Authoritarian Legacies in Guatemala's Democracy Environmental rights defenders: the new threat to national security?

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Abstract

This paper aims at understanding the nature of the obstacles hindering environmental rights defenders' political participation against mining companies in Guatemala. Through a case study of the social movement against the El Escobal mine, this paper highlights the continuity of past authoritarian practices against environmental rights defenders in the regions of Santa Rosa and Jalapa. These strategies, inspired by the National Security Doctrine, are still applied under old and new political institutions. These arguments are confirmed by the data collected through semi-structured interviews and secondary sources on this issue.

Keywords: Authoritarian legacies, Foreign direct investment, Guatemala, Human rights, Political participation
Introduction

This paper begins with a concern raised by human rights organizations about the hostile environment in which human rights defenders' work. UDEFEGUA (2013: 4), a Guatemalan human rights organization, published in the introduction of its annual report that

[...] breaking the taboo is our theme for the year 2013. Why? Because 2012 has been characterised as the period during which the dynamics of stigmatization and defamation has reached the same levels as during the internal armed conflict.

This hostile environment against human rights defenders in the country thus seems to be caused by state practices similar to those used by military dictatorships, but this time against segments of the population defending their rights and advocating for a different model of development (Frontline, 2006; HRW, 2015; Oxfam, 2015).

Guatemala’s democratic transition in 1986 with the election of a civilian government has not constituted the critical juncture many hoped for (Haggard and Kaufman 1995). Ten years later, the Guatemalan democratic government and the guerrilla movement signed the Peace Accords, but the loss of the referendum on the implementation of the Peace Accords in 1999 meant the continuity of past practices and the absence of any structural change (Jonas 1991). Furthermore, instead of pursuing a model of development focused on the inclusion of the marginalized populations, the government of Álvaro Arzú, a representative of the modernizing segment of the nation’s business elite, implemented a neoliberal program to attract foreign direct investment (FDI) in the country, especially in the extractive (mining) sector (Ruhl, 2004). These policies continued to be implemented in the following decade. In 2005, a social movement emerged in the North of Guatemala to protest against the activities of the Marlin mine (CORDAID, 2009). Ten years later, the social movement against mining companies has spread around the country. However, as this research will show, the environmental rights defenders have faced many obstacles while protesting in the public sphere.

This concern about the situation of human rights defenders and the quality of political participation in Guatemala has led to the formulation of the following research questions: what are the causes of the obstacles to environmental rights' political participation? Research intuitions have been formulated at the beginning stage of the investigation. These intuitions stated the presence of authoritarian legacies in the Guatemalan state’s practices towards environmental rights defenders, visible through the discourse linking human rights defenders to

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19 Especially socio-economic and environmental rights defenders opposed to extractive industries.
national security threats; the frequent use of violence; and the presence of many ex-military in the government. During the process of data collection, the research intuitions were nuanced and the following hypotheses were stated. The first hypothesis concerns the presence of authoritarian practices that take place under institutions inherited from the past regime. These practices hinder participation through the militarization and securitisation of the regions where social movements are active in the application of the Ley de Orden Público\(^\text{20}\) and through the presence of military bases. The second hypothesis concerns the presence of authoritarian practices under new institutions, such as the Inter-Institutional Group of Mining Affairs. For the purposes of this paper, I will focus solely on a case study of the social movement against the Escobal mine in the regions of Santa Rosa and Jalapa given the importance of mining activity in the region and the availability of data.

This paper starts with a brief literature review to emphasize the lack of studies on the impact of authoritarian legacies on political participation, and the focus on hegemonic structures in the literature on participation in Guatemala. Afterwards, I will present the analytical framework which is based on two theoretical debates. The first debate focuses on the nature of political regimes, which helps to define the independent variable of this study. In turn, the second theoretical debate addresses the nature of democracy and the role of participation in a democratic society. Later, I will explain the methodology used to collect and analyse the data with sections on the research questions and hypothesis, the indicators, as well as the methods of data collection and analysis. Then, I will get to the heart of this paper with the analysis of the effects of the presence of authoritarian legacies on the Guatemalan environmental rights defenders' participation.

**Literature Review**

Since the 'third wave of democratization' in Latin America and Southern Europe, scholars have been increasingly interested in the study of authoritarian legacies in representative institutions (Garretón, 1989). A part of this literature focuses on the impact of laws inherited from the authoritarian regime on the power of non-elected actors, the structure of the electoral system and the government responsiveness (Códova Macías and Ramos, 2012; Garretón and Garretón, 2010; Marques-Pereira, 2005). For example, Garretón and Garretón (2010) identify various forms of authoritarian enclaves in Chile's democracy, including the nature of the

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\(^{20}\) The *Ley de Orden Público*\(^{20}\) (Law of Public Order) was adopted in 1965 in the context of the Cold War and the internal armed conflict between the guerrillas and the Guatemalan military dictatorship (Saenz, 2006). This law is an emergency provision that applies in exceptional circumstances in which the territorial integrity and the security of the state is at stake (CENADOJ, n.d.).
electoral system, the inclusion of very high quorums for constitutional reforms in the Constitution and the process of nomination to the Senate. These authoritarian enclaves are the result of the pact concluded between the political elites during Chile's democratic transition to ensure their interests.

Other studies look at authoritarian legacies through the behavior of state actors in the realm of national security (Drouin, 2012; Epe and Kepfer, 2014; Picard, 2008). According to Picard (2008), this type of authoritarian legacy is visible through the presence of former officers in the political administration and the current discourse around 'stability' over democracy. This discourse participates in the construction and stigmatization of a 'public enemy' and leads to the imposition of states of emergency, selective repression and the exclusion of certain groups. However, this body of literature does not address the presence of authoritarian legacies in the public sphere nor does it look at authoritarian practices under new institutions.

In recent years, several studies conducted in the field of political participation in Guatemala have been inspired by a structuralist approach. Bastos and De León's (2014) comparative study of three social movements in Guatemala are based on the Marxist notion of the "model of accumulation by dispossession" (Bastos and De León's, 2014: 17). According to the authors, this capitalist system enables Guatemala's political and economic elites to reproduce the model of domination with the enactment of legislations in favour of their interests and the absence of political attention to the opponents' claims due to a racist ideology (Bastos and De León's 2014: 132-134). In her studies of social movements in Guatemala, Yagenova highlights the hegemonic nature of the state and its propensity to use violence against the population to maintain its power as the main obstacles to political participation (Yagenova, 2012; Yagenova, 2010a; Yagenova, 2010b).

Although these studies describe various practices used by several governmental and non-governmental actors against social movements in a democratic regime, they tend to leave agency aside. They also do not address the authoritarian nature and origin of these practices. The present research aims to fill these gaps in the literature. On the theoretical level, this research will put agency back in the analysis of the practices hindering environmental rights defender's participation with Amartya Sen's notion of capabilities. The analytical framework is inspired by two major theoretical debates on political regimes. The first debate is on authoritarianism in democracy, while the second debate concerns the nature of democracy and the role of participation in a democratic society. These two theoretical discussions, in addition to an historical perspective, will help us understand the effects of authoritarian legacies on environmental rights defenders' participation in the public space.
This research will examine the case of a specific movement of environmental rights defence, as well as the case of the social movement opposed to the presence of mining companies in their territory. It will also examine the impact of various state practices on the activists’ sense of security.

**Theoretical Framework**

**Authoritarianism in a Democratic Society**

The literature on authoritarianism in democracy was developed in late 1980s with Manuel Antonio Garretón’s typology around three types of authoritarian enclaves: institutions, actors and symbols (Garretón, 1989). This typology has since been adapted by Dabène, Massardier and Geisser (2008) in their conceptualization of 'authoritarian enclaves', and by Hite and Cesarini (2004) in their analysis of 'authoritarian legacies' in Latin America and Southern Europe.

This literature has challenged the traditional dichotomy on political regimes, according to which each political system is a homogeneous and mutually exclusive category to see political regimes based on similarities or convergences as "a juxtaposition of political arenas that operate under different logic and time frames" (Dabène, Massardier and Geisser, 2008: 97).

The notion of authoritarian legacy, developed by Cesarini and Hite (2004: 4), is defined as

the rules, procedures, standards, patterns, practices, arrangements, relationships and memories from authoritarian experiences clearly defined in the past which, as the result of specific historical configurations and/or political struggles, survived the transition to democracy and intervene in the quality and practice of post-authoritarian democracies.

It is among Cesarini and Hite’s examples of authoritarian legacies that the concept of ‘practice’ was chosen for this study, which refers to the actions emanating from actors’ behavior. For the purposes of this work, the focus will be on practices that hinder environmental rights defenders' security. The definition of security chosen for this research goes beyond the conception of security as the absence of physical threat. It is inspired by a constructivist approach to security borrowed from the school of Critical Security Studies, in which security is linked to emancipation and to its interpretation and representation by the actors (Booth, 1991). Also, in order to understand the nature of these legacies, this study will use an historical perspective (Thelen, 1999).
Authoritarianism in a Democracy...But Which Form of Democracy?

The nature of democracy is that of the great theoretical debates that have marked and continue to mark the field of comparative politics. Without getting into the details of the debates around the nature of democracy, it is important to briefly present them given their omnipresence in the literature and especially in the literature on authoritarian legacies and enclaves in a democratic regime. Democratic theory can be divided into two major approaches. The first procedural approach defines democracy on a procedural basis as the political regime in which fair and free elections are held. The substantive approach of democracy does not limit the definition of democracy to the holding of fair and free elections, but also includes the relationship between the state and the society during the exercise of power (Held, 2006). The participatory democracy theory, which forms our analytical framework, looks at the substantial elements of democracy, such as public participation. In this perspective, participation is a key democratic practice enabling citizens to question the status quo and the legitimacy of the regime (Lamoureux, 2013). Participation is not restricted as it is in the case of a procedural view of democracy as the right to vote, but also includes other non-conventional forms of intervention, such as protests and boycotts.

The participatory democracy theory appears as the most relevant theory from a theoretical, practical and 'emic' perspective. According to this perspective, civil society is defined as a place where individuals and groups can express their interests and/or claims, build social capital, as well as promote tolerance and compromise and thus offer an environment conducive to encourage political participation (Fioramonti and Kononykhina, 2015). It is through Amartya Sen’s concept of capabilities that participation and the enabling environment for civil society are represented as a set of conditions that influence the ability of citizens to participate in the civil society (Fioramonti and Kononykhina, 2014).

Through these conceptual lenses, it will be possible to look at the underlying conditions in the socio-cultural, socio-economic and governance environments that influence participation. The governance environment, which includes individual and collective capabilities for engagement, provides a useful perspective to see the space for the participation of the territorial defenders and the role of political actors and institutions (Fioramonti and Kononykhina, 2014).

Methodology

In this section, I will discuss the methodological implications of the theoretical debates discussed in the previous section. In the first part, I will present the general and specific research questions followed by the hypothesis. The selected indicators will be detailed in the second part of this section. I will then conclude the discussion of the methodological aspects with a section
on the methods of data collection and analysis.

**Research Questions and Hypothesis**

As stated in the introduction, this study aims to answer the following question:

1. What are the causes of the obstacles to environmental rights' political participation?

This general question underlies the two following specific questions:

i. What is the origin of these practices?

ii. Who are the actors and which institutions are bind to the practices hindering environmental rights defenders' participation?

To answer these research questions, I suggest the following hypothesis:

1. The presence of authoritarian practices under old institutions is visible through the militarization of territory and intrusions into residences under the *Ley de Orden Público* (Public Order Law);

2. The existence of authoritarian practices under new institutions is visible through the militarization with the practices deployed under the new Inter-Institutional Group of Mining Affairs.

**Presentation of the Indicators**

The selected research instruments come from the theory of participatory democracy presented in the previous section. These indicators are based on Fioramonti and Kononyknina's (2015) conceptualization of the civil society's "enabling environment", a concept inspired by Amartya Sen's notion of capabilities. In this study, I will focus on one of the three dimensions of the "enabling environment": the "governance environment". It includes the following nine sub-dimensions: the infrastructure of civil society, political dialogue, corruption, political rights and freedoms, freedom of association, rule of law, personal rights (civil liberties), the legal context of NGOs and media freedoms. The sub-dimensions and indicators of the governance environment chosen within this research are:

1. Civil liberties:
   1.1 Rights to life, to physical integrity and security of person;
   1.2 Freedom of movement

As stated in the previous section, these dimensions will be analysed through a constructivist conception of security influenced by the Critical Security Studies. An historical perspective (Thelen, 1999) will determine the origin of the obstacles on the three indicators

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21 The two other dimensions are related to the socio-economic and socio-cultural aspects and thus, do not focus on the role of the Guatemalan state.

22 These dimensions were chosen because of their link with environmental rights defenders' security.
Methods of Data Collection and Analysis

Several data collection methods have been used with the aim of gathering the most reliable and valid data. Data collection was structured into two moments: The first part of the data collection was carried out during the second half of 2014 with secondary data on authoritarianism in Guatemala, the mechanisms employed by the dictatorships, as well as the situation of participation, human rights work and democracy in Guatemala. The second period of data collection was carried out in 2015 with an ethnographic work in Guatemala and a combination of semi-structured interviews and participatory observation.

Semi-structured interviews were conducted with organizations working with environmental rights defenders in the country (CALAS, Comité por la Defensa de la Vida, Madre Selva, Consejos Comunitarios de Desarrollo Urbano y Rural [COCODE], and the Xinca Parliament) and environmental rights defenders who do not belong to any organization but have been active in the social movement against the El Esobal mine in the regions of Santa Rosa and Jalapa. Eight interviews have been conducted on this case study from February to July 2015. These interviews aimed at collecting information on the case study that was not available by other means, and at understanding the environmental rights defenders’ representation of the obstacles they face in their social and political environment. The researcher also attended the 'Encuentro Continental Contra la Minería y Por la Soberanía Popular' in Mataquescuintla from March 11 to March 17, 2015 to gather further information about the case studied.

These data were subsequently analysed using a technique for contextual analysis called thematic analysis, to categorize the data into themes related to the indicators previously stated and to put the categories obtained in relationship between them. These categories are related to civil liberties (right to life, to physical integrity and security of person; freedom of movement) as presented in the previous section on the indicators (Paillé and Mucchielli, 2008).

Historical Context: Authoritarian Legacies in Guatemala

This section presents the historical context in which public participation against mining companies take place. Three factors contributing to the presence of an authoritarian legacy on participation will be presented: the duration of the authoritarian period, the transition mode and the level of innovation of the current regime.

First, authoritarianism lasted for more than 30 years in Guatemala with a succession of military dictatorships. It was the coup of Colonel Armas and its National Liberation Army which, after several US attempts to destabilize the place of the Arbenz regime in 1953 marked
the end of the democratic regime and the return to authoritarianism with thousands of imprisonments, the spread of anti-communist propaganda and the repression of the opposition (Booth, Wade and Walker, 2010). During the following 36 years, Guatemala’s political life was characterised by an authoritarian regime and an internal armed conflict between the government and communist guerrilla groups. During this period, the government used various mechanisms to defeat the "internal enemy", an expression used to include all political opposition (student and trade unions, etc.) against the power in place and not only the guerrilla movement. These mechanisms included formal laws such as the Ley de Orden Público to install an almost-permanent state of siege in many regions of the country. It also included the installation of military bases to collect information about the enemies, as well as other practices to repress political opponents. The authoritarian regime lasted 36 years until the signature of the Peace Agreements in 1996.

Secondly, the political transitions that occurred in 1985 and 1996 failed to put an end to the exclusion of a large part of the population for several reasons, although political and socio-economic exclusion were factors at the heart of the end of the ‘Guatemalan Democratic Spring’. The political transition was initiated in 1983 with the lifting of the siege and the beginning of the political liberalization (Brett and Delgado, 2005; Domínguez and Lindenberg, 1997) and concluded in 1985-1986 with the elections that led to the return to power of a civilian government (Haggard and Kaufman, 1995). However, many obstacles continued to impede the transition to a formal democracy, to the point where several authors do not consider the political transition in 1985, but rather in 1996 with the Peace Agreements (Brett, 2008).

Thirdly, few innovations and transformations of authoritarian policies and practices have been made during and after the two political transitions. Few steps have been taken to encourage citizen participation and greater responsiveness on the part of the state. In addition, the electoral system does not represent the interests and values of citizens because of the presence of several practices, such as cronyism and corruption and the absence of ideological pluralism among political parties, leading to a highly fragmented Congress (BTI, 2003; BTI, 2006; BTI, 2008; BTI, 2010; BTI, 2012; BTI, 2014). The analysis of these three factors suggests the high probability of an authoritarian legacy in Guatemala’s democracy. In the following section, I will demonstrate how these legacies affect environmental rights defenders’ participation in the public sphere with the case of the social movement against the El Escobal mine.
A Brief Overview of Guatemala’s Environmental Rights Movement Against Mining Companies

The social movement against the *El Escobal* mining project emerged in December 2010, when citizens started to become aware that a mining project would be implemented in their region (Cardona, 2010). Since then, many social organizations (such as the Comité por la Defensa de la Vida and the Xinca Parliament) have been focusing efforts to organize collective actions against the presence of a mining company.

Environmental rights defenders have organized several protests and Community consultations on the basis of ILO Convention 169 and Article 63 of the municipal code (Cardona, 2011; Oliva, 2012; Oliva, 2013). They have also filled complaints addressed to the Ministry of Energy and Mines arguing that the potential environmental impacts would violate the rights to water access and live in a healthy environment. They also took legal means in order to recognize the legal and binding status of community consultations (MiningWatch Canada, 2013). However, several state practices and strategies have hindered their participation in the public sphere.

The *Ley de Orden Público* and military bases: Old Institutions Redeployed against New Enemies

The authoritarian past of Guatemala influenced in many ways institutional and extra-institutional practices characterizing the conduct of the state with activists in the social movement studied. The application of the *Ley de Orden Público* and the installation of new military bases in the region were identified by environmental rights defenders as two of the main obstacles to their participation. According to the activists, these authoritarian legacies, which were commonly used by the military dictatorship against any kind of political opposition, continue to be used by the state who sees them as the new threats to national security.23

The *Ley de Orden Público* was adopted in 1965 in the context of the beginning of the internal armed conflict and has been repeatedly used in the following decades not only against the guerrilla movements, but also against peaceful political opponents. This law is part of the architecture around the National Security Doctrine, renamed the ‘Tesis de la estabilidad nacional’ by the military dictatorship. This doctrine defines the internal enemy as any individual, group or organization who could alter the internal order (Oglesby and Ross, 2009).

In response to the social protests against the Escobal mine, President Otto Pérez Molina

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23 Interview with Molino, the coordinator of Comité por la Defensa de la Vida. Interview with Munez, environmental rights defender in Santa Rosa. Interview with Lemus, member of a COCODE. Interview with Gonzalez, president of the Xinca Parliament.
authorized the application of the *Ley de Orden Público* in the region. The government implemented two dispositions on the state of siege and the state of prevention in May 2013 in order to restrict the participation of environmental rights defenders in the region. One of the practices that resulted from the application of the state of emergency in Santa Rosa and Jalapa was the militarisation of the territory, a procedure regularly used by military dictatorships during the armed conflict. Once the state of siege declared, the government deployed 8,500 members of the military and the police in the region, which is the equivalent of the presence of a military or policeman for 25 people (MiningWatch Canada, 2013). The militarization of the territory was very visible with the presence of several army tanks and several police and military forces in public places with their weapons pointed at the population (Interview with Munez, environmental rights defender in Santa Rosa).

The militarization of the territory was so visible and strong that human rights defenders dressed a parallel with a war: “(…) Such a situation occurs only during a war”, said Lemus (Interview with Lemus, member of COCODE). An activist in the municipality of Guadalupe (Nueva Santa Rosa) added in the same dialogue line: "(…) They sent the police and army to repress us. The truth is, in Guatemala, the armed conflict is still not over" (MiningWatch Canada, 2015). Although the militarization of the territory lasted only several days, in the case of the social movement against the *El Escobal* project, its effects on the community’s feeling of security and especially on the segment of the population that participated in the social movement lasted even once the states of emergency were repealed (Interviews with Lemus and Munez).

A second key institution used by the military dictatorships against their political opponents is the implementation of military bases. Military bases were used to gather information about the population (CEH, 1999). The state set up a military base in the region of Santa Rosa after the beginning of social protests against the Escobal mine. All the environmental rights activists interviewed see this institution as a center of monitoring and data collection on their political activities, practices that were common under the previous regime. Moreover, the actors’ behavior in military bases remains secret despite the adoption of the *Ley de Acceso a la Información Pública* in 2008. Activists opposed to the mining project *El Escobal* see military bases as a way to militarize the country and hinder their participation and thus, a practice that characterises the authoritarian behavior of the Guatemalan state towards them. The secrecy surrounding such practice also makes it difficult to analyse the frequency of the conduct of the state, creating therefore a certain level of insecurity among participants.
The Inter-Institutional Group of Mining Affairs: Old Practices by Authoritarian Actors Under New Institutions

Environmental rights defenders also see the new Inter-Institutional Group of Mining Affairs as an institution of social control, monitoring, and gathering information on political opponents, practices that were used in the preceding political regime. Despite being a new institution formally aiming at the resolution of the social conflict in the area, environmental rights defenders draw many parallels between practices exercised within these institutions and the actors in charge of them who have been in power under the previous regime. The way militants perceive the activities of these temporary institutions is therefore attached to the behavior of actors who are responsible for these entities and, in part, to the secret that surrounds their practices.

The Inter-Institutional Group of Mining Affairs created in 2013 formally aims at elaborating strategies and recommendations to address the environmental problem due to the exploitation of non-renewable natural resources. Some of its priorities include promoting inclusive processes of social participation, proposing changes to the mining and environmental laws and recommending future actions to guarantee the financial investments (see Appendix 1). However, the Inter-Institutional Group of Mining Affairs is seen as a continuity of past practices because of the nature of the actor responsible for the National Security Council, under which this institution exists. The latter is portrayed as a citizen control office with surveillance practices on human rights defenders’ movements and mobilization.

In an interview, Morales, the coordinator of Comité por la Defensa de la Vida (Defence of Life Committee), draws a direct connection between its activities and the actors who work there: "(…) all representatives are militarists. The head of the office is a retired soldier who participated in the armed conflict". Colonel Ricardo Bustamante, a former soldier who participated in the armed conflict, also draws a direct parallel between the practices deployed by the Inter-Institutional Group of Mining Affairs and inter-institutional offices that existed during authoritarianism and armed conflict: "(…) The inter-institutional offices of this type were part of the military strategy during the internal armed conflict. What is worrying, however, is the secrecy with which it is handled" (Interview with Cruz, director of the organization Madre Selva).

The surveillance and social control activities are causing environmental rights defenders a lot of stress. Some admit they might not continue to protest because of the intensity of these practices. The feeling of insecurity is particularly visible through the participants’ fear of future

An actor who had been involved in the conduct of the state against political opponents during the dictatorship.
retaliation (Interviews with Morales, Munoz, Lemus and Gonzalez).

**Conclusion**

This paper started with a reflection about the nature of the obstacles to the participation of environmental rights defenders in Guatemala. I then hypothesized the presence of authoritarian legacies affecting environmental rights defenders' participation in the practices deployed under institutions inherited from the authoritarian past. I also suggested that authoritarian legacies continue to hinder public participation in Guatemala because of the presence of influential actors that are linked to the authoritarian regime and who continue to exercise political power in the current regime. The theoretical debates on political regimes and participation helped me constitute the general framework for this study by putting agency back in the analysis and by focusing on the representation of environmental rights defenders in an historical perspective.

I also highlighted the particularity of the Guatemalan case and the three factors that led me to believe that there was a high probability of finding authoritarian legacies in Guatemala's democracy. The data collected in the case study of the social movement against the Escobal mine confirmed the hypothesis. Some practices creating insecurity to the human rights defenders are based on the enactment of the *Ley de Orden Público* and under the military base, institutions that have been inherited from the authoritarian past. Other practices causing the environmental rights defenders to fear for their security in the exercise of their right to participate are related to the Inter-Institutional Group of Mining Affairs, a new institution that is however under the control of an actor that was influential under the previous political regime. It would be interesting and important in future researches to compare the case studied to the situation in other countries with similar features.
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Appendix

Art. 13 Creación de la Comisión de Asesoramiento y Planificación. Se crea la Comisión de Asesoramiento y Planificación para apoyar el Consejo Nacional de Seguridad. Su trabajo debe ser desarrollado dentro del ámbito de la Secretaría Técnica. Se integra por profesionales en materia de seguridad, nombrados por el Presidente de la República a propuesta de los miembros del Consejo Nacional de Seguridad.

Las funciones de la Comisión: a) Asesorar al Consejo Nacional de Seguridad; b) Formular y proponer la Agenda Estratégica de Seguridad de la Nación; c) Formular y proponer el Plan Estratégico de Seguridad de la Nación; y, d) Promover la formación y profesionalización de los miembros del Sistema Nacional de Seguridad.

Guatemala, 03 de Julio 2015
REF.: CAP-CNS-029/2015

Licda. Fabiola del Gid
Unidad de Información Pública
Secretaría Técnica del Consejo Nacional de Seguridad

Estimada Licenciada:

Atentamente me dirijo a usted, en respuesta al oficio de fecha 02 de julio de 2015, Ref.: STCNS/UIP 77-2015.

La creación del Grupo Interinstitucional para Asuntos Mineros fue aprobada en reunión ordinaria del Consejo Nacional de Seguridad, de fecha 26 de marzo de 2013 y al cumplirse el objetivo de dicha creación, por haberse minimizado la conflictividad entre pobladores y la empresa extractiva, el Consejo Nacional de Seguridad aprueba su desintegramiento en reunión ordinaria de fecha doce de diciembre de dos mil catorce, según acta número cero doce guion dos mil catorce (No. 012-2014).

El Grupo Interinstitucional para Asuntos Mineros que en su implementación también fue conocido como Comisión Interinstitucional para el Desarrollo Integral, tenía asignadas las siguientes funciones:

a) Elaborar lineamientos, estrategias y recomendaciones de carácter técnico, social y económico al Consejo Nacional de Seguridad para la atención integral de la problemática ambiental, generada por la explotación y aprovechamiento de recursos naturales no renovables;

b) Promover procesos de participación social incluyente, en las comunidades de las áreas de influencia para facilitar la resolución de conflictos entre las comunidades, el poder local, las organizaciones ambientalistas, de derechos humanos, las empresas, y el Gobierno;

39. Calle 4-08 zona 1, Tels. 2504-4800 www.stcns.gob.gt
c) Recomendar acciones que generen certeza jurídica de las distintas concesiones mineras, tanto en el ámbito nacional como local, para garantizar las inversiones autorizadas y las que se realicen en el futuro;

d) Proponer los cambios que se crean convenientes a la legislación minera y ambiental vigente;

e) Presentar al Presidente de la República y al Consejo Nacional de Seguridad, informes periódicos de sus labores, recomendaciones y acciones realizadas; y,

f) Otras que le determine el Consejo Nacional de Seguridad.

Sin otro particular,

Atentamente;

[Signature]

José Manuel Rivas Ríos
Coordinador
Comisión de Asesoramiento y Planificación (CAP)