's requests for additional funding to protect prosecutors in other high-risk regions remain unmet. Not only is there no extra money for security, there is less money for overall operations. Despite facing increased challenges, the budget for prosecutors decreased from 2010 to 2011, according to Paz y Paz, who fears she may be forced to cut employee salaries.<sup>95</sup>

## V. GUATEMALAN NETWORKS

Drug traffickers have used Guatemala as a route into Mexico and the U.S. for decades. By the late 1970s, when the country was still under military rule, Colombian trafficking groups were already moving large amounts of cocaine into Central America by boat and plane and from there into Mexico and the United States. Although the Caribbean offered a more direct route to U.S. consumers, the Central American isthmus furnished a feasible alternative. Drugs often entered through Honduras and from there into eastern Guatemala, where the family-based drug networks first emerged.<sup>96</sup> Key to the passage were close relations with the military officers who controlled border posts and customs.<sup>97</sup>

According to some reports, the first major Guatemalan *capo*, Arnoldo Vargas, was a customs official who had collaborated with the armed forces in the paramilitary squads that operated in his home province of Zacapa during the 1960s and 1970s.<sup>98</sup> He later became mayor of the departmental capital, a post that provided him with political protection until 1990, when U.S. authorities charged him with smuggling tons of cocaine.<sup>99</sup> Vargas's reputed successor in Zacapa, Waldemar Lorenzana, also reportedly once worked as a customs official.<sup>100</sup> Though Lorenzana never held political office, he continued the tradition of maintaining good relations with local authorities and popular support within the community.<sup>101</sup> Unlike the Zetas, these Guatemalan groups are experts in public relations, careful to maintain their popularity through gifts and public works.

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<sup>96</sup> Steven S. Dudley, "Drug Trafficking Organizations in Central America: Transportistas, Mexican Cartels and Maras", in Eric L. Olson, David A. Shirt and Andrew Selee (eds.), *Shared Responsibility: US-Mexico Options for Confronting Organized Crime* (Washington, DC, 2010), p. 66.

<sup>97</sup> Crisis Group interview, Héctor Rosada, 26 April 2011. Rosada, a UN consultant and expert on Guatemalan politics and security, calls the military the "historical operatives" who had for decades controlled the introduction of contraband.

<sup>98</sup> Crisis Group interview, Miguel Castillo, political scientist, 28 June 2011. See also Julie Lopez, "Guatemala's Crossroads: The Democratization of Violence and Second Chances", in Cynthia J. Arnson and Eric L. Olson (eds.), "Organized Crime in Central America: the Northern Triangle", Woodrow Wilson Center Reports on the Americas, no. 29 (September 2011), p. 148.

<sup>99</sup> It took the U.S. two years to secure Vargas's extradition. See below and Shelly Emling, "U.S. miffed at Guatemala drug case", *Los Angeles Times*, 22 March 1992.

<sup>100</sup> Crisis Group interview, Edgar Gutiérrez, DESC, Guatemala City, 29 April 2011.

<sup>101</sup> See Julie Lopez, "Guatemala's Crossroads", op. cit., p. 176; and "El ocazo de los Lorenzana", *Plaza Pública* ([www.plazapublica.com.gt](http://www.plazapublica.com.gt)), 29 April 2011.

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<sup>95</sup> Crisis Group interview, Guatemala City, 25 August 2011.

## A. SOCIALLY ACCEPTABLE TRAFFICKERS

On 26 April, Guatemalan authorities arrested Lorenzana, also known as “the Patriarch”, as he rode in a pickup truck with his grandson along a dirt road in El Jícaro, a municipality in the arid, central-eastern department of El Progreso.<sup>102</sup> It was an anti-climactic end to a game of cat and mouse that had gone on for two years. Authorities had tried to capture Lorenzana – as well as his three sons and two other members of the family clan wanted on U.S. drug charges – half a dozen times since a U.S. court issued a warrant for their arrest on cocaine smuggling charges.

The most spectacular attempt came in July 2009, when police, army and justice officials (with the support of the U.S. Drug Enforcement Administration, DEA) converged on the Lorenzana compound in the small town of La Reforma, Zacapa, in a massive, helicopter-supported operation. Although the joint U.S.-Guatemalan action netted a cache of weapons, it failed to take any of the fugitives.<sup>103</sup>

Instead, Lorenzana relatives mounted a publicity campaign to denounce what they called an illegal and abusive home invasion. Family members showed TV reporters through their ransacked living and bed rooms. Demonstrators took to the streets of La Reforma holding signs denouncing U.S. involvement (“DEA: Injustice for Humanity”, in broken English) and vowing support for a clan many seemed to view as civic benefactors (“Lorenzana family: We’re with you”, in Spanish).<sup>104</sup> Lawyers then managed to halt further arrest operations for a year with judicial motions arguing that executing the U.S. extradition request was unconstitutional.

Two weeks after the Constitutional Court finally upheld the warrants, the office of public prosecutors seized an opportunity to arrest the elder Lorenzana without generating an uproar. When wiretaps indicated that he planned to travel without his usual security detail, investigators decided to move quickly. According to prosecutors, preparations for the operation were kept under tight wraps in an effort to avoid the leaks that often allow fugitives to escape just before police arrive. Only six officials within the office knew about the plans. They mustered ten elite police officers without revealing the nature of their mis-

sion.<sup>105</sup> The secrecy paid off when the team succeeded in taking the 72-year-old patriarch by surprise, unarmed.<sup>106</sup>

Lorenzana’s capture illustrates both the progress and pitfalls of Guatemalan anti-narcotics operations. Unlike past operations conducted with the obvious presence of U.S. DEA agents, it was carried out by Guatemalan forces, who acted despite the family’s considerable political and economic power in the departments of Zacapa, El Progreso, Jalapa and Chiquimula in the east and Petén in the north.<sup>107</sup> In addition to their alleged involvement in drug trafficking, the Lorenzanas reportedly own or control multiple legitimate businesses, including a fruit exporting firm and construction companies that have won lucrative government contracts. The operation demonstrated “that the current authorities are not compromised by links with any criminal structure”, said Government Minister Carlos Menocal following Lorenzana’s capture.<sup>108</sup>

But although Guatemalan authorities carried out the arrest themselves, they did so in response to a U.S. extradition request. There are no Guatemalan indictments against the Lorenzana family, prosecutors say.<sup>109</sup> Nor do the leaders of other major Guatemalan syndicates – such as the Ponce families in the east, the Zarceños along the southern Pacific coast and the Chamalé network in the south west – face any known criminal charges in the country, though their names are routinely linked to drug trafficking by government officials, both publicly and privately.<sup>110</sup>

In an interview with a Spanish reporter, President Colom accused his predecessors of having “planned to turn over the country” to drug traffickers, listing by name some of those he considered the principal syndicates. “Everybody spoke about the Lorenzanas, the Mendozas, the Ponce ... but no one touched them”, he said. “Impunity was total. So much so that the Lorenzanas had seven farms registered in their name in the Mayan biosphere reserve”.<sup>111</sup>

<sup>102</sup> Ronald Mendoza, “Cae Waldemar Lorenzana, presunto capo”, *Siglo21*, 27 April 2011.

<sup>103</sup> Luis Ángel Sas, “Falla operativo en Zacapa para capturar a integrantes de la familia Lorenzana”, *elPeriódico*, 22 July 2009.

<sup>104</sup> “Apoyo multitudinario a los Lorenzana”, video, Youtube, [www.youtube.com/watch?v=0Nf0PTp8ZzM](http://www.youtube.com/watch?v=0Nf0PTp8ZzM).

<sup>105</sup> Crisis Group interview, office of public prosecutors, Guatemala City, August 2011.

<sup>106</sup> “Capturan a Waldemar Lorenzana a petición de EE.UU”, *Prensa Libre*, 26 April 2011.

<sup>107</sup> Crisis Group interviews, Guatemala City, April, May and August 2011. See also Julie Lopez, “El ocaso de los Lorenzana”, *Plaza Pública*, 29 April 2011.

<sup>108</sup> “Capturan a Waldemar Lorenzana”, op. cit.

<sup>109</sup> Crisis Group interviews, prosecutors, Guatemala City, 14 September; presidential adviser, Guatemala City, 30 August 2011.

<sup>110</sup> Crisis Group interview, presidential adviser, Guatemala City, 30 August 2011. “Autoridades siguen pista a seis grupos del narcotráfico”, *Prensa Libre*, 5 April 2011.

<sup>111</sup> Pablo Ordaz, “Entrevista: Álvaro Colom, Presidente de Guatemala: ‘Los narcos nos están invadiendo’”, *El País*, 24 May 2011. A prosecutor said that although the state had rejected the Lorenzanas’ title to properties within the Petén reserve in 2006, the family continued to use the land. There are no open investi-

Moreover, the secrecy necessary to arrest Lorenzana – after multiple failures attributed to information leaks – vividly demonstrates the vulnerability of public institutions to bribery and intimidation. Guatemalan officials admit that the power of drug money and fear of retaliation make it difficult to carry out anti-narcotics operations in some regions and can even compromise national institutions. “Our greatest problem is the infiltration of the state”, said Attorney General Paz y Paz, “In regions where drug traffickers have a greater presence, they have been able to penetrate the office of public prosecutors, the PNC and the courts. No institution is immune”.<sup>112</sup>

These traditional (*criollo*) syndicates – “*los narco-traficantes decentes*” (the respectable drug traffickers) an official in the presidency called them – have not engaged in the spectacular acts of indiscriminate violence that have characterised some Mexican groups such as the Zetas. Instead they combine intimidation with largesse.<sup>113</sup> “It is a mistake to assume that drug traffickers always use violence”, said Sandino Asturias of the Centre for Guatemalan Studies. “They need to cultivate a social base that will protect them and provide them with good intelligence” on the movements of both police and their competitors.<sup>114</sup>

This largesse is believed to extend to national political parties, though the opacity of campaign financing makes it impossible to prove.<sup>115</sup> Guatemala, one of the hemisphere’s poorest countries per capita, runs what observers estimate are among the region’s most expensive political campaigns per capita. Mirador Electoral, a coalition of non-profit groups that monitor political campaigns, calculates that by mid-August, the fifteen parties participating in the 2011 campaign had spent more than \$34 million. Otto Pérez Molina’s Patriot Party alone spent \$11 million, according to the group, well above the \$6 million ceiling set by the Supreme Electoral Tribunal.<sup>116</sup>

These family networks have also taken care to maintain good public relations at the local level, donating lavishly to town fiestas, constructing or repairing schools and churches, offering aid to the needy and paying generous salaries and benefits to their farm workers. In San Marcos, Ortiz Lopez and his thoroughbred horses figured prominently in local parades; in Izabal and Petén, the Mendozas,

another family allegedly linked to trafficking, are known for their support of local football teams.<sup>117</sup> In Zacapa, the Lorenzanas reportedly donated land and built 60 houses for families left homeless after the Rio Motagua flooded in 2010.<sup>118</sup>

Nonetheless, it would be a mistake to portray such groups as benign. They are vastly wealthy and largely unaccountable to any outside authority. The border departments where they operate are among the most violent regions of Guatemala. Residents and officials interviewed in the departments of Izabal, San Marcos and Alta Verapaz, viewed the trafficking groups as highly dangerous and almost ubiquitous, with informants who had penetrated government, business and civil society. While national leaders and experts may talk openly about these family syndicates, naming names without fear, those who live in the regions they dominate are wary of openly expressing opposition or criticism.<sup>119</sup>

Outside of formal law, the traffickers enforce contracts and agreements through force, maintaining cadres of *sicarios* (hitmen). Sources in both the interior and the capital recounted cases of land taken by force or sold under duress.<sup>120</sup> The syndicates are linked to prostitution and to kidnapping rings that allegedly force young women into sexual slavery, said Attorney General Paz y Paz. The Guatemalan groups, she added, are not “as crude” as the Zetas, “but they generate violence, especially violence against women”.<sup>121</sup>

Even locals who appreciate what the groups have done for their communities express concern about their impact on society. A teacher in Izabal credited the groups with keeping gangs and common criminals out of her town but worried about the children who have grown accustomed to seeing men armed with AK-47s driving the best, most expensive cars. “For the new generations, this is now normal”, she said, recalling how shocked she was to hear a pre-schooler playing with a toy gun say, “I am Mario Ponce, and I am going to kill everybody”.<sup>122</sup>

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gations of the Lorenzana family for illegal occupation of protected land at this time, he said.

<sup>112</sup> Crisis Group interview, Guatemala City, 25 August 2011.

<sup>113</sup> Crisis Group interview, presidential adviser, Guatemala City, 17 May 2011.

<sup>114</sup> Crisis Group interview, Guatemala City, 19 August 2011.

<sup>115</sup> See Crisis Group Briefing, *Guatemala’s Elections*, op. cit., pp. 13-14.

<sup>116</sup> “Reporte de la estimación de gastos de campaña, Período del 16 de julio al 15 de agosto de 2011”, Mirador Electoral, 30 August 2011.

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<sup>117</sup> Crisis Group interviews, community activists, San Marcos, 11-12 May; and Izabal, 6-7 May 2011.

<sup>118</sup> “Pobladores de La Reforma, Huite, claman ayuda al gobierno de Guatemala”, *El Zacapaneco* ([www.elzacapaneco.com](http://www.elzacapaneco.com)), 7 June 2010.

<sup>119</sup> Crisis Group interviews, officials and community activists, Cobán, 2-3 May, Izabal, 6-7 May and San Marcos, 11-12 May 2011.

<sup>120</sup> Ibid and also in Guatemala City, April and May 2011.

<sup>121</sup> Crisis Group interview, Guatemala City, 25 August 2011.

<sup>122</sup> Crisis Group interview, Morales, Izabal, 7 May 2011.

## B. MIXED RESULTS

To arrest and prosecute traffickers and other high-profile offenders, the authorities depend largely on small, vetted units, often funded and monitored by donors. Within the office of public prosecutors, a special unit working with CICIG has investigated both high-profile cases (such as the corruption case against ex-President Alfonso Portillo and his defence minister) and high-risk prosecutions (such as the investigation into a drug gang accused of incinerating a bus carrying sixteen people).<sup>123</sup> Within the police, there are DEA-sponsored Sensitive Investigation Units (SIUs) that operate under close U.S. supervision.<sup>124</sup>

However, as some donors admit, such units alone will not transform law enforcement or the administration of justice. “You can’t solve a country’s ills with vetted units”, said a foreign official. “If you do it right with the right interventions you can have an impact. But it’s a pinprick”.<sup>125</sup>

Nonetheless, Guatemalan trafficking groups have suffered more important drug arrests over the past year than in the previous two decades. All those arrested face charges in the U.S., and most were captured with U.S. assistance. Lorenzana’s arrest came less than a month after Guatemalan and U.S. agents arrested Juan Alberto Ortiz López, better known as “Chamalé”, in the western department of Quetzaltenango. Intelligence work allowed authorities to take the 40-year-old Ortiz without violence, after police spent days surveying a house where he was staying in Quetzaltenango, the department that borders his home territory of San Marcos.<sup>126</sup>

Ortiz, charged in a Florida court with smuggling tons of cocaine since 2007, was a bigger fish for Washington than Lorenzana.<sup>127</sup> U.S. and Guatemalan authorities believe that he was the Sinaloa cartel’s top associate in Guatemala, responsible for organising the fishing vessels that bring drugs ashore along Central America’s Pacific coast.<sup>128</sup> In October 2010, five months before his capture, Guatemalan police and the DEA arrested one of his alleged partners, Mauro Salomón Ramírez, in the southern coastal

department of Suchitepéquez. Ramírez, known as the “Lion of the Sea” or, less grandly, “the Boatman”, for his skill in bringing illegal cargo onshore, is also awaiting extradition to the U.S.<sup>129</sup>

Another “*extraditable*” captured over the past year is Byron Linares Condon, arrested 7 June in the central department of Sololá. Linares, who faces U.S. trafficking and money laundering charges, was detained originally in 2003 but skipped bail after a judge ordered his release pending trial.<sup>130</sup> In addition, two major Guatemalan traffickers were arrested recently in neighbouring countries. Authorities in Belize arrested Otoniel (“El Loco”) Turcios in October 2010, promptly handing him over to U.S. agents who put him on a plane to the U.S. Turcios has been linked to the Zetas in Alta Verapaz department.<sup>131</sup> In May 2011, Honduran police arrested Mario Ponce Rodríguez, an alleged trafficker based in Izabal department who has also been linked to the Zetas, on trafficking and money laundering charges.<sup>132</sup>

Those captured over the past year represent the most important arrests of drug kingpins on Guatemalan territory since the 1990 detention of Arnoldo Vargas, a former mayor of Zacapa, who conspired with Colombian cartels to bring cocaine into the country by air and then transport it overland into the U.S. via Mexico. Fifteen years passed after Vargas’s extradition in 1992 (following two years of motions and appeals) until Guatemalan courts granted another U.S. extradition request to turn over detained drug traffickers.<sup>133</sup> Before the string of arrests over the past year, the most important Guatemalan traffickers in jail or fac-

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<sup>123</sup> Guatemalan courts acquitted Portillo on the corruption charges but ruled that he could be extradited to the U.S. to face trial for money laundering. For more about CICIG’s achievements and obstacles, see Crisis Group Report, *Learning to Walk Without a Crutch*, op. cit.

<sup>124</sup> Crisis Group interviews, Washington, DC, April 2011. See also Harrigan, testimony, op. cit., p. 4.

<sup>125</sup> Crisis Group interview, April 2011.

<sup>126</sup> Crisis Group interviews, Guatemala City, May 2011. See also Sonia Pérez, “Guatemala’s alleged No. 1 drug trafficker captured”, Associated Press, 30 March 2011.

<sup>127</sup> Pérez, op. cit.; and U.S. Department of Justice, news release, 30 March 2011.

<sup>128</sup> Crisis Group interviews, Guatemala City, April-May 2011.

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<sup>129</sup> A failed drug bust involving Ramírez associates in September 2010 resulted in a shoot-out at the Tikal Futura mall, located in a wealthy zone of Guatemala City. The exchange of gunfire with police lasted some 30 minutes, sending shoppers scrambling for cover and killing an evangelical pastor in addition to two police officers. Although some news reports placed Ramírez at the scene, authorities now say they have no evidence that he was present. Crisis Group interview, Guatemala City, 30 August 2011.

<sup>130</sup> The release of Linares infuriated U.S. officials, according to cables published on Wikileaks. See “Jueces corruptos, un dolor de cabeza para EEUU”, *Plaza Pública*, 25 August 2011.

<sup>131</sup> Crisis Group interview, Guatemala City, 30 August 2011. U.S. embassy Guatemala City cable, 6 February 2009, op. cit.

<sup>132</sup> Ponce has been linked in news reports to the drug-related killings of fifteen Nicaraguans and a citizen of the Netherlands in 2008. See Jerson Ramos, “Presunto narcotraficante podría ser autor del asesinato de nicaragüenses y neerlandés en Zacapa en 2008”, *elPeriódico*, 12 May 2011.

<sup>133</sup> See Julie Lopez, “Guatemala: presión de EE.UU. para detener narcos”, BBC Mundo, 2 April 2011. See also Lopez’s report, “Guatemala’s Crossroads”, op. cit.

ing trial in U.S. courts (with the exception of Vargas) were all arrested in other countries.<sup>134</sup>

Why after such a long drought have Guatemalan authorities arrested so many important traffickers in less than a year? The purging of corrupt police under pressure from CICIG and the increased influence of vetted officers and prosecutors may finally be having an effect. Prosecutors and investigators also have better tools, such as wire taps and a witness protection program. According to Sandino Asturias of the Centre for Guatemalan Studies, the primary difference lies in the new leadership at the office of public prosecutors under Attorney General Claudia Paz y Paz. “Political will is fundamental”, he said. “It just wasn’t there before”.<sup>135</sup>

What is not clear is whether any of these high-profile arrests have had a significant impact on the business of drug smuggling or money laundering. While the number of important traffickers arrested is impressive, authorities have failed to dismantle the multiple networks of police and other public officials who protect them. Nor have they done more than touch what Edgar Gutiérrez calls the “Los Tumbes” (drug heists) cartel, whose members are police and agents who specialise in robbing narcotics shipments. “Everyone knows that the police steal drugs”, he said.<sup>136</sup> At the urging of CICIG, authorities in 2008 removed some 1,700 officers, including 50 senior officials, though few faced additional sanctions or investigation.<sup>137</sup>

The extent of police corruption became public in March 2010, when authorities arrested the national police chief and the head of the anti-narcotics division on charges related to the killing of five officers in a gunfight with traffickers. Surviving officers later told prosecutors that the shooting broke out when police tried to steal a stash of drugs hidden in a warehouse in Amatitlán, a municipality south of Guatemala City. The weapons used to kill the five, authorities later discovered, came from a cache that had disappeared from an army arsenal.<sup>138</sup>

Nor is there any evidence that the arrests in Guatemala have significantly weakened the drug trafficking organisations internally. Unlike Mexico, where the capture or killing of drug *capos* has sparked bloody internecine struggles, Guatemalan groups seem to have weathered the arrests without conflict. Their close-knit, family-run nature helps mitigate struggles over succession: sons or brothers are ready to take charge when the *capo* goes to jail. The three Lorenzana brothers are still at large and presumably continue to run the family business. The brother of Ortiz has reportedly taken charge of running drugs into Guatemala from the Pacific. Ponce is believed to still direct his operations from a jail cell in Honduras.<sup>139</sup> “We have arrested individuals”, said an adviser to President Colom, “but we have not damaged structures”.<sup>140</sup>

### C. CHEMICALS AND POPPIES

Two growing sectors of the international drug business in Guatemala also remain unaffected by the recent crackdown: the trafficking of chemical precursors and the cultivation of opium poppies. Chemicals used for the manufacture of methamphetamine and other synthetic drugs are imported from Asia and South America, entering the country in shipments arriving at La Aurora airport and via shipping containers through Port Quetzal on the Pacific coast.<sup>141</sup> The Colom government, citing use of Port Quetzal as a conduit for drugs and other contraband, took control of its administration in May 2011 to put in place new personnel and security systems. No arrests were announced, however.<sup>142</sup>

Despite being under government control, Port Quetzal apparently remains an entryway for precursors: Mexican authorities in August 2011 confiscated nearly 18 tons of chemicals bound for the port on board a freighter carrying cargo from India.<sup>143</sup> Police recently discovered three laboratories for the manufacture of synthetic drugs in the department of San Marcos, which borders both the Pacific Ocean

<sup>134</sup> In addition to Turcios and Ponce, three other major Guatemalan traffickers have been captured abroad in recent years: Jorge Mario (“el Gordo”) Paredes-Cordova was detained in Honduras in 2008; Otto Herrera, a key associate of the Lorenzanas, was taken into custody in Colombia in 2007; and Byron Berganza was arrested in El Salvador in 2003. With the exception of Ponce, all were rapidly turned over to the U.S., suggesting that they were followed or lured abroad by U.S. agents.

<sup>135</sup> Crisis Group interview, Guatemala City, 19 August 2011.

<sup>136</sup> Crisis group email correspondence, Edgar Gutiérrez, DESC, 8 September 2011.

<sup>137</sup> CICIG press release 003, 19 June 2009.

<sup>138</sup> Juan Manuel Castillo, “Declaraciones de ex policías fueron pieza clave para capturar cúpula policíaca”, *elPeriodico*, 2 March 2011; Luis Ángel Sas, “Armas robadas al Ejército sur-

gen a partir de septiembre 2008”, *elPeriodico*, 5 June 2009. The arrest of police chief Baltazar Gómez and anti-narcotics chief Nelly Bonilla came following an investigation into the shootout by CICIG. See “En operativo capturan miembros de PNC involucrados en tumbe de droga de Amatitlan”, CICIG press release, 21 January 2010.

<sup>139</sup> Crisis group email correspondence, Edgar Gutiérrez, DESC, 8 September 2011.

<sup>140</sup> Crisis Group interview, Guatemala City, 30 August 2011.

<sup>141</sup> Crisis Group interview, presidential adviser, Guatemala City, 30 August 2011. See also Julie Lopez, “Guatemala’s Crossroads”, *op. cit.*, p. 201.

<sup>142</sup> “Confirman intervención del Puerto Quetzal”, *Noticias de Guatemala*, 24 May 2011.

<sup>143</sup> “Aseguran 17.7 toneladas de precursores de droga en Michoacán”, *Proceso*, 24 August 2011.

and Mexico. Again, there were no reported arrests of those responsible for the laboratories.<sup>144</sup>

A Guatemalan prosecutor said investigators had little information on the groups behind the importation of precursors and manufacture of synthetic drugs. Authorities are still trying to determine who owned or rented the land on which the laboratories were located. “It’s difficult to get any information from the people who live nearby”, the prosecutor said. “It’s almost impossible to catch anyone red-handed. These labs are in remote areas; police cannot get there without attracting attention”.<sup>145</sup>

Given the location of the labs, some experts believe that the Ortiz Lopez brothers, working for the Mexican Sinaloa cartel, are behind the trafficking of synthetics.<sup>146</sup> They are thought to work alongside another organisation, the Zarceño (or Sarceño) family, that has allegedly moved contraband into Guatemala through ports in the departments of Retalhuleu, Suchitepequez and Escuintla on the Pacific coast since the 1990s. From there the illegal goods are shipped into Mexico through San Marcos.<sup>147</sup>

San Marcos is also the centre of Guatemalan opium poppy cultivation. In the three months to March 2011, Government Minister Carlos Menocal said, the police, working with the U.S. Embassy’s Narcotics Affairs Section (NAS), had already eradicated more poppy plants – worth approximately \$2 billion – than in all of 2010. “If Guatemala weren’t eradicating poppy”, he said, “it would become the second most important producing country, after Afghanistan”.<sup>148</sup>

Guatemala has enormous potential as an opium-producing country according to an international drug expert, who estimated that there were approximately 2,000 hectares already under cultivation, mostly in the department of San Marcos, and that production was expanding. Moreover, Guatemala is able to harvest more poppy plants per hectare than other countries. “Remarkably, the poppy

fields are being harvested four to five times a year”, he said. “In comparison, Colombia is doing well to get two harvests per year”.<sup>149</sup>

The eradication of poppy plants in Guatemala is time consuming and costly, involving the mobilisation and transport of several hundred security people – including personnel to pull out the plants and army troops to protect them – into mountainous regions accessible only by four-wheel drive or on foot. It is also frustrating. “It is a vicious circle”, said a narcotics prosecutor. “We destroy the plants and then three months later they are back”.<sup>150</sup>

Prosecutors who work in San Marcos said the highland farmers who cultivate poppy are among the poorest communities in Guatemala. Although a few are Ladinos, most are indigenous and speak little or no Spanish. Women and children do most of the harvesting, meticulous work that requires slitting each pod with a knife so that the latex can seep slowly out.<sup>151</sup>

Little is known about the networks that control the opium business in Guatemala. Farmers tell investigators only that the purchasers are Mexicans, who also provide them with fertilizers and insecticides. “We can’t find out who owns the land or who is buying the crop”, an investigator said. “They know but they won’t tell us”.<sup>152</sup> Officials speculate that the network controlled by Ortiz López and his brother may be involved in the opium poppy trade.

Farmers have no incentive to cooperate with a government that is largely absent from their communities, appearing only a few times a year to destroy their one lucrative crop without offering any alternatives. “We cannot ignore the human side of this”, said a prosecutor. “We come in and destroy their livelihood. What else do they have to live on?”<sup>153</sup>

## D. THE UNTOUCHABLES

A group that experts and government officials alike widely allege to be one of Guatemala’s oldest and most powerful networks has remained untouched by recent operations: the Mendoza family. The Mendozas first emerged in the eastern department of Izabal, which borders Honduras and El Salvador, but are now major landowners and investors in Petén, the large but also largely unpopulated

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<sup>144</sup> Crisis Group interview, office of public prosecutors, Guatemala City, 14 September 2011. See also “PNC localiza laboratorio de drogas sintéticas”, *Prensa Libre*, 26 June 2011.

<sup>145</sup> Crisis Group interview, Guatemala City, 14 September 2011.

<sup>146</sup> Crisis Group interviews, San Marcos, 11 May 2011; and presidential adviser, Guatemala City, 30 August 2011.

<sup>147</sup> Crisis Group interview, presidential adviser, 30 August 2011. Some analysts believe the Zarceño group (also known as the Luciano cartel) was absorbed by Ortiz Lopez’s organisation following the arrest of Allende del Mar Zarceño Castillo in Miami, Florida in 2007. Crisis Group email correspondence, Mario Merida, former head of military intelligence, 15 September 2011.

<sup>148</sup> “Incautaciones superan record”, *Noticias, Gobierno de Guatemala* (www.guatemala.gob.gt), 19 March 2011.

<sup>149</sup> Crisis Group email correspondence, 25 July 2011.

<sup>150</sup> Crisis Group interview, anti-narcotics prosecutor, San Marcos, 12 May 2011.

<sup>151</sup> Crisis Group interview, anti-narcotics prosecutors, San Marcos, 12 May 2011.

<sup>152</sup> *Ibid.*

<sup>153</sup> *Ibid.*

department that juts out of northern Guatemala, bordered by Mexico to the west and north and by Belize to the east.

The family has tended to maintain a low profile. Unlike the Lorenzanas, none of the four (or by some counts five) Mendoza brothers are on the U.S. Treasury Department's list of "Specially Designated Nationals", with whom U.S. citizens are prohibited from doing business.<sup>154</sup> The brothers have had only one publicly known brush with Guatemalan law: two were convicted a decade ago for attacking five union leaders involved in a labour dispute with the local banana company.<sup>155</sup>

Yet, from President Colom (publicly) to local officials in Puerto Barrios and Morales (privately), Guatemalans link the Mendozas to drug trafficking.<sup>156</sup> Their name also appears in a 2011 report by the U.S. Senate Caucus on International Narcotics Control and is included among the "five largest trafficking organisations in Guatemala" listed in a 2005 U.S. embassy cable published by Wikileaks.<sup>157</sup>

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<sup>154</sup> The U.S. Treasury's Office of Foreign Assets Control lists companies and individuals it considers linked to terrorism or drug trafficking. See [www.treasury.gov/resource-center/sanctions/SDN-List](http://www.treasury.gov/resource-center/sanctions/SDN-List).

<sup>155</sup> According to a complaint filed on behalf of the labour leaders in U.S. court against Del Monte Produce, owner of the Guatemalan company involved in the dispute, Obdulio and Edwin Mendoza were among a group of thugs who broke into union headquarters, beat and threatened to kill the labour leaders and forced them to sign letters of resignation. The complaint alleges the Mendozas were later rewarded with favourable long-term leases for banana plantations. It is available from International Rights Advocates ([www.iradvocates.org/LatinAmerica.html](http://www.iradvocates.org/LatinAmerica.html)). A Mendoza brother was also linked to a drug flight in 2005, but charges were apparently never filed. See "Hermano de ex director de Contraineligencia, señalado de narco", *elPeriódico*, 19 November 2005.

<sup>156</sup> Pablo Ordaz, "Entrevista: Álvaro Colom", op. cit.; Crisis Group interviews, Puerto Barrios and Morales, 6-7 May 2011.

<sup>157</sup> "Responding to Violence in Central America", a report by the U.S. Senate Caucus on International Narcotics Control, September 2011, p. 21. The reference number of the U.S. embassy cable published by WikiLeaks listing the Mendozas among the country's top trafficking groups is 05GUATEMALA1403, dated 6 February 2005. The Mendozas are also linked to trafficking in other U.S. embassy cables, including 09GUATEMALA45, dated 14 January 2009, in which Ambassador Stephen McFarland reports the pledge of a Guatemalan government minister to go after "major narcotics trafficking families, including the Lorenzanas and Mendozas". The cable notes, without elaboration, that the PNC had recently "executed a major though ultimately unsuccessful operation against the Mendozas". In addition the "Lorenzana and Mendoza drug cartels" are mentioned in the U.S. indictment of four Guatemalans and a police officer in Nashville in 2009 on charges of smuggling arms to Guatemala. See Department of Justice, U.S. Attorney, Middle District of Tennessee, press release, 27 October 2009. Members of the Lorenzana and Mendoza groups wired "substantial sums of mon-

With the exception of the Mendozas, all the family groups named in the cable (Leon, Lorenzana, Zarceño, Paredes) have lost members, either through arrest on U.S. warrants or through assassination by other criminals.<sup>158</sup>

The Mendozas' ability to stay alive and out of trouble has sparked rumours (never verified) of high-level political contacts and/or deals with other trafficking groups. Pérez Molina recently denied that his Patriot Party had worked with the Mendozas in Izabal, while accusing the governing UNE party of accepting narco-traffickers' money in Zacapa.<sup>159</sup> They are also rumoured to have arranged some sort of peace accord with the Zetas. According to government sources, family members left the country for Belize and/or Brazil for several months in 2011 for fear of the Mexican-led cartel. Their return and the fact that their properties and employees in Petén have escaped attack have fuelled speculation that they have made a business arrangement or non-aggression pact with their rivals.<sup>160</sup>

The Mendozas themselves deny any links to criminal activity. When his name emerged recently in a dispute over land in Izabal, Milton Mendoza Matta complained that his family had been unfairly maligned by the press. "There is bad faith against us", he told journalist Claudia Méndez Arriaza. "We are the victims of accusations that have never been proven. Never has a single court tried us. There does not exist in the prosecutors' offices, the courts, the U.S. embassy or in the CICIG any complaint or any evidence [that would prove] these allegations".<sup>161</sup>

Whatever the source of their wealth, the Mendozas rank among the most important landowners and entrepreneurs in the department of Izabal. Like the Lorenzana family, they

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ey" for the "purchase and export of firearms and ammunition", according to the indictment.

<sup>158</sup> See Section II above on Juancho Leon's murder. His brother, Haroldo, was murdered a day before the Los Cocos massacre; see "Asesinan a hermano de Juancho León en Petén", *elPeriódico*, 14 May 2011. On Zarceño or Sarceño, see Luis Ángel Sas, "Sarceño era jefe de narcos desde 2001, asegura la PNC", *elPeriódico*, 25 January 2007. On Paredes, see Alison Gendar, "Jorge 'Gordo' Paredes-Cordova gets 31 years in prison for leading drug-trafficking ring", *New York Daily News*, 17 April 2010.

<sup>159</sup> See Óscar Martínez, "General Otto Pérez Molina, candidato presidencial de Guatemala", *elfaro* ([www.elfaro.net](http://www.elfaro.net)), 19 September 2011. The source of the allegations was a 2007 U.S. embassy Guatemala City cable, "Pérez Molina outlines second-round strategy", published by Wikileaks and *Plaza Pública* (<http://wikileaks.org>). According to the cable, Pérez told the U.S. ambassador that his party had once had contacts with a member of the family in Izabal but that these contacts were broken off.

<sup>160</sup> Crisis Group interviews, Guatemala City and Izabal, May, June and September 2011.

<sup>161</sup> Claudia Méndez Arriaza, "Dispute en Izabal: 'Esta tierra es mía'. 'No, yo la compré'", *elPeriódico*, 25 March 2011.



own a number of legal businesses, including the Fuente del Norte bus line and the Heredia Jaguares, a football team that they have moved from Izabal to Petén and back.<sup>162</sup> Milton Mendoza is a member of the executive committee of Guatemala's national football federation.<sup>163</sup> Residents of Morales say the family owns the town's newest hotel, gas stations and a fleet of minibuses; it is even said to control its tuk-tuks, the three-wheeled auto taxis that provide local transportation. The brothers also engage in non-profit activities, local activists said, serving in the volunteer fire department and building a large, new evangelical church.<sup>164</sup>

They are known for travelling under heavy guard. When family members or their associates go through town, they do so in caravans of dual-cab pickups or luxury SUVs filled with heavily armed men, residents say. In both Morales and Puerto Barrios, the brothers are regarded as more important than city officials. "If you want to start a business", said a lawyer, "you don't ask the city; you ask the Mendozas".<sup>165</sup>

The methods of Guatemalan family mafias may be less crude than those of the more violent groups, but they are effective. Lawyers who work in Izabal said the mere suggestion that powerful traffickers are behind a deal is often enough to intimidate individuals into selling their land. Or they may simply pay a corrupt official to register a sale that never happened. "Land records are a mess", a lawyer said, adding that names or boundaries could be easily changed. "It's not uncommon to find different people listed as owners of the same parcel".<sup>166</sup>

Environmental activists are especially concerned about the purchase or appropriation of land within nature reserves and of parcels granted to indigenous communities. Non-profit groups in Izabal have worked for years to provide indigenous groups with title to their land. Now they are seeing communities sell off their parcels – whether for economic gain or from fear of reprisals – and move onto much poorer land in the mountains. Some of the land is used for export crops, such as sugar cane or African palm; some is turned into pasture, though often it will be left largely empty. "You won't even see any cattle, just a plot surrounded by fences and barbed wire", said an environmentalist, who speculated that such properties were purchased either to launder money or to warehouse contraband.<sup>167</sup>

A government official said these empty, fenced fields in remote areas could also be easily converted into landing strips. "You just remove the fences when a plane is about to land and replace them when it leaves", he said.<sup>168</sup>

Although their roots are in Izabal, the Mendozas have invested heavily in El Petén. They are not alone. Petén is the department where several major Guatemalan trafficking networks – plus the Zetas – collide. Once known mainly for natural and archaeological marvels – which still attract foreign tourists to the Mayan ruins of Tikal and the resort hotels along the Lago de Flores – it has become infamous of late for drug-related killings. Three of the four most violent (per capita) municipalities in Guatemala in 2010 (even before the Los Cocos massacre) were there.<sup>169</sup>

The Mendozas have purchased vast tracts of land in Petén, according to a recent study of interest groups in the department.<sup>170</sup> Researchers, who examined property registries, were able to identify 23 farms owned by family members in four municipalities. The total extension of their holdings was about 660 *caballerías* (nearly 30,000 hectares). The holdings are linked by a network of little travelled, unpaved roads and streams or rivers reaching to the largely unmonitored Mexican border. Witnesses told the researchers that each ranch is guarded by groups of armed men.<sup>171</sup>

The Mendoza business empire also extends into Petén, the study found. In addition to their vast ranches, one of which has tanks for raising fish, the other ventures registered in their names include construction companies, a hotel and restaurant, an importer of auto parts, an auto repair garage, agricultural and veterinary product or service providers, gas stations and several transport companies.<sup>172</sup>

The Lorenzana and Leon families have also purchased considerable land in Petén, though their holdings are not as extensive as those of the Mendozas. Also listed in the department's land registry, according to the study, are holdings owned by the family of Byron Berganza, a trafficker

<sup>162</sup> "Vuelvan a Morales", [guatefutbol.com](http://guatefutbol.com), 5 September 2011.

<sup>163</sup> Crisis Group interviews, Izabal and Guatemala City, May 2011.

<sup>164</sup> Crisis Group interviews, Izabal and Guatemala City, May 2011.

<sup>165</sup> Crisis Group interview, Puerto Barrios, 6 May 2011.

<sup>166</sup> Crisis Group interview, Puerto Barrios, 6 May 2011.

<sup>167</sup> Crisis Group interview, Guatemala City, 29 April 2011.

<sup>168</sup> Crisis Group interview, Guatemala City, 30 August 2011.

<sup>169</sup> "Informe Anual Circunstanciado", Procuraduría de los Derechos Humanos, op. cit., p. 42. The department as a whole was the seventh most violent of Guatemala's 22 departments. See Carlos A. Mendoza, "¿Porque el Petén y no el departamento de Guatemala?", *The Black Box*, Central American Business Intelligence ([www.ca-bi.com](http://www.ca-bi.com)), 14 June 2011.

<sup>170</sup> "Grupos de Poder en Petén: Territorio, política y negocios", July 2011. The study, published anonymously for the safety of the researchers, was made available on the website Insight: Organized Crime in the Americas ([insightcrime.org](http://insightcrime.org)).

<sup>171</sup> *Ibid.*, pp. 80, 84.

<sup>172</sup> *Ibid.*, p. 84.

now incarcerated in the U.S., and properties owned by three other alleged trafficking groups.<sup>173</sup>

Though the location and isolation of their landholdings could facilitate the storage and transit of drugs into Mexico, the significance of Petén to the syndicates goes beyond drug trafficking. Petén provides a means of diversifying their business interests and, perhaps more importantly, acquiring a strategic and political base. Traffickers are intimately enmeshed in local politics, where their businesses compete for lucrative public contracts and are believed to be major contributors to local and national political candidates.<sup>174</sup>

What is somewhat hidden, ignored or denied in other departments, is much more blatant in Petén. Political scientist Miguel Castillo said that the department allows Guatemalan traffickers to operate even more openly and on a larger scale than they can elsewhere in the country. “In Petén they are visible”, he said. “They have mayors and [congressional] deputies. Their power there is intact”.<sup>175</sup>

Although an official with the Colom government said Petén department was returning to normal after months under emergency decrees, he had no illusions about defeating the Zetas there. The Zetas have suffered dozens of arrests and appear to have either dispersed into other regions or gone over the border into Mexico, he said, “but they can lose ten or fifteen, and tomorrow they will get another twenty. Recruits for these groups are disposable material”.<sup>176</sup>

Nor have the operations in Petén touched the traditional groups whose vast interests penetrate the regional economy. While the ferocious violence of the Zetas forced the national government to take action against them, the Guatemalan mafias remain protected by their enormous economic clout. What former Government Minister Francisco Jimenez calls the “trafficking of influences” in Guatemala is especially intense at the local level. “So far the Zetas do not seem to have been able to penetrate local governments” as effectively as the other groups, he said, “but they may have to learn”.<sup>177</sup>

## VI. CONCLUSION

The Guatemalan government – thanks to determined officials spurred on by some international aid and considerable international (especially U.S.) pressure – has made inroads into the power of the Mexican cartels and their national counterparts. It has managed to capture major traffickers who now await extradition to the U.S. and Zeta assassins who face charges in Guatemala. But the conditions that have allowed organised crime to flourish in Central America’s most populous country remain: a weak state that cannot meet the basic needs of its own people, much less confront heavily armed international cartels flush with cash. Geography has made Guatemala an important conduit for narcotics heading into North America. Add to that institutional weakness and endemic poverty, and you have the conditions for a perfect storm of violence and corruption.

The two candidates who will face off in the second-round of the presidential elections in November 2011, have campaigned on promises to take a hardline approach on both organised and common crime. Retired General Otto Pérez Molina, the winner of the most votes in the first round, has pledged to create inter-agency task forces and special military police brigades.<sup>178</sup> His opponent, Manuel Baldizón, a wealthy businessman, has used even tougher rhetoric on the campaign trail: one of his signature promises is to reinstate the death penalty.<sup>179</sup>

Neither candidate has endorsed a frontal attack on trafficking groups, such as the one launched by the Mexican government. But the next president’s response to trafficking will depend largely on whether the brutal, internecine battles in Mexico spread into Guatemala. The massacre at Los Cocos may be remembered as a horrifying, yet isolated incident, not one of the first sallies in an inter-cartel war. Some analysts believe the Zetas may now act more like their Guatemalan counterparts, by keeping a lower profile while quietly infiltrating economic and political institutions. “Confronting the state hasn’t worked out well for them”, said a government official.<sup>180</sup>

But the domestication of the Zetas would continue the corrosion of democracy, destroying the hopes of those who fifteen years ago believed their country would finally be

<sup>173</sup> Ibid, pp. 89-90.

<sup>174</sup> Grupos de Poder provides an unprecedented analysis of how politicians distribute public contracts to their supporters.

<sup>175</sup> Sources in both the capital and Izabal said family members left Guatemala for Belize and Brazil because of threats from the Mexican cartel. They returned only after being assured of their safety. Crisis Group interviews, Guatemala City, 27 June, 30 August 2011; Izabal, 6-7 May 2011.

<sup>176</sup> Crisis Group interview, 30 August 2011.

<sup>177</sup> Crisis Group interview, 14 September 2011.

<sup>178</sup> See Agenda de Cambio, Partido Patriota ([www.partidopatriota.com](http://www.partidopatriota.com)).

<sup>179</sup> See Plan de Gobierno, LIDER Party ([www.lider.org.gt](http://www.lider.org.gt)). Although Guatemalan law permits the death penalty, its use has been suspended since 2000. President Colom has twice vetoed bills that would have reactivated the use of capital punishment. “Guatemala’s Colom vetoes pro-death-penalty measure”, *Latin American Herald Tribune*, 15 September 2011.

<sup>180</sup> Crisis Group interview, Guatemala City, 25 August 2011.

able to emerge from its violent past. Building credible, responsive democratic institutions, capable of protecting citizens and punishing criminals, will require considerable political will on the part of Guatemalan leaders and substantial financial and moral support from abroad. Donors, especially the U.S., the largest consumer of illegal drugs, must step up efforts to help Guatemalans strengthen their police and judiciary. Without capable officials backed by stable institutions, Guatemala cannot confront illicit networks of immense wealth and firepower, whose crimes extend well beyond its own borders.

Guatemala's next president must not only continue to pursue drug lords and Zeta assassins but also address the conditions that allow organised crime to flourish. That means providing police and prosecutors with the resources, training and respect they need to pursue and punish lawbreakers. To strengthen prosecutors, he should break with precedent by allowing Attorney General Claudia Paz y Paz to finish her four-year term. And to fortify police, he should fully support Police Reform Commissioner Helen Mack's efforts to create professional, effective public security forces.

The new government also needs to support CICIG. This unique multinational effort to investigate clandestine networks within the state will have a long-term impact only if elected leaders firmly endorse its efforts to purge and prosecute officials linked to illegal organisations.

Adequate resources are fundamental to any reform effort. This will require raising revenues domestically, rather than depending on donors. Historically low tax rates, loopholes and massive evasion have deprived the Guatemalan government of funds needed not only to improve nutrition, education and health care, but also to guarantee public security. The new president, however, will only secure popular support for higher taxes and more effective collection if his administration simultaneously launches serious and sustained efforts to combat corruption.

On a regional level, Guatemala and the other six nations of Central America should expand joint efforts to combat crime through mechanisms such as the Central American Integration System (SICA). Though originally created to promote trade and development, SICA has now made regional security one of its priorities. Member states must work to implement agreements that would facilitate the exchange of information, harmonise regional security policies and coordinate transnational crime-fighting operations.

Finally, international leaders, especially those in consuming countries such as the U.S., should continue and, ideally, increase their funding of programs not only to combat narcotics trafficking abroad but also to decrease illegal drug use at home. But this does not mean throwing more money into programs that have failed over decades to curb

the drug trade. Instead, political leaders and policymakers should follow the lead of the Global Commission on Drug Policy and open a genuine debate on counter-narcotics strategies that questions the basic assumptions behind current policies, evaluates the risks and benefits of different approaches and, finally, formulates viable, evidence-based recommendations for reform.<sup>181</sup>

#### **Guatemala City/Bogotá/Brussels, 11 October 2011**

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<sup>181</sup> The Global Commission on Drugs is an international panel created to continue the work of the Latin American Commission on Drugs and Democracy, initiated in 2008 by three ex-presidents (Fernando Henrique Cardoso of Brazil, César Gaviria of Colombia and Ernesto Zedillo of Mexico). Commission reports and background papers are available at [www.globalcommissionondrugs.org](http://www.globalcommissionondrugs.org).

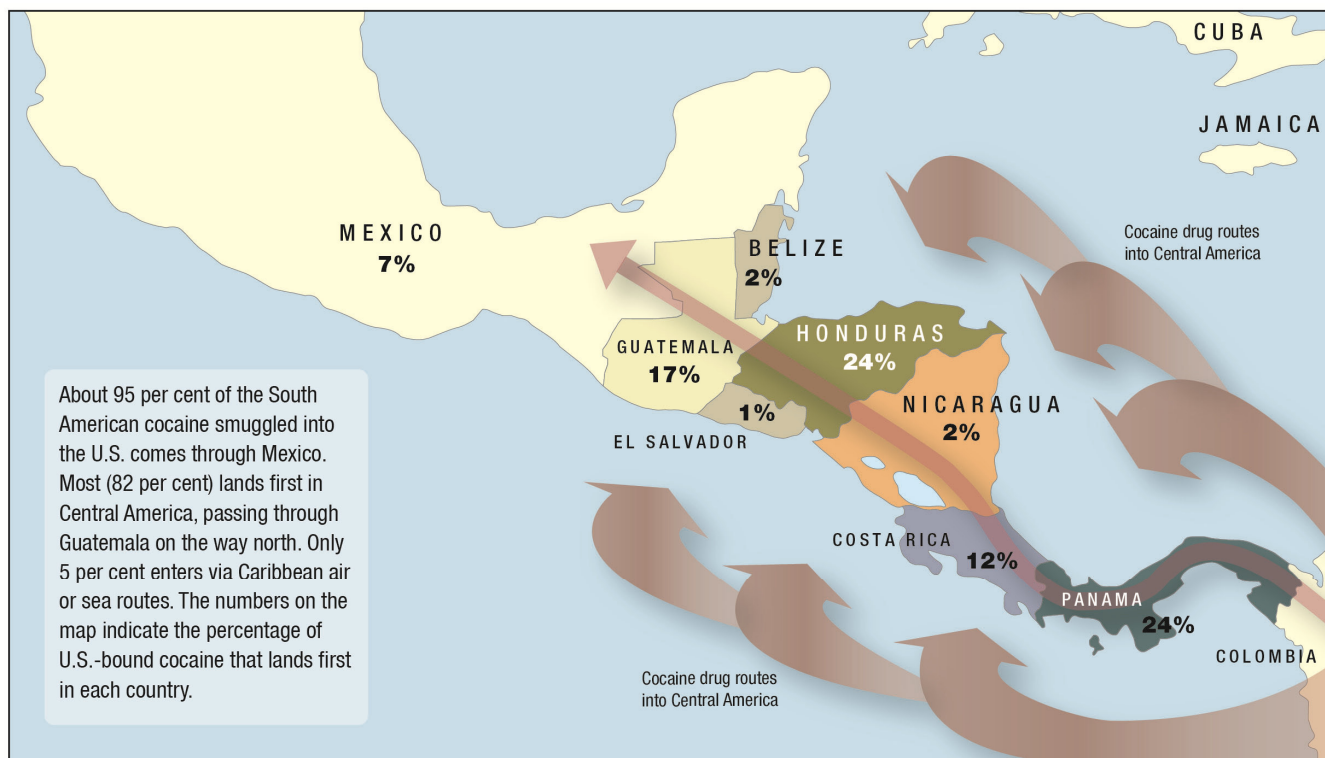
## APPENDIX A

### MAP OF GUATEMALA



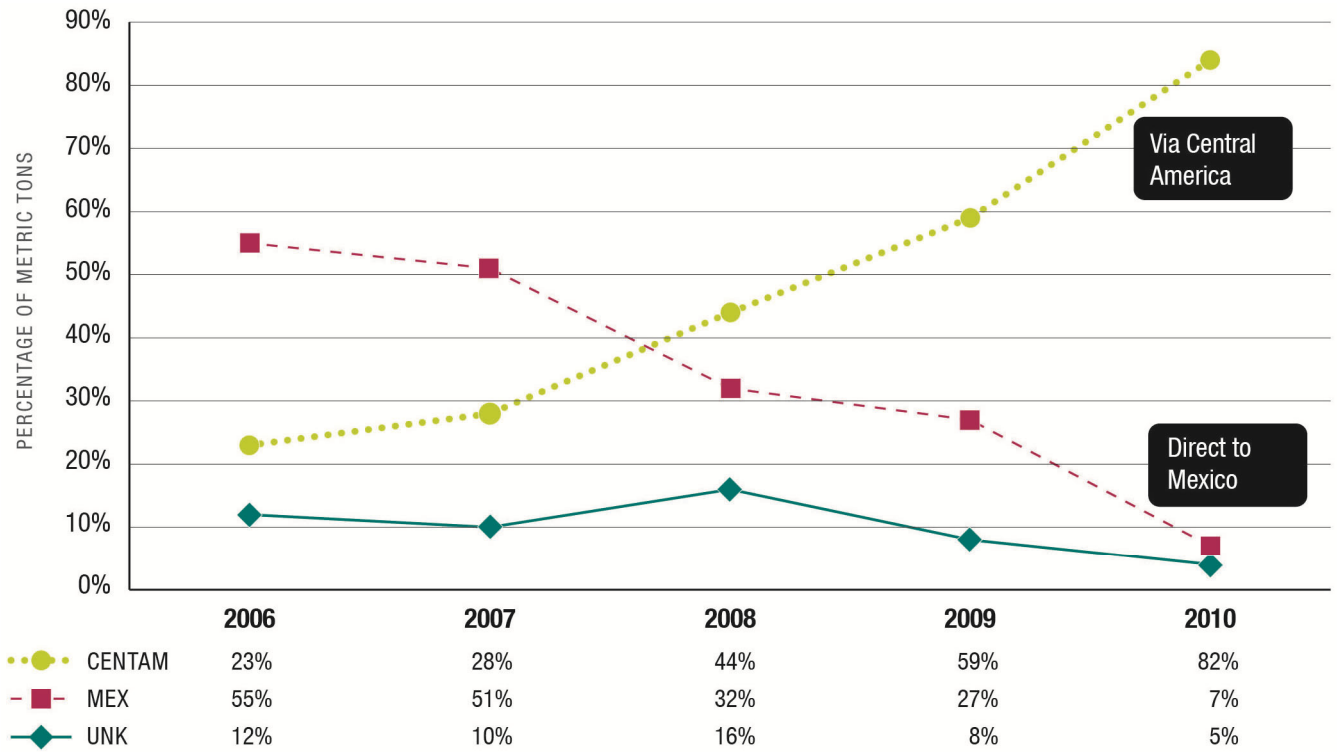
## APPENDIX B

### MAP OF COCAINE DRUG ROUTES INTO CENTRAL AMERICA



### APPENDIX C

#### SOUTH AMERICAN COCAINE SHIPPED THROUGH THE MEXICO-CENTRAL AMERICA CORRIDOR



CRISIS GROUP SEPTEMBER 2011/KO. BASED ON DECLASSIFIED U.S. GOVERNMENT DATA

*Excludes the cocaine that moved into the Caribbean Corridor (5 per cent).*

*The UNK (unknown) refers to the portion whose first stop is unknown or outside Central America. The residual reflects rounding errors in the original data.*



## APPENDIX D

### ABOUT THE INTERNATIONAL CRISIS GROUP

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The International Crisis Group (Crisis Group) is an independent, non-profit, non-governmental organisation, with some 130 staff members on five continents, working through field-based analysis and high-level advocacy to prevent and resolve deadly conflict.

Crisis Group's approach is grounded in field research. Teams of political analysts are located within or close by countries at risk of outbreak, escalation or recurrence of violent conflict. Based on information and assessments from the field, it produces analytical reports containing practical recommendations targeted at key international decision-takers. Crisis Group also publishes *CrisisWatch*, a twelve-page monthly bulletin, providing a succinct regular update on the state of play in all the most significant situations of conflict or potential conflict around the world.

Crisis Group's reports and briefing papers are distributed widely by email and made available simultaneously on the website, [www.crisisgroup.org](http://www.crisisgroup.org). Crisis Group works closely with governments and those who influence them, including the media, to highlight its crisis analyses and to generate support for its policy prescriptions.

The Crisis Group Board – which includes prominent figures from the fields of politics, diplomacy, business and the media – is directly involved in helping to bring the reports and recommendations to the attention of senior policy-makers around the world. Crisis Group is chaired by former U.S. Ambassador Thomas Pickering. Its President and Chief Executive since July 2009 has been Louise Arbour, former UN High Commissioner for Human Rights and Chief Prosecutor for the International Criminal Tribunals for the former Yugoslavia and for Rwanda.

Crisis Group's international headquarters are in Brussels, with major advocacy offices in Washington DC (where it is based as a legal entity) and New York, a smaller one in London and liaison presences in Moscow and Beijing. The organisation currently operates nine regional offices (in Bishkek, Bogotá, Dakar, Islamabad, Istanbul, Jakarta, Nairobi, Pristina and Tbilisi) and has local field representation in fourteen additional locations (Baku, Bangkok, Beirut, Bujumbura, Damascus, Dili, Jerusalem, Kabul, Kathmandu, Kinshasa, Port-au-Prince, Pretoria, Sarajevo and Seoul). Crisis Group currently covers some 60 areas of actual or potential conflict across four continents. In Africa, this includes Burundi, Cameroon, Central African Republic, Chad, Côte d'Ivoire, Democratic Republic of the Congo, Eritrea, Ethiopia, Guinea, Guinea-Bissau, Kenya, Liberia, Madagascar, Nigeria, Rwanda, Sierra Leone, Somalia, Sudan, Uganda and Zimbabwe; in Asia, Afghanistan, Bangladesh, Burma/Myanmar, Indonesia, Kashmir, Kazakhstan, Kyrgyz-

stan, Nepal, North Korea, Pakistan, Philippines, Sri Lanka, Taiwan Strait, Tajikistan, Thailand, Timor-Leste, Turkmenistan and Uzbekistan; in Europe, Armenia, Azerbaijan, Bosnia and Herzegovina, Cyprus, Georgia, Kosovo, Macedonia, Russia (North Caucasus), Serbia and Turkey; in the Middle East and North Africa, Algeria, Egypt, Gulf States, Iran, Iraq, Israel-Palestine, Lebanon, Morocco, Saudi Arabia, Syria and Yemen; and in Latin America and the Caribbean, Bolivia, Colombia, Ecuador, Guatemala, Haiti and Venezuela.

Crisis Group receives financial support from a wide range of governments, institutional foundations, and private sources. The following governmental departments and agencies have provided funding in recent years: Australian Agency for International Development, Australian Department of Foreign Affairs and Trade, Austrian Development Agency, Belgian Ministry of Foreign Affairs, Canadian International Development Agency, Canadian International Development and Research Centre, Foreign Affairs and International Trade Canada, Czech Ministry of Foreign Affairs, Royal Danish Ministry of Foreign Affairs, Dutch Ministry of Foreign Affairs, European Commission, Finnish Ministry of Foreign Affairs, French Ministry of Foreign Affairs, German Federal Foreign Office, Irish Aid, Japan International Cooperation Agency, Principality of Liechtenstein, Luxembourg Ministry of Foreign Affairs, New Zealand Agency for International Development, Royal Norwegian Ministry of Foreign Affairs, Slovenian Ministry of Foreign Affairs, Swedish International Development Agency, Swedish Ministry for Foreign Affairs, Swiss Federal Department of Foreign Affairs, Turkish Ministry of Foreign Affairs, United Arab Emirates Ministry of Foreign Affairs, United Kingdom Department for International Development, United Kingdom Economic and Social Research Council, U.S. Agency for International Development.

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**October 2011**



## APPENDIX E

### CRISIS GROUP REPORTS AND BRIEFINGS ON LATIN AMERICA AND THE CARIBBEAN SINCE 2008

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- Latin American Drugs I: Losing the Fight*, Latin America Report N°25, 14 March 2008 (also available in Spanish).
- Latin American Drugs II: Improving Policy and Reducing Harm*, Latin America Report N°26, 14 March 2008 (also available in Spanish).
- Colombia: Making Military Progress Pay Off*, Latin America Briefing N°17, 29 April 2008 (also available in Spanish).
- Bolivia: Rescuing the New Constitution and Democratic Stability*, Latin America Briefing N°18, 19 June 2008 (also available in Spanish).
- Venezuela: Political Reform or Regime Demise?*, Latin America Report N°27, 23 July 2008 (also available in Spanish).
- Reforming Haiti's Security Sector*, Latin America/Caribbean Report N°28, 18 September 2008.
- Correcting Course: Victims and the Justice and Peace Law in Colombia*, Latin America Report N°29, 30 October 2008 (also available in Spanish).
- Haiti 2009: Stability at Risk*, Latin America/Caribbean Briefing N°19, 3 March 2009.
- Ending Colombia's FARC Conflict: Dealing the Right Card*, Latin America Report N°30, 26 March 2009 (also available in Spanish).
- Haiti: Saving the Environment, Preventing Instability and Conflict*, Latin America/Caribbean Briefing N°20, 28 April 2009.
- The Virtuous Twins: Protecting Human Rights and Improving Security in Colombia*, Latin America Briefing N°21, 25 May 2009 (also available in Spanish).
- Venezuela: Accelerating the Bolivarian Revolution*, Latin America Briefing N°22, 5 November 2009 (also available in Spanish).
- Uribe's Possible Third Term and Conflict Resolution in Colombia*, Latin America Report N°31, 18 December 2009 (also available in Spanish).
- Haiti: Stabilisation and Reconstruction after the Quake*, Latin America/Caribbean Report N°32, 31 March 2010.
- Guatemala: Squeezed Between Crime and Impunity*, Latin America Report N°33, 22 June 2010 (also available in Spanish).
- Improving Security Policy in Colombia*, Latin America Briefing N°23, 29 June 2010 (also available in Spanish).
- Colombia: President Santos's Conflict Resolution Opportunity*, Latin America Report N°34, 13 October 2010 (also available in Spanish).
- Haiti: The Stakes of the Post-Quake Elections*, Latin America/Caribbean Report N°35, 27 October 2010.
- Learning to Walk without a Crutch: The International Commission Against Impunity in Guatemala*, Latin America Report N°36, 31 May 2011 (also available in Spanish).
- Guatemala's Elections: Clean Polls, Dirty Politics*, Latin America Briefing N°24, 17 June 2011 (also available in Spanish).
- Post-quake Haiti: Security Depends on Resettlement and Development*, Latin America Briefing N°25, 28 June 2011.
- Cutting the Links Between Crime and Local Politics: Colombia's 2011 Elections*, Latin America Report N°37, 25 July 2011 (also available in Spanish).
- Violence and Politics in Venezuela*, Latin America Report N°38, 17 August 2011 (also available in Spanish).
- Keeping Haiti Safe: Police Reform*, Latin America/Caribbean Briefing N°26, 8 September 2011.

## APPENDIX F

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