



# CrossCurrents

NEWSLETTER OF THE WASHINGTON OFFICE ON LATIN AMERICA • DECEMBER 2002



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## Obstacles Offset Advances for Human Rights in Guatemala

By Adriana Beltrán

Despite recent court decisions in two high profile human rights cases, the Guatemalan human rights situation has deteriorated. On October 3, 2002, twelve years after the bloody murder of renowned Guatemalan anthropologist Myrna Mack Chang, a three-judge tribunal sentenced Col. Juan Valencia Osorio to thirty years imprisonment for orchestrating her murder, and acquitted his co-defendants Gen. Augusto Godoy Gaitán and Col. Juan Guillermo Oliva Carrera. The defendants were members of the notorious Presidential High Command (*Estado Mayor Presidencial* – EMP), a unit responsible for numerous human rights violations during the country's internal armed conflict, according to the UN-sponsored Historical Clarification Commission and the Catholic Church's Recovery of the Historical Memory Project (REHMI).

This landmark conviction, and the verdicts in the case of Bishop Juan Gerardi in 2001, in which three military officers of the EMP were convicted for his murder, do set a precedent for the pursuit of justice in other human rights cases that have remained stalled within Guatemala's justice system. The convictions in the Mack and Gerardi cases are breakthroughs because for the first time judicial tribunals convicted military officers for political crimes committed during and after the internal conflict respectively. But while the decision to convict in both cases is an important step toward accountability, the cases clearly illustrate the major challenges that remain in the fight against impunity.

Bringing to trial those responsible for the murder of Myrna Mack was not an easy task. From the outset numerous people involved in the case suffered intimidation and threats. Judges and witnesses were forced into exile, a police officer investigating the case was murdered, and individuals and organizations associated with the trial, including the lawyers for the prosecution, were threatened. Threats continued even after the Inter-American Court ordered the Guatemalan government to take measures to protect the lives of those affected.

Five days after the verdict in the Mack case was issued, the human rights community was stunned by an appeals court decision to overturn all the verdicts in the Gerardi case, arguing that a key witness' testimony was flawed. Although the constitutional court has stayed the ruling, at this writing the outcome remains in doubt.

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CrossCurrents

Vol. 4 No. 3 • December 2002  
ISSN 1059-6402

## Human Rights in Guatemala

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These incidents, which occurred in spite of the high profile status of the Mack and Gerardi cases, make clear that the verdicts are an important but still small step forward. No one has yet been held accountable for the killing and disappearance of over 200,000 people, mostly indigenous, during the armed conflict.

## Attacks on Human Rights Defenders

Meanwhile, the situation of human rights defenders has deteriorated dramatically since 2000. Civil society representatives — judges and prosecutors, witnesses in key cases, trade union activists, indigenous and peasant leaders, journalists, religious leaders, and forensic anthropologists — pressing for the implementation of the Peace Accords or seeking justice for atrocities committed in the past have been subject to death threats, attacks and other acts of intimidation. Many offices have been broken into and important information stolen.

From 2000 to date, over a hundred cases ranging from threats to assassinations have been reported. Recent examples include the brutal murder of Manuel García de la Cruz, an activist with the National Council of Guatemalan Widows (CONAVIGUA); the June death threat faxed to eleven prominent human rights defenders and journalists accusing them of being ‘enemies of the State;’ the murder of Guillermo Ovalle, accountant for the Rigoberta Menchú Foundation; threats against Bishop Álvaro Ramazzini and forensic anthropologists involved in exhumations of massacre victims; and the burning of the parish house in Nebaj where original documents related to the REHMI investigation were held.

## Clandestine Groups

Many civil society actors attribute the acts of intimidation to the continued existence of clandestine groups, illegal security forces believed to have links to public security forces and organized crime that seek to prevent the investigation and prosecution of past and present human rights abuses. In its 13<sup>th</sup> report, the United Nations Verification Mission in Guatemala (MINUGUA) noted: “Commitments in the peace agreements that would give the State mechanisms to control [clandestine structures and illegal groups] have not been implemented. Shielded by impunity, these structures have regrouped and are pursuing illegal business interests and political influence . . . the President acknowledged the penetration of the State by corrupt interests . . . the Mission found evidence of one clandestine network of civilian and military officials assigned officially or unofficially to parts of the executive and judicial branch.”

In May 2002, after an official visit to assess the situation of human rights defenders, Hina Jilani, UN Special Representative of the Secretary General on Human Rights Defenders, urged the Guatemalan government to end impunity for past and current violations and to conduct a thorough and independent investigation into the allegations of violations against human rights defenders and the alleged existence of clandestine groups. Two months later, an Inter-American Commission on Human Rights delegation voiced similar concerns after visiting the country.

Although the Guatemalan government has publicly recognized the existence of clandestine groups, it has shown a lack of political will and/or ability to improve citizen security and to investigate and dismantle the clandestine groups. In March 2002, representatives of various human rights organizations met with the Security Cabinet (composed of key government ministries) and demanded

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*The following statement was issued prior to a major protest in Caracas in October. The situation in Venezuela has evolved significantly since then. At the time of this writing, a tenuous dialogue is underway between opposition and government representatives, facilitated by OAS Secretary General César Gaviria. Yet protest-related street violence continues and disgruntled military officials are speaking out against the Chávez government. WOLA advocates a solution to the present political crisis that starts from the premise that President Chávez is the legitimately elected leader of Venezuela and that falls within the framework of the country's constitution. Finally, WOLA remains concerned about the role of the U.S. government. Although the Bush administration has recently said it would not support another military intervention, U.S. officials also consistently indicate that they would welcome a change of government in the conflict-torn nation.*

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## Venezuela's Political Crisis:

### A joint statement by the Washington Office on Latin America and Human Rights Watch

October 9, 2002

In recent months, both the Washington Office on Latin America (WOLA) and Human Rights Watch have undertaken fact-finding missions to Venezuela to investigate the events surrounding the failed coup of April 2002 and to assess the present human rights situation and the continued political crisis. We share grave concerns regarding Venezuela's political stability and fear that the potential for large-scale violence remains high. The international community must remain vigilant to the continued risks to human rights, democracy and constitutional rule in Venezuela today. We call on the international community, and the U.S. government in particular, to support efforts underway in Venezuela to promote a negotiated and peaceful settlement to the present political impasse within the framework of the Venezuelan constitution and the rule of law, including strict adherence to human rights principles.

The situation following the failed coup remains polarized and tensions run extremely high. Hard-line sectors within both the opposition and the government have shown little willingness to compromise or negotiate. Both utilize tactics of inflammatory rhetoric and confrontation, creating conditions that are likely to lead to more violence. Sectors of the opposition continue to seek President Chávez's removal prior to the end of his term, with little regard for the legality or constitutionality of how that goal is achieved. The Chávez government, for its part, has failed to take sufficient steps to diffuse the present conflict and to impose the rule of law, and continues to promote a political role within government for active-duty

members of the Venezuelan military.

The situation of the news media is also of concern. Far from providing fair and accurate reporting, the media by and large seek to provoke popular discontent and outrage in support of the hard-line opposition. President Chávez, in turn, uses strong and intimidating language to verbally attack members of the media. Given the polarized political context, his statements may be interpreted by his supporters as an incitement to violence. The result is a precarious situation for journalists, who are frequently attacked and harassed.

Despite persistent rumors of another coup, it is unclear whether the conditions exist for further military action in the immediate future. Analysts believe that the military is reluctant to risk a repeat of last April's failed coup, that as an institution it is deeply divided, and that there is insufficient popular support for military action. However, this could well change if street-level violence escalates and internal public order is increasingly threatened. With each demonstration or protest, the potential for violent confrontation increases. Of particular concern is the possibility of violence on October 10, when a demonstration convened by the political opposition is to take place and will likely be met by pro-government demonstrators.

While strategies of confrontation dominate the political debate in Venezuela today, sectors within both the opposition and the government are seeking an alternative path. They are seeking to promote dialogue across the political divide and political solutions that fall within the framework of the country's constitution, such as a popular referendum in the middle of the presidential

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# Momentum for Change in Cuba Policy is Undeniable

By Rachel Farley

Two recent events illustrate the growing momentum to change U.S. policy toward Cuba: a Cuban-American Advocacy Day in Washington, DC on Sept. 18<sup>th</sup>, and a U.S. Food and Agribusiness Exhibition held in Cuba Sept. 26-30. The events highlighted two increasingly vocal sectors of the population interested in a constructive policy toward Cuba: members of the Cuban-American community and U.S. farmers (including agriculture groups and agribusiness).

Cuban-American Advocacy Day was a day of public education and legislative advocacy on Capitol Hill. Participants met with members of Congress and their staff to urge them to ease the embargo. The participants included nearly 200

Cuban-American population that attracts the most press attention; this group used to represent the majority opinion of Cuban-Americans. But the number of Cuban-Americans supportive of changing U.S. policy toward the island is growing and finding its voice. Many young Cuban-Americans born in the U.S. oppose the embargo, and more and more of their elders share their view. Many of the participants in the event were older Cuban-Americans who came to the United States in the early 1960s.

Shortly after the Advocacy Day, another notable event took place: a U.S. Food and Agribusiness Exhibition in Havana, the first such U.S. trade show in Cuba in over forty years. Over 288 exhibitors, including “companies, trade organizations and state departments of agriculture” from thirty-three states, the District of Columbia and Puerto Rico took part (according to the final report from PWN Exhibicon International LLC). The first sales of U.S. food to Cuba were in March 2002, after the passage of the Trade Sanctions Reform Act (TSRA) in 2000. The Act legalized sales of food and medicine to Cuba with the caveat that all purchases must be paid for up front in cash. From that time until the trade show, Cuba had purchased \$120 million worth of U.S. food products. At the exhibition, Cuba signed contracts to buy approximately \$92 million more of food-stuffs. According to the *New York Times*, Cuba is expected to be ranked 45<sup>th</sup> among 228 countries that bought food and agricultural products from the U.S. in 2002 (“U.S. Agribusiness Peddles to the Proletariat in Cuba,” September 27, 2002). In 2000 Cuba ranked last.

Exhibitors at the event represented constituents from at least 104 U.S. congressional districts and the home states of sixty-six senators. While the participants took no official position opposing the U.S. embargo, the sheer number of exhibitors and the level of interest in the event were a striking display of the desire of the agriculture community for unfettered access to the Cuban market. The interest of this community, and in turn, of farm-state politicians, in changing the policy is ever-increasing.

The two events came on the heels of three winning votes for easing the embargo in the House of Representatives in July. The House voted to allow

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Cuban-Americans from Miami, Florida, and more than 100 Cuban-Americans and others from across the nation. It was the first time such a large number of Cuban-Americans spoke out in Washington in support of easing the embargo. The slogan of the Cuban-American participants was “¡Yo sí voy!” (I do go!), a public proclamation of the fact that they regularly travel to Cuba, referring to the double-standard of some Cuban-Americans who proclaim support for the embargo, but break the rules of the embargo by traveling to Cuba more than once per year to visit relatives.

Generally, hard-line Cuban-Americans who support the embargo have been the part of the

# Democratizing Development:

## Lessons from Hurricane Mitch Reconstruction

By Vicki Gass

**A**s social and economic desperation grows in Latin America, progressive groups throughout the Americas need to advocate for policies that put people at the center of the development process. To help this happen, civil society actors must engage with policymakers at every level.

Since 1998, WOLA's work on economic issues has centered on responding to the crisis caused by Hurricane Mitch. Hurricane Mitch struck Central America in October 1998 causing enormous damage and loss of life, particularly in Honduras and Nicaragua. Nearly 30,000 people were killed or disappeared, and 1.5 million were displaced. Widespread agreement existed among official donors, Central American civil society organizations and international non-governmental organizations that the extent of the damage was exacerbated by the considerable environmental degradation and chronic poverty that existed in the region.

Along with the devastation and human tragedy, new opportunities emerged from the destruction. There was broad consensus that rebuilding the old Central America was neither desirable nor advisable. Instead, transforming the region with the active involvement of civil society became a priority. Opportunities materialized for civil society to influence the reconstruction and development policies of the Central American governments in favor of sustainable development, strengthening of democratic institutions, and respect for human rights.

WOLA worked with partners in the U.S., Central America, and Europe to influence the reconstruction plans, increase civil society participation, and improve donor coordination. In 2001, we developed the "Hurricane Mitch Learning Project" in order to evaluate civil society's advocacy strategies and to learn from the experience for future efforts to address issues of social, economic, and environmental vulnerability.

The result was a publication in Spanish and English entitled *Democratizing Development: Lessons from Hurricane Mitch Reconstruction*, elaborated with the active participation of non-governmental organizations in the region. The

book describes the important political and organizational successes of the post-Hurricane advocacy work. For example, civil society organizations had unparalleled levels of active participation in the Inter-American Development Bank-sponsored Consultative Group. Civil society organizations learned how international financial institutions operate, and they refined the skills required for engaging with representatives of those institutions. Finally, they achieved national and international recognition. These hard fought gains were achieved despite limited resources, internal debates on strategic priorities, overly centralized and intransigent governments, and an entrenched economic model.

Yet, civil society organizations were not as successful in policy terms, in changing legislation or altering development policies. The landmark Stockholm Accords have yet to be implemented and Central America continues to be plagued by severe social, economic and environmental vulnerabilities. *Democratizing Development* offers important lessons that can be used to achieve greater progress in future advocacy efforts, building on the successes of the Hurricane Mitch work.

These lessons include:

- 1 Civil society organizations must broaden their representativity and work toward greater institutional decentralization.
- 2 Civil society groups must maintain relationships with the bilateral and multilateral donors, analyzing donor interests more clearly in order to develop their advocacy campaigns.
- 3 Civil society organizations should develop more concrete policy objectives with which to petition both governments and the donor community.
- 4 International non-governmental organizations should continue to help Central American organizations access the official donor community, and help them advocate for aid for projects that reduce vulnerability.
- 5 International non-governmental organizations should also increase efforts to link Central

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## The following is a list of activities undertaken by WOLA between June and October 2002

### Washington Policy Work

- ▷ WOLA, Human Rights Watch, and Amnesty International issued a document critiquing **Colombia's** failure to meet human rights conditions placed on U.S. military aid.
- ▷ WOLA worked through Congress to encourage the State Dept. to respect human rights in counter-drug operations in **Bolivia**, improve alternative development, and implement the Leahy law, and met with Dir. for Andean Affairs Phil Chicola on these issues.
- ▷ WOLA produced analytical memos, worked with congressional staff and press, and mobilized support for changes in aid to **Colombia** in the 2002 supplemental appropriations and the 2003 foreign aid bills.
- ▷ WOLA Dep. Dir. Kimberly Stanton presented at a briefing on **Colombia** for congressional staff.
- ▷ WOLA signed the statement "Remembering Digna: Defending Human Rights Defenders" and joined 35 organizations in calling on **Mexico** to fully investigate attacks against human rights defenders and to implement measures for their protection, and on the U.S. to include human rights on the bilateral agenda.
- ▷ The Drugs, Democracy, and Human Rights Project produced two special updates on **Ecuador**, one on the impact of the Colombian conflict and the other on the national elections.
- ▷ WOLA sought the declassification of U.S. documents that could help the investigations of the **Peruvian** Commission for Truth and Reconciliation.
- ▷ WOLA Sr. Associate Coletta Youngers met with officials during a one-day visit to the U.S. Southern Command.
- ▷ WOLA met with staff of the Office of the UN High Commissioner for Human Rights to discuss **regional trends** in human rights.
- ▷ WOLA produced background materials for members of Congress seeking to lift restrictions on trade, travel and remittances to **Cuba**. WOLA also provided material for the broader debate on the embargo as a whole, working closely with Rep. Charles Rangel (D-NY), who offered an amendment to de-fund the entire embargo.
- ▷ Sr. Associate Geoff Thale produced educational material for the House Appropriations Committee debate, arguing that the U.S. and **Cuba** should increase cooperation on drug interdiction.
- ▷ WOLA arranged congressional meetings and prepared background materials for over 300 Cuban-Americans who came to Washington, DC for an advocacy day on Sept 18th to express their support for easing the U.S. embargo against **Cuba**.
- ▷ WOLA met with U.S. government officials to discuss the deteriorating human rights situation in **Guatemala** and the upcoming Consultative Group meeting.
- ▷ WOLA met with **Guatemala's** Ambassador to the U.S., Ariel Rivera Irías, and the Attorney General, Carlos de León Argueta.
- ▷ WOLA met with Bishop Alvaro Ramazzini to discuss human rights and land disputes in **Guatemala**.
- ▷ In response to death threats directed at eleven human rights defenders and journalists in **Guatemala**, WOLA wrote to Secretary of State Colin Powell, members of Congress and key figures in the international community, expressing the need for international attention to the situation.

### Presenting Latin American Voices

- ▷ WOLA arranged meetings with Washington policymakers for representatives from **Peru's** *Coordinadora Nacional de Derechos Humanos*.
- ▷ WOLA helped organize the visit of representatives from three of **Mexico's** main human rights groups.
- ▷ WOLA and The George Washington University co-sponsored the seminar "Democratic Transition and Human Rights in **Peru** Today" with Francisco Soberón and Gloria Cano of Peru's *Coordinadora* and Dr. Jo Marie Burt of George Mason University.
- ▷ WOLA and George Washington University co-sponsored a seminar on **Colombia** entitled, "Uribe's First Two Months: Perspectives from Civil Society," with Carolina Aldana of the human rights group Minga and Eder Sánchez of the *campesino* association of Putumayo.
- ▷ WOLA co-hosted a Hill seminar on human rights in **Colombia** with representatives of the Colombian Commission of Jurists, the Lawyer's Collective José Alvear Restrepo, Minga, and the Interdisciplinary Group for Human Rights.

- ▷ WOLA and George Washington University co-sponsored a seminar, “Challenges of Democratic Transition: The **Peruvian** Case,” featuring Dr. Enrique Bernales of the Peruvian Truth and Reconciliation Commission.
- ▷ WOLA and Amnesty International co-sponsored the seminar, “Human Rights and Peace in Chiapas, **Mexico** in the New Political Context,” with Miguel Ilvarez Gandara, who served on the mediation team for the Chiapas peace negotiations.
- ▷ WOLA and the Maryknoll Office for Global Concerns co-sponsored the seminar “An Update on **Venezuela** After the Coup Attempt” with Guido Zuleta of Fundalatin and Glen Rabut of Maryknoll’s mission in Venezuela.
- ▷ WOLA and George Washington University co-sponsored a seminar on anti-drug policy in **Peru** with Isaias Rojas, a consultant to WOLA’s drug policy project.
- ▷ WOLA hosted a presentation by Susana Villarán, **Peru’s** first Police Ombudswoman.
- ▷ Sr. Associate Geoff Thale helped to organize meetings for Héctor Silva, mayor of **San Salvador**, in September. Dr. Silva met with congressional offices, State Dept. officials and the *Washington Post*. WOLA also co-hosted a well-attended congressional reception for Dr. Silva.
- ▷ WOLA set up congressional staff meetings for Frank La Rue, Exec. Dir. of the Center for Legal Action on Human Rights (CALDH) in **Guatemala**.
- ▷ Associate Vicki Gass organized meetings for René Canjura, the mayor of Nejapa, **El Salvador**, at the IADB and USAID, to discuss civil society concerns about a proposed beltway around San Salvador.
- ▷ WOLA set up and accompanied Helen Mack, Dir. of the Myrna Mack Foundation in **Guatemala**, to meetings at the IADB, Congress, the State Dept., and other U.S. government agencies.
- ▷ WOLA co-hosted with the Committee to Protect Journalists a talk by **Colombian** journalist Ignacio Gómez.
- ▷ **Drug Policy** Project Manager Eileen Rosin traveled to **Guatemala** in connection with the project. Sr. Associate Coletta Youngers traveled to **Peru**.
- ▷ Associate Jason Hagen traveled to **Colombia** to attend the National Congress for Peace and Country and gather information on the impact of U.S. policy.
- ▷ Associate Jason Hagen accompanied a delegation from the Congressional Black Caucus to Bogotá and the Chocó region of **Colombia**.
- ▷ WOLA staff met with **Colombian** Vice-President Francisco Santos to discuss the government’s human rights priorities.
- ▷ WOLA Consultant Susan Peacock traveled to **Guatemala** to observe the Myrna Mack murder trial in September. Program Officer Adriana Beltrán distributed daily updates on the trial.
- ▷ WOLA launched an Advocacy Training School for 35 indigenous leaders and representatives of women’s organizations on the Caribbean coast of **Nicaragua**. Courses include basic advocacy methodology, coalition-building, media outreach, negotiation techniques, and legislative lobbying.
- ▷ WOLA and the Centre for Development and Population Activities (CEDPA) jointly conducted an Advocacy Training School for Multipliers in **Guatemala** to train women in the design, implementation and facilitation of advocacy training workshops.
- ▷ In September, WOLA launched an Advocacy Training School for Multipliers for leaders of INTERFOROS-Norte in **Honduras**. The 25 participants will focus on civic education, conflict resolution, coalition-building and advocacy methodology.

## Conferences and Events

- ▷ WOLA brought twelve consultants of the Drugs, Democracy, and Human Rights project to Miami for a two-day meeting to coordinate the work of the project, which examines the impact of U.S. international **drug control policies** on human rights and democracy throughout Latin America.
- ▷ Associate Jason Hagen spoke on **Colombia** and U.S. drug policy at American University in Washington and at the Resource Center of the Americas in Minneapolis.
- ▷ Associate Vicki Gass presented her publication “**Democratizing Development: Lessons from Hurricane Mitch Reconstruction**” at the Carnegie

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## WOLA in Latin America

- ▷ WOLA wrote to President Ilvaro Uribe to express concerns about his August declaration of a state of emergency in **Colombia**.
- ▷ Sr. Associate Coletta Youngers traveled to **Venezuela** to assess the political crisis in that country. WOLA issued a statement upon her return.

## WOLA Activities

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- Endowment for International Peace. Exec. Dir. Bill Spencer moderated a panel of speakers including an IADB official, the President of Interaction and a representative from the Dept. of State. Vicki also presented her findings at the Foreign Service Institute.
- ▷ Sr. Associate Rachel Neild took part in a day-long meeting of the UNDP's Bureau for Conflict Prevention and Rebuilding to discuss strategies for **security sector reform**.
  - ▷ WOLA and the Moriah Fund co-hosted the briefing "Outlook for Human Rights in **Guatemala**" with Frank La Rue, Exec. Dir. of the Center for Legal Action on Human Rights (CALDH).
  - ▷ Sr. Associate Rachel Neild took part in a two-day meeting of the International Center for Human Rights Policy to discuss the findings of their research project on "**Crime, Public Order and Human Rights.**"
  - ▷ Associate for Economic Issues Vicki Gass attended an **International Economic, Social, and Cultural Rights** workshop in New York City conducted by the International Anti-Poverty Law Center.
  - ▷ WOLA attended and helped develop materials for the National Summit on **Cuba** in September, which brought together a range of groups to show broad support for easing the embargo.
- ▷ WOLA and the Open Society Institute co-hosted a reception for the participants of the seminar, "Intelligence Agencies and the Rule of Law," organized by Security in Democracy (SEDEM) in **Guatemala**.

## WOLA in the News

- ▷ WOLA held a press conference with the Latin America Working Group, Amnesty International, and the Mexican human rights group *Centro Prodh* on the Digna Ochoa case and the situation of **Mexican** human rights defenders.
- ▷ WOLA and the Andean Information Network (AIN) provided materials and research assistance for a Washington Post article and a BBC television documentary and radio broadcast on human rights abuses in **Bolivia** linked to U.S. drug policy.
- ▷ The Drug War Monitor issue on **Bolivia** was covered in the major Bolivian newspapers *El Diario* and *Los Tiempos*. Sr. Associate Coletta Youngers was interviewed about the Bolivian elections on WBAI radio and National Indigenous Radio. Tina Hodges of WOLA and Kathryn Ledebur of AIN co-authored an opinion piece on Bolivia printed in the Miami Herald.
- ▷ Jason Hagen was interviewed on U.S. policy towards **Colombia** on NPR's *Talk of the Nation, Morning Edition*, and *LatinoUSA*, Radio France International, BBC Español, Pacifica Radio, National University Radio (Bogotá) and public radio programs in Boston, San Francisco and Seattle. He was quoted in the *Los Angeles Times*, the

## An Authoritarian Turn in Colombia

Álvaro Uribe, Colombia's new president, moved quickly to implement his "democratic security" policy after taking office last summer. On August 11 he declared a state of emergency — literally a "state of internal commotion" — that provided the legal umbrella for decree laws on a wide range of issues. Of special concern is Decree 2002, issued on Sept. 9. The decree put in place special measures for the control of public order, including authorizing security forces to carry out searches, wiretapping, and detentions without warrants. Second, it allowed Mr. Uribe to create "Zones of Rehabilitation and Consolidation," in which military commanders have operational control of all security forces, and the movement of residents and visitors, including international NGOs and journalists, can be monitored and restricted. One such zone has been established in Arauca province, where the U.S. is poised to send \$98 million to protect an oil pipeline used by Occidental Petroleum.

A second element of the "democratic security" policy involves creating a new class of conscript called the "peasant soldier" to serve in areas without a police presence. The soldiers will receive regular military training, but will serve in their hometowns and

live with their families. They will not be protected by military or police facilities while off duty, thus exposing them and their families to the reprisals of armed actors.

Mr. Uribe is also forming a one-million-person informant network to assist the military and police. The informants are paid a small sum and are eligible for rewards of thousands of dollars for important tips. There are few, if any, guarantees against these groups being infiltrated by illegal armed organizations, whether guerrillas or paramilitaries. Presented as an opportunity to cooperate with the government, the policies could end up drawing more civilians into the war as participants.

These policies raise questions about the quality of Colombian democracy and the seriousness of the government's commitment to limit violations of human rights and international humanitarian law. Nor is it clear how much security the measures will actually provide. Now that U.S. support for Colombia extends to counter-insurgency operations and the protection of energy infrastructure, the government's authoritarian turn is particularly troubling.

— Jason Hagen



## Cuba Policy

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travel (262 to 167, an increase of 22 votes for the same amendment from 2001), to end financing restrictions on the sale of food and medicine (won by a voice vote) and to lift restrictions on the sending of remittances to Cuba (251 to 177). These amendments are now a part of the House version of the Treasury-Postal appropriations bill, still pending at this writing. An amendment to end the entire embargo narrowly lost by 204 to 226, not far from the 217 votes needed to pass. This was the third year the amendment was introduced in the House; each year it has gained support.

The amendments that passed the House may not advance any further this year because the relevant appropriations bills are stalled in the Senate, although there is a possibility action will be taken during the December lame duck session. If senators are given the opportunity to vote on the measures, they are expected to pass easily. If the provisions do not move forward, it is clear that they will be re-introduced in the new Congress. On October 7<sup>th</sup> five members of Congress who support a change in policy wrote their colleagues in the House, expressing their strong desire to move ahead with the legislation:

“ . . . A majority of Americans, from all walks of life, including a growing majority of Cuban-Americans in Miami and throughout the country, believe that a new approach of constructive engagement—starting with increased travel—will better serve our national interests and our shared desire to help the Cuban people. We ought to reflect that political reality . . . ”

The two September events and the victories in the House in July occurred despite the Bush Administration's opposition to easing the embargo, strong pressure from the Administration on Congress not to do so, and President Bush's vow to veto any legislation that eases the embargo. Although support for easing the embargo is very much bipartisan — indeed, Republican Rep. George Nethercutt of Washington introduced the language in TSRA allowing for food sales — the Republicans remain especially susceptible to pressure from the Administration to keep the embargo intact. In addition, the Republicans retained their majority in the House of Representatives after the November 5 elections, and so will also maintain their leadership positions in the key committees that deal with Cuba legislation. This means that, despite the majorities in both cham-

bers that support changing the policy, it will again be challenging next year to get legislation through Congress and to the President's desk.

Nevertheless, the tide of support for change is overwhelming. Even the pro-embargo camp recognizes that the debate has changed and that support for easing the embargo is growing. As Dennis Hays, Executive Director of the pro-embargo Cuban American National Foundation said, “We're fighting the fight, and we're not dead yet, but clearly you can see the votes, and you can see which way things are going” (*Corpus Christi Caller Times*, by Kevin Diaz, September 25, 2002). U.S.-Cuba relations will not be normalized tomorrow and the Administration will continue its pro-embargo rhetoric. But the tide has shifted: those who support the embargo are fighting a rear-guard battle. Travel to Cuba and people-to-people contact between Cubans and U.S. citizens are increasing, U.S. business interest in Cuba is increasing, sales of U.S. products to Cuba are increasing, and the momentum in support for change in U.S. policy toward Cuba will continue to grow. 🇺🇸

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## Democratizing Development

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American counterparts with experts who can provide assistance on developing specific, sectoral policy objectives.

- 6 The international donor community should consider disbursing aid based on continuous evaluations of progress in targeted areas designed to reduce poverty and environmental degradation.
- 7 The international donor community should also encourage governments to implement a process of ongoing dialogue with civil society organizations on the appropriate development models for each country.

Civil society organizations in the region exerted tremendous effort in the three years following Hurricane Mitch in advocating for transformative reconstruction. As Central America faces new disasters and a worsening economic panorama, Central Americans must continue to advocate for alternative sustainable development projects that can reverse the dangerous path down which the region is heading. The lessons learned from this study will help that effort. 🇺🇸

## Venezuela's Political Crisis

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term. They are supported by the bulk of the population that opposes violence or further military action. To date, however, these sectors have little political space within which to operate and have had little echo within the national debate. Supporting these moderate sectors within Venezuelan society and government and helping them to create the political space to promote democratic alternatives is a key challenge for the international community.

The international community has taken two important steps forward in creating conditions for peace in Venezuela. First, in contrast to its initial justification of the failed coup last April, the U.S. government issued a declaration on September 18, unequivocally stating its opposition to a disruption of constitutional rule in Venezuela. Second, the Organization of American States (OAS), the United Nations Development

Program (UNDP) and the Carter Center are working together to promote dialogue in Venezuela. We fully support the OAS-UNDP-Carter Center initiative and call on the relevant actors in Venezuela to do so as well. We also urge the Venezuelan opposition and government to accept an OAS "facilitator" as soon as possible to promote dialogue and a democratic solution to the present political crisis.

Finally, we wish to underscore the crucial work being carried out by Venezuelan human rights organizations such as PROVEA, the Red de Apoyo, COFAVIC and the Vicaría Episcopal de Derechos Humanos. They are performing an important and difficult role in defending human rights in a polarized and complicated situation, and in promoting dialogue at the local level. The Venezuelan human rights community deserves the full support of the OAS's Inter-American Commission on Human Rights, and the international community more broadly. 🇺🇸

## New Publications

*In the past five months, WOLA has produced six publications! Please contact our office to place your order.*

**Democratizing Development: Lessons from Hurricane Mitch Reconstruction**, July 2002, 88 pp., \$10.00, by Vicki Gass. The result of a participatory learning process conducted with counterparts in the region, the report evaluates the roles of civil society and the international community in reconstruction efforts. *Also available in Spanish.*

**From Peace to Governance: Police Reform and the International Community**, August 2002, 82 pp., \$10.00, by Rachel Neild of WOLA and Melissa Ziegler of the Vera Institute for Justice. This is the rapporteur's report of the November 2001 conference sponsored by WOLA and Johns Hopkins SAIS. The conference compared public security reforms in Central and South America and South Africa, exploring emerging norms of "democratic policing," including the role of civil society, the international community and donor agencies in reform processes. *Also available in Spanish on our website.*

**Citizen Security Monitor, Sustaining Reform: Democratic Policing in Central America**, October 2002, 36 pp., \$5.00, by Rachel Neild. This first issue of a new WOLA briefing series compares the successes and challenges of public security reform in Central America. The brief is based upon reports by WOLA's counterpart organizations in El Salvador, Guatemala and Honduras, who conducted in-depth studies in police accountability, community relations, and transparency. *Also available in Spanish.*

**Drug War Monitor, Coca and Conflict in the Chapare**, July 2002, 24 pp., \$3.00, by Kathryn Ledebur, WOLA consultant. This first issue of a new WOLA briefing series is a product of the Drugs, Democracy, and Human Rights Project. The brief explores the impacts on human rights and democracy of U.S.-backed coca eradication in Bolivia.

**Drug War Monitor, Collateral Damage: U.S. Drug Control in the Andes**, November 2002, 16 pp., \$2.00, by Coletta Youngers. The second issue of WOLA's briefing series provides an overview of the impact of drug trafficking and U.S. international counternarcotics policy on human rights and democracy in the Andean region.

**Colombia Monitor, Colombia Cracks Down**, July 2002, 16 pp., \$2.00, by Jason Hagen. This second issue in the series analyzes the election of Colombian President Uribe as well as developments in Washington regarding U.S. policy towards Colombia.

**Peru's Coordinadora Nacional de Derechos Humanos: A Case Study of Coalition Building**, October 2002, 40 pp., \$5.00, by Coletta Youngers and consultant Susan C. Peacock. This WOLA Special Report examines the effective coalition-building and advocacy work of Peru's human rights organizations and draws lessons for other civil society coalitions. *Also available in Spanish.*

**A special thank you to Free Hand Press for the design of these publications.**

## Human Rights in Guatemala

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that the government take measures to ensure the security of human rights defenders, investigate and prosecute those responsible for the attacks, and investigate and dismantle the clandestine groups. In May, the Security Cabinet presented to the human rights organizations a report prepared by the Secretary of Strategic Analysis (SAE), which confirmed the existence of clandestine groups in the country, but did not provide new information or identify those possibly responsible. In a press interview, Edgar Gutierrez, Director of the SAE, admitted that State entities had refused to cooperate in the preparation of the report, and that the investigation was based primarily on information from MINUGUA. After months of talks that failed to produce any concrete results, the human rights organizations broke off dialogue with the government.

Attorney General Carlos de Leon Argueta, who has primary responsibility for investigating and prosecuting the threats and attacks, has assigned a special prosecutor to handle these cases. In October, he also announced that he would investigate five military officers and their possible links to organized crime. But without a significantly greater budget, more investigative personnel and the cooperation of other governmental institutions, progress on these cases is unlikely. Guatemalan human rights defenders have expressed skepticism about the government's willingness to fully investigate these cases.

## International Pressure

The United States government has begun to take steps to address the prevailing environment of impunity in Guatemala. In recent months, the U.S. Department of State has revoked the visas of several influential people, including former General Francisco Ortega Menaldo and banker Francisco Alvarado McDonald, for their involvement in organized crime, drug trafficking, money laundering and corruption. U.S. officials have publicly condemned the current situation in Guatemala. In an October hearing before the U.S. House International Relations Committee, Assistant Secretary of State for Western Hemisphere Affairs Otto Reich stated that "there is little political will in [the] government to address the past, and any type of civilian oversight of the military and its growing budget remains completely blocked . . . By all accounts, corruption has increased significantly . . . Impunity exacerbates the problem." Ambassador John Hamilton voiced similar concerns during his October nomination hearing before the Senate Foreign Relations Committee.

The 1996 Peace Accords sought to reestablish the rule of law and to address the underlying causes of the 36-year armed conflict in Guatemala. On the 6<sup>th</sup> anniversary of the signing of the Peace Accords, basic human rights continue to be threatened and many provisions of the Accords have still not been implemented. Far from building the firm and lasting peace called for by the Peace

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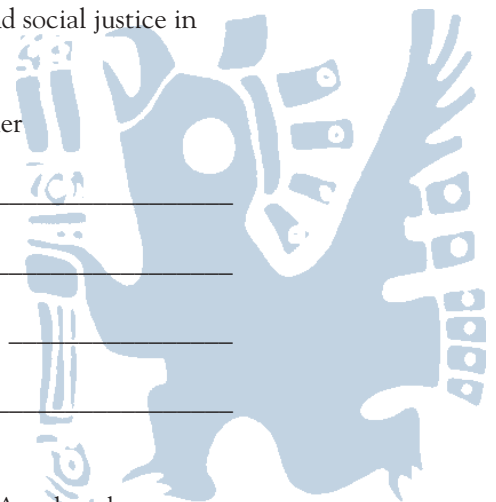
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## WOLA Staff

**Bill Spencer**

Executive Director

**Kimberly Staunton**

Deputy Director

**Coletta Youngers**

Senior Associate for the Andes and  
U.S. International Drug Policy

**Rachel Neild**

Senior Associate for Haiti,  
Police Issues and the Southern Cone

**Geoff Thale**

Senior Associate for El Salvador,  
Cuba and Nicaragua

**Jason Hagen**

Associate for Colombia

**Lori Piccolo**

Associate for Financial Development

**Jana Kurtz**

Director of Operations

**Nadia Malley**

Finance Manager

**Adriana Beltrán**

Program Officer/Guatemala  
and Media Coordinator

**Tina Hodges**

South America  
Program Assistant

**Rachel Farley**

Program Officer/Cuba

**Elsa Falkenburger**

Development Coordinator

**Eileen Rosin**

Drug Policy Project Manager

**Vicki Gass**

Associate for Economic Issues  
and Central America

**Laurie Freeman**

Associate for Mexico and Drug Policy

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**Leandro Martinez**

*Administrative Assistant*



**Washington Office on Latin America**

1630 Connecticut Avenue, NW  
Washington, DC 20009



# OVERFLOW

## Human Rights in Guatemala

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Accords, Guatemala continues to experience a climate of impunity and violence.

Civil society organizations have regularly called on the Guatemalan government to adopt immediate measures to stop acts of aggression against the human rights community and to investigate and dismantle the clandestine groups. The Guatemalan government, however, has been unwilling or unable to respond. It is crucial that the international community demand that the Guatemalan government take decisive action against those that seek to prevent the establishment of a lasting peace. 🇬🇹

## WOLA Activities

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*Houston Chronicle*, the *Miami Herald*, *El Tiempo* (Bogotá), and *El Nacional* (Caracas). He also appeared on *Univision* and *Telemundo* nightly news, as well as a Colombian debate program, *La Noche*.

- ▷ Sr. Associate Coletta Youngers was interviewed on KPFK radio on **Ecuador** and on BBC-London radio on **Venezuela**.
- ▷ Sr. Associate Coletta Youngers wrote an article for the **Peruvian** journal *ideele*, on U.S. policy towards Latin America viewed through the lens of the war on terror.
- ▷ Associate Jason Hagen wrote articles on **Colombia** for the *NACLA Report on the Americas* and the *Georgetown Journal of International Affairs*, and commentaries for the Inter-American Dialogue's *Latin America Advisor*.
- ▷ Adriana Beltrán, Program Officer for Guatemala, discussed the human rights situation in **Guatemala** on *Pacific Radio's* "Acentos." She provided interviews to the *Washington Hispanic*, *In These Times*, *Associated Press*, *Los Angeles Times* and *Voice of America* on the Myrna Mack murder trial in **Guatemala**. WOLA also provided background press materials to the *Financial Times* and *CBS Radio*. 🇬🇹