

POST-WAR VIOLENCE AND POLICE REFORM IN GUATEMALA

MARIE-LOUISE GLEBBEEK pdf

1: Policing Insecurity : Niels A. Uildriks :

dr. Marie-Louise Glebbeek Post-War Violence and Police Reform in Guatemala. Police Reform and the Peace Process in Guatemala: the Fifth Promotion of the.

Prior to the Peace Accords, policing in Guatemala had been often violent, repressive and subordinated to the counterinsurgency logic of the military. Security sector reform intentions included the abolition of existing police forces and the creation of a new National Civil Police PNC. The PNC was meant to give substance to a new way of policing in tune with the building of democratic governance and effective law enforcement. This paper examines the general background of the reforms, discusses the limitations of the results so far, and takes a particular and critical look at one of the key components of the police reform: I am grateful for Paul Garner for his comments on the conference version of the paper. At the same time, however, the Guatemalan peace process has mobilised a variety of domestic civil actors that contributed to the formulation and acceptance of a wide-ranging set of agreements on fundamental social and institutional reforms Azpuru, With the signing of the peace accord between the Guatemalan government and the former guerrilla group Unidad Revolucionaria Nacional Guatemalteca URNG in December a thirty-six year civil conflict was not only ended, but a foundation for extensive reforms was laid as well. One of the reforms agreed upon in the Accord on Strengthening Civil Power and on the Role of the Army in a Democratic Society, was the creation, in , of a single National Civilian Police Policia Nacional Civil, PNC and the promotion of constitutional amendments that would establish a clear separation between police and military roles. Police reform and this separation of roles are essential for the construction of democracy and the rule of law in Guatemala. A better-functioning police is needed to help control the organised and common crime that has been sweeping the country. Those involved in illegal activities should be arrested and prosecuted to finally end arbitrary use of violence and crime by security forces themselves, to end the impunity they have and to restore the faith of Guatemalans in their security forces. The incorporation of security sector reform in the peace accords did not mean their automatic and untroubled implementation. From the outset, the eventual success of the police reform would depend on the dynamics and outcomes of two closely interlinked processes. In the first place, substantial institutional changes were required to end the dominance of militarism in matters of policing and domestic security in general; this would in turn require substantial and sustained political support for the reform agenda. Secondly, the practice of policing would have to undergo a qualitative leap from the past: The foundation of a new Academy of the PNC for the training of police agents and officers was crucial for this aspect of the reform process. Not only was the total number of police men and women almost to be doubled, but skills, motivation and orientation of the new police force had to be made compatible with the principles of democracy and the rule of law. This article intends to provide an insight into both dimensions of the reform process. I will describe the major public security reforms signed up in the Accord on the Strengthening of Civil Society and the Role of the Military in a Democratic Society, and the problems encountered when implementing this reform. The final two sections provide a more detailed assessment of the functioning of the Academy of the PNC, its recruitment and training procedures, and the characteristics of the new police recruits. Much is expected of these new recruits and in this paper the development of one particular group of civilian PNC members is followed: Their recruitment, training and deployment will be discussed as well as their motivation for joining the PNC. If they are the ones who will change the police force, then close examination of these new members is necessary as part of the assessment of the prospects for the police reform as a whole. A history of violence During the armed conflict between the army and the insurgents, over , people were killed or disappeared as a result of political violence. According to the Commission for Historical Clarification CEH set up under the peace accords, 93 percent of human rights violations were committed by government forces and related paramilitary groups. During the conflict, the military institutions monopolised their institutional strength against all organised segments of society, thereby creating a hybrid

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civil-military political regime of violence and repression Kruijt, Although different powerful actors previously manipulated the police forces it had always succeeded in retaining a certain level of autonomy. During the armed conflict this partial autonomy was lost when the army took over the control of the police forces. The police were used to carry out counterinsurgency operations. Commonly known as the G-2, this directorate maintained units in all brigades, battalions and companies. Even when regular police and military personnel conducted kidnappings and assassinations, the G-2 was clearly involved in the selection of targets and the planning of these crimes WOLA, The police served the G-2 and worked under command of the military unit G As an ex- member of the G-2 testified: In other regions the police functioned under the command of the G-2 based in the military zones. Sometimes they had two positions at the same time, one in the police and one in the army. Even ordinary personnel such as police officers and agents often had double functions and worked at the same time for military intelligence units and for the National Police. A considerable number of individuals were mentioned in both personnel registers. So the same person wore a military uniform in the military register and a police uniform in the register of the National Police CEH, Under military command the police forces formed death squads responsible for many killings and disappearances during the armed conflict. The concepts of public security and military defence were fused. The distrust people partly still nurture these days has its causes in the systematic involvement of the police force in human rights violations and corruption. All of these attempts made between and failed due to the inability to confront corruption, military control and intimidation. Initially many international donors were interested in the Guatemalan police reform and Guatemala received some international assistance during those years. However, because of the continuation of corruption, violations, military control and lack of real progress many of these donors withdrew their support in the end. While taking office in the Vinicio Cerezo government made plans to reorganise and modernise the police. The police reform program which was published by the Ministry of Interior in says: However, foreign aid for the police reform raised concerns within the military that the Cerezo government was creating an independent source of armed power. While the Cerezo government survived the coup attempt, many of the demands these rebel-officers made were honoured. One of them was to tighten military control over the police forces Barry, Due to lack of real progress in the reform, much of the foreign co-operation was suspended or cut off. In , Serrano was inaugurated as president of Guatemala. Despite his promises to establish rule of law in Guatemala, human rights violations by security forces continued during his presidency. In May a co-operative agreement was signed between the Guatemalan and Chilean government. The Chilean Carabineros would be involved in training and technical assistance of the Guatemalan police force. The Carabineros criticised the overlap of police and military functions in public security and perhaps due to their influence a civilian was named as head of the National Police. In , the military re-established control over the police reform through the appointment of a number of army officers to form a special advisory corps to assist the Chileans with the police reform. A letter was written by the Minister of the Interior to the National Police about this commission stating: Cifuentes carried out a series of reforms to lessen the influence of the military within the police. In the end these reform efforts could not stop the escalating delinquency and political violence, accompanying the period around the peace talks in January An army attempt to remove Cifuentes was blocked by the reformed-minded Interior Minister, Ortiz. The latter was forced to resign only one month later. A new Minister of the Interior was appointed and a former head of military intelligence was named as Vice-minister in charge of public security. The president suddenly fired Cifuentes one month later. Violence against foreigners grew especially. According to some journalists, military elements would deliberately provoke the population to attack foreigners, to make it more dangerous for international observers to come to the country, to verify the implementation of the peace accords and to get even with the US Ambassador who criticised the human rights violations by the army. More important, by creating these disturbances the military could show the incapacity of the police to act and justify their own role in internal security. Although the post of General Director remained in civilian hands, military intelligence people soon filled the other ranks of the PN again. Many people involved in human rights violations, cases of

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corruption and coup attempts gained high positions within the PN. Notes were written in and are cited here with permission of author. Conte started his career as director by taking some measures against police corruption. This government initiated yet another police reform. In early , Minister of Interior Mendoza dismissed members of the police, including many commanders. Although Guatemala had returned to democracy in with the Cerezo government, every attempt to reform the security systems were either directly or in a more subtle way blocked by the military. They were afraid to lose control over internal security affairs. But finally the military were forced to negotiate and open the political arena because they needed international support, especially economic support, and needed to improve the poor image they had. Police reform and the Peace Accords At the signing of the Peace Accords, some 12, to 13, police agents were working in the National Police. If the personnel on administrative duty are subtracted, there was only one operative agent for each 4, to 5. This overall weakness made the police more dependent on the military for help in public security. It became part of the Comprehensive Peace Accord signed on 29 December In this Accord was laid down that a new national civilian police force would be created. The main public security reforms included in the Agreement on the Strengthening of Civilian Power were the following. First, the expansion in the number of police, from the current 12, to 20, by the end of Second, constitutional changes to remove the military from internal security tasks and give a single PNC force that responsibility. Fifth, the involvement of local communities in the recruitment process, a commitment that the police reflect the multiethnic character of the country. And finally, an increase in police salaries and of the public security budget Garst, One of the first decisions made by the Guatemalan government and accepted by the URNG during the peace talks was, to incorporate most members of the old police force into the new PNC. This decision was meant to protect Guatemala against a crime wave, which could have arisen when the old forces were dissolved before a new force was up to strength, as happened in neighbouring El Salvador. Besides recycling old personnel through an academy course of three months, the government decided to undertake significant recruitment from civilian sectors. According to article 30a of the Agreement on the Strengthening of Civilian Power, the new National Police force should have at least 20, members and would be functioning throughout the country by the end of Although the Peace Accords provided an important framework and opportunity for actual reform hardly any details were given on how this reform should be implemented. The government passed new legislation, doubled police salaries, re-trained previous National Police and Treasury Guard personnel, recruited and trained new PNC agents, and purchased weapons, vehicles and communication equipment. By October the PNC had 17, members deployed, of whom From onwards part of the costs were financed by the European Union. Significant changes are visible when comparing the new forces with the old corrupt and inefficient National Police. The new force has a more service- oriented spirit and was received well by the majority of the population. They are better paid, better trained and seem to be more effective than their predecessors: Although the incorporation of the old police personnel enabled the PNC to grow fast, a large number of PNC personnel ended up being formed by agents and officers from forces infamous for their corruption, abuse and incompetence. This was especially the case at the beginning of the police reform. Although requirements were extremely low and members of the PN were allowed two attempts in passing the entrance exams, many of them still failed the exam Byrne, Stanley and Garst,

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