

**Guatemala's Drug Crime Challenge:**  
How We Can Help It Cope

Testimony of

Stephen C. Johnson

Former Deputy Assistant Secretary of Defense for

Western Hemisphere Affairs

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Stephen C. Johnson served as Deputy Assistant Secretary of Defense for Western Hemisphere Affairs from January 10, 2007 until January 20, 2009. After leaving the Department of Defense he has done consulting work for the Project on National Security Reform, a Congressionally-mandated program that has received a \$3.9 million grant for FY 2009. During fiscal 2009, Mr. Johnson has received \$13,000 from that organization.

Mr. Johnson is testifying as an individual discussing his own independent opinions. The views expressed are his own, and do not reflect any institutional position of the Project on National Security Reform, or the Department of Defense.

Chairman Engel, ranking member Mack, distinguished members of the Committee:

Thank you for inviting me to testify on this timely subject—an assessment of drug trafficking as one of the chief security challenges in Guatemala. For the record, I would like to state that the views I express are entirely my own and do not represent the U.S. Government or any entities or individuals with whom I consult.

Transnational crime affects all of us and it is perhaps the most imminent security threat in the hemisphere—that is, one that affects the most people in their daily lives and currently poses the most danger to governments. Your hearing comes at a time when smuggling patterns have shifted dramatically, Mexican cartels have come to dominate distribution networks, while smaller nation-states in the Western Hemisphere have marginal capacity to deal with it.

Guatemala is one of most vulnerable countries in Central America. It is in middle of a massive drug trafficking route from the Andes to North American markets. Besides that, its 36-year civil war, legacy of impunity, and attendant problems with human rights abuse imposed a decades-long moratorium on assisting its security forces that now struggle with outdated equipment and meager training. Guatemala’s immediate neighbors cannot supply much aid—some have experienced similar political turmoil and all have tiny economies compared to the scope of the problem. Now, violent drug cartels in Mexico are extending their reach southward, taking over territory once controlled by Colombian and local traffickers. Ill prepared for the challenge, Guatemala offers a path of very little resistance.

Guatemala is not the only country struggling against transnational crime in the hemisphere. Public statements from the U.S. Office of National Drug Control Policy suggest that narcotics and arms trafficking extend north toward Canada, and south to Argentina. Drugs also move east from Colombia through Venezuela to Africa and Europe. Caribbean airspace and sea-lanes from Venezuela to Hispaniola present another huge corridor for illicit transport. If the situation spins out of control in Guatemala, however, it will weaken police efforts in neighboring countries and harm Mexico’s campaign to reign in violent criminal cartels, potentially destabilizing that country of 100 million persons on our southern border.

Although your hearing is focused on Guatemala’s problems, we should keep in mind that drug trafficking is a global criminal enterprise involving hundreds of billions of dollars.<sup>1</sup> Ultimately, efforts to reduce its impact will be successful if as many neighboring governments as possible work together, contributing what special expertise we have, according to resources we can intelligently apply.

Guatemala’s leaders and leading citizens must be encouraged and supported in organizing their government better to reduce impunity, curb corruption, improve tax collection, and strengthen law enforcement. Elites must exchange simple concern for individual wellbeing for

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<sup>1</sup> “The United Nations International Drug Control Programme (UNDCP) estimates that the illegal drug trade generates retail sales of about \$400 billion a year, nearly double the revenue of the global pharmaceutical industry or about ten times the sum of all official development assistance.”—citation from a press release “Money Laundering,” UN General Assembly Special Session on the World Drug Problem, 8-10 June 1998, UN Department of Public Information, May 1998, at [www.un.org/ga/20special/featur/launder.htm](http://www.un.org/ga/20special/featur/launder.htm) (June 6, 2009).

communitarian values. Only Guatemalans can decide to fund a larger, more professional police force. Only Guatemalans can put more youths in school and out of harm's way. Only Guatemalans can encourage sons and daughters to study for careers in public service where expertise is sorely needed.

For our part, the United States should help Guatemala analyze all that it needs to do to attack the problem—not in terms of off-the-shelf solutions which were used up to this point, but by engaging in new, creative thinking. And the United States must be realistic about financing or donating equipment. The entire FY 2009 Merida funding request for Guatemala, about \$18 million, would buy just one helicopter. That is clearly not enough to make a difference. Interdicting smugglers requires surveillance, intelligence collection, mobility, technical devices, and a legal framework for law enforcement to stay ahead of criminal actions. And, despite its abuses in the past, Guatemala's military must be improved and recognized as part of the solution, as they protect maritime, airspace, and border domains.

### **Background**

A number of factors seem to have set-up Guatemala for the transnational crime problem it now has—historical, political, demographic, economic, and global. A legacy of military dictatorship that made society comfortable with impunity and a 36-year civil war left Guatemala open to crime as fledgling democratic institutions struggled to take over in the 1980s. Shortly thereafter, Colombian drug traffickers and local crime syndicates invaded northern Central America, as neighboring states were recovering from similar civil conflicts. At the time, Guatemala was concluding its peace process, reducing the size of its armed forces and abolishing and rebuilding its police—both institutions accused of egregious human rights abuses. Returning refugees and a growing number of deportees from the United States tested public order as did former soldiers and combatants who turned to crime for a living.

Today, Guatemala's government is still trying to catch up. Elites who influence the congress seem reluctant to pay for more competent administration. The National Civilian Police does not have enough officers and is under-resourced to the point that President Alvaro Colom has had to boost military troop strength so more soldiers could support local police units. Budgets over the last decade have fluctuated between \$96 million to \$140 million.<sup>2</sup> Leadership turnovers and frequent purges of ranks to weed out corruption continue to take a toll. The number of police in 2006 was 19,600—about 150 per 100,000 inhabitants. That compares somewhat unfavorably to 16,000 in less populous El Salvador, or a ratio of about 229 per 100,000.

The justice system is overwhelmed and subject to manipulation. In 1994, Guatemala introduced a new criminal code with oral, accusatorial trials—an important reform. However, the average case takes about a year to process according to the Justice Studies Center of the Americas—unusually slow I would think.<sup>3</sup> The Bush Administration and U.S. Congress backed a United Nations plan to establish the International Commission Against Impunity in Guatemala (CICIG) to investigate human rights abuses and government involvement in crime. In 2007, the Guatemalan government ratified it and put it into force. With help from the United States, Guatemala also created an autonomous forensics lab, implemented an organized crime bill, and

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<sup>2</sup> "Policía," CEJA Americas, at [www.cejamericas.org/reporte/index.php?idioma=espanol](http://www.cejamericas.org/reporte/index.php?idioma=espanol) (June 4, 2009).

<sup>3</sup> Ibid., "Procedimiento penal."

enabled special judges to issue warrants in narcotics cases. However, these efforts will take time to bear fruit. In the meantime, accusations of corruption against government officials continue, involving even the current president in a murder investigation.

Despite a growing economy and some industrial development, half of the country lives under the poverty line and low educational attainment keeps many people from participating fully in a propitious market environment—it only takes 26 days to start a business there as opposed to Brazil’s average of 152 days.<sup>4</sup> Lagging social integration of its majority indigenous peoples contributes to extensive rural poverty, out-migration, and attendant opportunities for crime. With a gross domestic product of \$31 billion, a national budget of \$5 billion,<sup>5</sup> and police and defense budgets between \$100 million and \$150 million<sup>6</sup> respectively, Guatemala is hard-pressed to take on global drug trafficking that makes hundreds of billions of dollars a year.

Guatemala is not alone. Mexico is finally attacking cartels that have been expanding over the last two decades and is paying a grim price with a death toll that has doubled over the last year. According to recent newspaper articles, Panama’s Darien Peninsula is a no-man’s land where Colombian guerrillas trade cocaine for arms and supplies.<sup>7</sup> Costa Rica is a transshipment zone according to local officials. Nicaragua is not as affected, but its well-trained police and military need better equipment for interdiction according to the Chief of Defense.

Drug trafficking by air has been a problem in Honduras since the 1980s and, from time to time, gangs helped elevate its murder rate to one of the highest in the hemisphere. El Salvador has similar problems but its police and military seem better organized to deal with them. Belize is a country the size of Massachusetts with 300,000 people and three light planes that could be used for patrol and interdiction. Overall, the region’s radar coverage is limited, and countries must rely on monitoring from our Joint Interagency Task Force-South in Key West to alert them to possible illicit traffic. To the east, the Venezuelan coast to Hispaniola appears to comprise one of the most heavily used drug trafficking routes according to suspicious air and sea tracks.

### **A Recent Snapshot**

As Deputy Assistant Secretary of Defense for Western Hemisphere Affairs, I visited Guatemala in 2008 and met with then Defense Minister Marco Tulio Garcia Franco and other military officials. Minister Garcia said that the military took on support to law enforcement activities only reluctantly because the 1996 peace accords had specified an external defense mission for the armed forces. He pointed out frequent changes in leadership in law enforcement and defense and predicted that they would continue until Guatemala developed a pool of skilled civilian public administrators who could bring management expertise to government. He cautioned that such careers were not popular choices with young people, however.

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<sup>4</sup> “Starting a Business,” *Doing Business*, The World Bank Group, at [www.doingbusiness.org/ExploreTopics/StartingBusiness](http://www.doingbusiness.org/ExploreTopics/StartingBusiness) (June 6, 2009).

<sup>5</sup> “Guatemala,” CIA World Factbook, [www.cia.gov/library/publications/the-world-factbook/print/gt.html](http://www.cia.gov/library/publications/the-world-factbook/print/gt.html) (June 5, 2009).

<sup>6</sup> “Guatemala,” *A Comparative Atlas of Defence in Latin America/2008 Edition*, The Security and Defense Network of Latin America (RESDAL), [www.resdal.org/atlas/atlas-cap17-ingles.pdf](http://www.resdal.org/atlas/atlas-cap17-ingles.pdf) (June 6, 2009).

<sup>7</sup> Chris Kraul, “Panama could become nest narco battleground,” *Los Angeles Times*, May 24, 2009, at [www.latimes.com/news/nationworld/world/la-fg-panama-drugs24-2009may24,0,2545721.story](http://www.latimes.com/news/nationworld/world/la-fg-panama-drugs24-2009may24,0,2545721.story) (June 6, 2009).

The armed forces perform counternarcotics functions as part of their territorial defense role. However, their efforts often extend to apprehension because police are largely concentrated in the capital and are often unable to quickly deploy to rural crime scenes. For now, drug traffickers transfer contraband in two zones, by air in the environmentally sensitive Petén region in northern Guatemala, and generally by boat off the Pacific coast to the south. In both cases, drugs are moved overland or by waterway to Mexico. Few people live in the Petén, a vast ungoverned space and airplanes often arrive under the cover of darkness to land on crude strips illuminated by vehicle headlights. Or crews simply crash land in open savannah, abandon the wreckage, and take the drugs with them. Overflying the region, I saw numerous makeshift strips and dozens upon dozens of wrecks scattered over the wilderness.

Key to more effective interdiction would be to expand Guatemala's own surveillance radar coverage to track smugglers more accurately once they are over national territory and to improve mobility for anti-narcotics police to reach landing sites in time to catch smugglers *in flagrante delicto*. It seemed to me that the Guatemalan Air Force could use a more modern, standardized helicopter fleet, a more robust fixed-wing transport capability to provide police mobility, and a modern patrol and interdiction platform that could keep up with the turboprops and light jets that drug traffickers often use.

At Puerto Quetzal, the Pacific Naval Command conducts coastal patrol missions, search and rescue, as well as maritime drug interdiction. The State Department's 2008 International Narcotics Control Strategy Report describes cooperation with U.S. Coast Guard patrols as willing and positive. That said, Guatemala's patrol boat inventory seemed aging and slow. However, larger vessels in the 85 to 100 foot range can support smaller launches for multi-day operations. The Command's effectiveness also could be enhanced by improving signal intercept capabilities and by adding air patrols.

Mexico appears to be cooperating with Guatemala by sharing information, while it is my understanding that Belize has agreed in the past to joint border patrols. However, Guatemalan defense authorities seemed anxious to expand multilateral cooperation so that it becomes more routine. Even with that, interdiction is often a matter of searching for a needle in a haystack—although it could be better informed.

### **Recommendations**

Guatemala's crime and violence problems are multifaceted and require complex solutions. Narcotics trafficking is one aspect. Drug dealing, gang violence, extortion, and kidnapping are other plagues visited by hundreds of criminal groups now operating in the country. The obvious answer is to strengthen security, but Guatemala must do so while making government more accountable, by mending the divides that block social cohesion, and by supplying programs to keep youth out harm's way—denying time and space for criminal youth gangs to operate.

In general, Guatemalans themselves must:

- Support a tax base and government capable of providing for public safety and rule of law, instead of relying on private security firms to do the job, as a significant portion of the

nation's elites now do.

- Help government become a welcoming home for bright minds and able stewards of the public trust, as it has in Colombia. Guatemala's educators and civic leaders must inspire youth to prepare for public service as an expression of their citizenship.

The United States and other neighbors can help Guatemala through diplomacy, development assistance, and security cooperation by:

- Helping it analyze what it needs to reduce transnational crime and violence, basing assistance on those conclusions, not necessarily on what is available. Beyond equipment needs, analysis should review organizational structures, training, and legal frameworks.
- By promoting multilateral charters and partnerships, such as CICIG and the U.S.-Central American Integration System (SICA), that can supply guidance and cooperation as Guatemala's justice system and operational capabilities catch up. And,
- By funding the Merida Initiative and follow-on assistance to leverage the development of Guatemalan law enforcement capabilities beyond 2010. As of this year, the U.S. Congress has appropriated some \$800 billion for Iraq and Afghanistan. The Merida Initiative is a small expense by comparison.

For its part, the United States should:

- Do more to reduce drug abuse at home.
- Take international interdiction efforts seriously. The United States must analyze what it needs to do to work with partners more efficiently, smartly, and cheaply, moving beyond legacy systems that can be thrown at a problem in a pinch. New generation radars, remote sensing, and unmanned aerial vehicles point the way ahead for greater awareness of illicit activity in air, sea, and border domains.
- Consider existing recommendations contained in studies of foreign defense needs such as U.S. Southern Command's Regional Air Modernization Program. And,
- Improve inter-agency coordination by considering State, Defense, Justice, and Treasury Department transnational crime and counternarcotics initiatives in the larger context of national strategy.

## **Conclusion**

Guatemala's spike in criminal violence is not a "war" anyone can win. It is a crime control and public safety problem that can be as devastating as war if badly prosecuted. Coming out of a decades-long civil conflict in 1996, Guatemala was unprepared for a crime wave fueled by globalization and advances in communications and transportation technology. Unfortunately, a lingering culture of impunity, underfunded government, and large tracts of ungoverned space block an easy solution. Guatemala must decide if it will sink or swim against a powerful tide. If it is the latter, the United States should be forthcoming. The immediate wellbeing of Mexico and other neighbors may depend on it. However, success depends on a comprehensive approach that will strengthen the Guatemalan people's trust in their government as well as more efficiently cut off the supply of resources to criminal bands.