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## FEATURED Q&A

# Should Guatemala Grant Amnesty for Civil War Crimes?



Guatemala's Congress (pictured above) earlier this month postponed a scheduled vote on granting amnesty for war crimes committed during the country's 36-year armed conflict. // File Photo: Guatemalan Congress.

**Q** A scheduled vote in Guatemala's Congress granting amnesty for war crimes was suspended on March 13 after several lawmakers walked out, leaving the session without a quorum, *The New York Times* reported. The proposal would have freed more than 30 former soldiers and paramilitaries convicted of human rights crimes during Guatemala's 36-year civil war. The bill would also halt thousands of investigations. What's behind the latest controversy over Guatemala's war crime process? To what extent is the issue being politicized ahead of the June presidential election? How could the Central American country's human rights mechanisms be improved?

**A** **Édgar Gutiérrez, former Guatemalan foreign minister:** "The law of national reconciliation extinguishes criminal responsibility for political crimes and related common crimes, but it does not apply to genocide, torture, forced disappearance or to crimes not subject to the statute of limitations under domestic law and international treaties. When preparing the law nearly 23 years ago, there were two sides of the debate. On one hand, the government, the army and the guerrillas furtively slipped a sort of end-point law to free perpetrators of crimes against humanity from all responsibility. On the other hand, a civilian-led coalition of victims and human rights defenders accepted the criminal prescription of political crimes to make peace viable, but not of those related to atrocious and large-scale acts. The latter won. This means that the reform that the 'corrupt pact' wants Congress to pass is destined to fail because it's unconstitutional. The deputies intend to restore military jurisdiction—which was eliminated in 1996—and total

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## New Blackouts Plunge Venezuela Into Darkness

A pair of power outages hit Caracas and several states in the South American country. The capital's rapid transit system shut down, and the airport went dark.

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## Chile's Codelco Cancels Contract With SNC-Lavalin

The Chilean copper miner canceled a deal with the engineering firm over what it called a "serious breach of contractual milestones."

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## Spain Rejects AMLO's Demand for Apology for Conquest

Spain rejected Mexican President Andrés Manuel López Obrador's demand that it apologize for actions Spain committed during the conquest some 500 years ago. López Obrador, widely known as AMLO, also sought an apology from Pope Francis.

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López Obrador // File Photo: Mexican Government.

## ECONOMIC NEWS

## New Power Outages Hit Several States in Venezuela

A pair of power outages plunged much of Venezuela into darkness on Monday, just weeks after a prolonged blackout earlier this month that led to looting in many parts of the beleaguered South American country, the Associated Press reported. Monday's first power outage began shortly after 1 p.m. local time in as many as 16 of the country's 23 states. In Caracas, the blackout led to chaos in the public transportation system, with the rapid transit system shutting down and forcing thousands of people to head home on buses or by foot, BBC News reported. Power was restored about four hours later but went out again at about 9:30 p.m., Information Minister Jorge Rodríguez told the EFE news agency. Earlier in the day, Rodríguez appeared on state television, which viewers saw in garbled images because of the outage, to repeat the government's frequent assertion that the outages were a result of sabotage by the opposition rather than a lack of maintenance. Vice President Delcy Rodríguez also appeared on state television and blamed the United States and Venezuela's opposition. "A macabre, perverse plan constructed in Washington and executed with factions of the extreme Venezuelan right," she said, calling the blackout an "electromagnetic assault," the Associated Press reported. Meantime, National Assembly President and opposition leader Juan Guaidó, who has been internationally recognized as the country's acting president, blamed President Nicolás Maduro's government. "This outage is evidence that the dictator is incapable of resolving the crisis," Guaidó wrote in a tweet. Also on Monday, tensions flared between Washington and Moscow after Russia sent military personnel to Venezuela to back Maduro, the Associated Press reported. Two Russian planes carrying about 100 soldiers and other military personnel landed in Caracas over the weekend to provide technical help related to weapons that Madu-

ro's government had previously bought from Russia, The Wall Street Journal reported, citing Russian state media. In a telephone call on Monday, U.S. Secretary of State Mike Pompeo told his Russian counterpart, Sergei Lavrov, that "the United States and regional countries will not stand idly by as Russia exacerbates tensions in Venezuela," the AP reported, citing the State Department. "The continued insertion of Russian military personnel" in Venezuela could prolong the Andean nation's problems, and Russia should "cease its unconstructive behavior," Pompeo added. During the call, Lavrov told Pompeo that "Washington's attempts to organize a coup in Venezuela and the threats directed against its legitimate government represent a violation of the U.N Charter and blunt interference into internal affairs of a sovereign nation," the Russian Foreign Ministry said, the AP reported. The United States and dozens of other countries recognize Guaidó as Venezuela's legitimate president, saying Maduro's re-election last year was fraudulent. Maduro says the United States and Guaidó are plotting a coup to topple him.

## BUSINESS NEWS

## Chile's Codelco Cancels Agreement With SNC-Lavalin

Chilean state miner Codelco has canceled a major contract with Canada's SNC-Lavalin Group, Codelco said Monday, The Globe and Mail reported. Codelco, the world's number-one copper producer, terminated a \$260 million contract with the Montreal-based engineering firm because of what it called a "serious breach of contractual milestones" during the construction of two sulfuric-acid plants at its Chuquibambilla copper smelter complex in the Antofagasta Region. "Among the non-compliances are the delay in payments to its subcontractors, delays in the execution of the project and problems in the quality of the work, among others," Codelco said in a statement. The decision is another serious blow to SNC-Lavalin, which

## NEWS BRIEFS

## Spain Rejects Mexican President's Demand for Apology for Conquest

The Spanish government has rejected Mexican President Andrés Manuel López Obrador's demands for an apology for the abuses that Spanish conquistadors committed, El País reported Tuesday. López Obrador had sent a letter, dated March 1, to Spanish King Felipe VI urging him to ask for forgiveness. The Spanish government in a statement said it "emphatically rejects" the contents of the letter, saying "the arrival of Spaniards 500 years ago to present-day Mexican territory cannot be judged in light of contemporary considerations."

## Prince Charles, Camilla Meet With Díaz-Canel

Prince Charles and his wife, Camilla, on Monday met with Cuban President Miguel Díaz-Canel on Monday as part of the British royals' first official trip to Cuba, Reuters reported. "The visit expresses the good state of our relations," Díaz-Canel wrote on Twitter. British Foreign Secretary Jeremy Hunt told his Cuban counterpart in a phone call on Monday that he hoped the visit would boost cooperation.

## Former Brazilian President Temer Released From Jail

A Brazilian judge on Monday freed former President Michel Temer from jail, four days after he was arrested on corruption charges, The Wall Street Journal reported. Temer is still under investigation and faces prison time if he is tried and convicted. However, Judge Antonio Ivan Athié ruled that the crimes that Temer allegedly committed happened too long ago to require his detention before trial. Temer and nine associates, who were also ordered to be freed, are accused of taking as much as half a billion dollars in bribes related to construction contracts at a nuclear power plant.

is facing criminal bribery and fraud charges related to past business dealings in Libya and its oil and gas unit. Shares in SNC-Lavalin fell 0.6 percent on the Toronto Stock Exchange on Monday, closing at 34.35 Canadian dollars. Since the beginning of the year, the company's shares have lost 25 percent of their value, according to the report. The Canadian firm had said earlier this year that there was a "serious problem" with the Codelco contract, at the time saying the project's challenges included unexpected site conditions and underperformance from subcontractors, Reuters reported.

## Brazil's Bradesco Hits 100 Mn Interactions Through AI Platform

Brazilian bank Bradesco has reached 100 million interactions through its artificial intelligence, or AI, platform, and it's looking to start generating revenue through the system this year, ZDNet reported Monday. Bradesco, the South American country's second-largest private lender with more than 71 million customers, has seen the number of users in its AI service increase four-fold since February of last year. Approximately 14 million customers use it. Bradesco launched the AI platform, Bradesco Inteligência Artificial, in 2016, but 75 percent of the interactions through the system have occurred over the last 12 months, according to the report. The service can answer text, chat or voice-based questions about products or services through the bank's app, WhatsApp or Google Assistant. The bank is aiming to start generating more business through the AI platform this year, introducing more complex operations such as loans and investments, ZDNet reported. About 90 percent of the bank's services are already available on its app, but sales made via mobile are just roughly 20-30 percent of the bank's overall business volume, Forbes reported earlier this year. "It's a low [percentage]," Mauricio Minas, Bradesco's executive vice president, told Forbes. "We want to increase sales in that channel," he said, adding that the goal is to increase mobile sales to 50 percent this year.

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amnesty to war criminals, including those who have been tried in court and are serving sentences. Since 1999, the public ministry has taken to court 16 cases of human rights violations during the conflict, resulting in the imprisonment of 42 retired military and paramilitary leaders and one former guerrilla member. If the reform is destined to sink, why are deputies promoting it? Retired militaries in Congress and the executive, in full political proselytism, are operating as interest groups. They are stuck in 1980s politics, when the Guatemalan state and the world functioned quite differently. Then there are hyper-conservative civilians who finance pro-impunity campaigns. They still use language reminiscent of the Cold War era, and in their mind, there is only a binary society of communists and anti-communists. The reform came up in 2017 when Jimmy Morales' attacks against the CICIG began, and the 'corrupt pact' formed. The amnesty law unites all these actors. The lost cause of the reform means a new social confrontation is looming, just as the electoral period begins."

**A** **Alfred Kaltschmitt, journalist and dean of the communications department at Universidad Panamericana in Guatemala**

**City:** "The underlying problem of the peace accords is and always has been the non-feasibility of fulfilling them due to the ideological manipulation that permeated the concepts of 'peace, reconciliation and amnesty.' Historic clarification was never impartial or objective, and as a result, the conciliation process could not be strengthened. The alleged clarification victimized and rewarded the guerrilla, and it was quite the contrary for the Guatemalan army. The East-West conflict, the dominating geopolitical dichotomy of exporting revolutions at that time and the context of high Cold War tensions were never and have not been considered. The members of the Historic Clarification Commission—all of whom sided ideologically with the guerrilla—produced a

document slanted against the army. They neglected the ethnic composition of the Guerrilla Army of the Poor and the effects that belligerence causes when a civilian becomes a combatant. To the drums of 'revolutionary human rights,' they took advantage of certain political conjunctures to disseminate misinformation around the world through vast support networks and to exploit, through the attention that high-profile cases naturally get, the obtainment of perks, donations and merits. The awards that the judges received from Michelle Obama and Hillary Clinton confirm this, as well as the U.S. ambassador having a first-row seat at the trials. All this even though the guerrilla brutally assassinated U.S. Ambassador Gordon Mein. The message to the judges was clear. The 2.8 billion quetzals paid to victims and human rights operations in reparations literally 'appropriate' the true historical memory of the armed conflict. We cannot ignore the critical weight of this nor the perverse incentives to distort testimonies. In all countries where there was a war, amnesty and reconciliation have been the only way to heal and live in peace. Wars and armed conflict are, by nature, violent and subject to the worst atrocities: bombs, assassinations, kidnapping, torture, destruction. It is incorrect to say either side is better than the other. The law of national reconciliation is necessary for peace."

**A** **Adriana Beltrán, director for citizen security at the Washington Office on Latin America:**

"The U.N.-backed truth commission revealed that extreme inequality, social exclusion and the concentration of power in an elite minority were among the causes of Guatemala's 36-year civil war. The truth commission also concluded that military and paramilitary groups were responsible for more than 90 percent of deaths and disappearances during the conflict. Following the peace accords, many of the abusive elements within the security forces transformed into criminal networks. Failure to address

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the root causes of the conflict and purge the old security apparatus further corroded an already weak state. Co-optation of state institutions sparked the creation of the International Commission Against Impunity, or CICIG. For the first time, these powerful groups have seen their vested interests and impunity threatened. Over the last decade, Guatemala, with the help of CICIG, began an unprecedented campaign against corruption, resulting in the prosecution of hundreds of politicians, government officials, business leaders and others. Efforts to strengthen the public prosecutor's office have helped bring many war criminals to justice. To date, 33 military officials, commissioners and paramilitaries have been convicted for gross human rights violations, as has one guerrilla leader. The amnesty bill is part of a broader effort to avoid accountability. The same sectors supporting the bill seek to end corruption investigations underway, undermine CICIG and weaken the independence of the justice system. These sectors have relied on misinformation campaigns to attack those supporting reform efforts and tap into people's fears in order to contaminate public discourse. To respect human rights, Guatemala must summon the political will to strengthen the rule of law, restore faith in justice and abide by national and international human rights obligations."

**A** **Donald J. Planty, president of Planty & Associates and former U.S. ambassador to Guatemala:** "Many on the political right in Guatemala fear prosecution for human rights abuses committed during the 36-year internal war. These elements have been working behind the scenes since the 1996 peace accords were signed to avoid punishment for their crimes. Even countries that initially enacted amnesties, such as Argentina, have reversed course and have punished many of those responsible for atrocities during the 'Dirty War' period. Those seeking to establish an amnesty demonstrate that

Guatemala is again out of step with world developments. Guatemala needs to establish a transparent process, backed by public support, that will bring human rights abusers to justice and finally close this unfortunate chapter in the country's history. Contrary to much written on this subject, both sides—the Guatemalan army and the guerrilla insurgency—committed gross human rights abuses that still need to be documented, and the perpetrators appropriately judged."

**A** **Mario Polanco, director of Grupo de Apoyo Mútuo in Guatemala City:** "Guatemala's recent history is plagued with violent incidents that agents of the state's security forces have committed under direction and in coordination with the Defense Ministry, which, with its absolute power, decided who should be killed or tortured, and who would be the next president and cabinet members. Today, there are investigations of a few of those military leaders, and some have been condemned for their crimes. Because these military leaders represented their own interests and those of mafia groups, a group of young deputies with links to those forces have proposed a law that would grant amnesty to those involved in crimes against humanity and other crimes. In addition to those who violated human rights, the bill could favor those involved in illicit activities related to smuggling, drug trafficking, corruption and organized crime. Some deputies' opposition to the amnesty and the fear of U.S. sanctions are the main factors slowing the amnesty law's approval in Congress. With respect to the major parties, it's true that on March 13 they withdrew from the legislative chamber, suggesting they opposed the approval of the amnesty bill, but it's likely that they did that to exert pressure to negotiate perks that favor them. The latent risk is that, taking advantage of the religious holidays of Holy Week, Congress could approve the law when the population is distracted."

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