



Guatemala in the UN Security Council

A New Experience for a Founding Member State

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- Despite being a founding member state of the United Nations and having played an active and positive initial role, Guatemala had not been a member of the Security Council because of the country's domestic situations during the 20th century: armed conflict, the authoritarian nature of its political system and human rights violations. These circumstances changed with the peace process and democratisation and Guatemala regained prominence in both the international arena and the United Nations. This made it possible to be elected as a member of the Security Council from 1 January 2012.
- Guatemala's desires to be a member of the Council was based not only on its right to a seat, but also on the conviction that the country was ready to share the responsibility of participating in decisions of major importance to the preservation of world peace and security.
- Guatemala brings to the Council its knowledge of the promotion of peace processes – acquired through its own experience – and its belief in the effectiveness of the United Nations' participation in promoting peace-building and democratisation. This is also based on the positive experience of the United Nations Verification Mission, known as MINUGUA, which performed a role as a third actor in the peace negotiations and was subsequently overseer of the consolidation of the process. Finally the presence of the International Commission Against Impunity (CICIG) in the country was a pioneering experience on an international scale, through which the United Nations were involved in the strengthening of justice.
- Human rights is one of the cornerstones of Guatemala's internal and external policies and it is therefore presumed that Guatemala's representative on the Council will be persistent in this area.

History of Guatemala's Engagement in the UN

Guatemala has had a seat on the United Nations Security Council since 1 January this year. It is worth noting that Guatemala, despite being a founding member of the United Nations, had never before served on the Security Council. The country had expressed its interest in the position since 2001 but its first formal candidacy, submitted in 2006, failed because it proved to be incompatible with Venezuela's ambition at the time to secure the same position. On its second attempt, Guatemala's candidacy was endorsed by the Latin American and Caribbean Group (GRULAC) and supported by 191 of the 193 member countries.

However, the country played an active role in the early stages of the global organisation. For example, Resolution 181 for the creation of the State of Israel in 1947 entered history linked to the name of Guatemala's then representative at the United Nations, Jorge García Granados, who instigated it. Moreover, in 1966 the Minister of Foreign Affairs of Guatemala, Emilio Arenales Catalán, was elected president of the 23rd United Nations General Assembly, having previously been one of the founders of UNESCO.

However, this momentum waned against the backdrop of internal war that continued for over 36 years, between 1960 and 1996. Due to the continued armed conflict, Guatemala was losing ground in the international arena. During that time, the political regime of the country tended to be characterised by authoritarian governments and there were serious violations of human rights.

The human rights situation in particular meant that Guatemala was firstly the subject of resolutions and was later under consideration by the then Commission on Human Rights and other UN agencies in Geneva for several years. Although several other countries with a questionable human rights record were not under scrutiny by the Commission, and even formed part of it, Guatemala's case became paradigmatic and hence the subject of severe critical analysis by major international actors, both States and civil society entities.

Furthermore, during the period of armed conflict, Guatemala's foreign policy failed to adapt to international changes and to understanding the strength

and interests of new regional blocs such as the Arab and African countries. On the contrary, as a reflection of internal ideological fixations, Guatemala clung to its own Cold War and anti-thought alliances and positioning, whilst other Latin American states evolved towards positions of autonomy in the international arena.

Consequently, the country failed to have any influence in the international arena; on the contrary, it experienced isolation in various forums. Even within the United Nations, the problem meant that Guatemala was unable to muster support for its territorial claim to Belize, when the matter was submitted to the decision of the world body. Under such conditions, it was impossible to obtain the necessary support for a seat on the Security Council.

Democratisation, MINUGUA and CICIG

The aforementioned correlation changed with the transition to democracy and the peace process that ended the country's seven-year civil war. The United Nations came to play an active, and possibly central role, in supporting the peace negotiations, by appointing a mediator, a representative of the UN Secretary General. Moreover, it later formed, at the request of the parties, Guatemala's successive governments and the insurgency, a verification authority to oversee compliance with the agreements. The authority began its activities in 1994, even before the «Agreement on a Firm and Lasting Peace» was signed on 29 December 1996, and was called the United Nations Verification Mission in Guatemala (MINUGUA). It was headed by a special representative of the Secretary General, and in subsequent years acted as overseer of compliance with the agreements and the consolidation of the peace process. It concluded its activities in 2004.

Following the MINUGUA experience, in 2006, and also at the request of the Guatemalan government, another authority which was unprecedented in the United Nations was established: the International Commission Against Impunity in Guatemala (CICIG). It is chaired by a Commissioner appointed by the UN Secretary General and has attributes similar to those of an international prosecutor, but operates under Guatemala's criminal law and in Guatemalan courts. It investigates and partici-

pates in the criminal prosecution of so-called »Illegal Security Groups and Clandestine Security Organisations«, defined as expressions of organised crime with penetration and influence within the State. The CICIG is unprecedented, as it constitutes a legal model in which a sovereign state calls upon an international organisation to share the role of justice.

The CICIG's experience has been extremely positive. It has helped to solve various paradigmatic cases, has disbanded organised crime networks with ramifications in State structures, and has strengthened the Prosecution and the justice system in general. In short, the CICIG has helped reduce the impunity affecting the exercise of justice in Guatemala. Their example has motivated efforts to replicate the Commission in other Central American countries.

Engagement for Human Rights and Peacekeeping

From another perspective, Guatemala is regaining initiatives and leadership roles at the United Nations. It went from being a country under annual inspection by the Human Rights Commission, to being a member of it and subsequently chairing it. It was also elected to the Human Rights Council, when this new structure replaced the Commission. Precisely because of past events, since Guatemala's return to democracy it has established the support and promotion of human rights as one of its key foreign policies.

Guatemala has also held presidency of the ECOSOC, the Fifth Committee of the General Assembly, the UNDP/UNFPA and the Commission for Sustainable Development, as well as vice presidency of all the General Assembly's main committees, and it has participated in many of the organisation's forums.

Furthermore, active participation in peacekeeping missions was defined as one of the central functions of the Guatemalan armed forces. This was represented by two contingents: one in MINUSTAH, in Haiti, and the other as part of MONUC, in the Democratic Republic of Congo. In the case of the African country, the Guatemalan unit was engaged in combat and suffered casualties. The country also sent military observers to various other missions.

All of this is evidence that, in the years following its pacification and democratisation process, Guatemala demonstrated its commitment to the United Nations and to peace, the latter as a result of its own experience.

Current foreign policy and membership in the UN-SC

Its foreign policy is proactive, promoting cooperation and understanding among all member countries. It favours multilateralism and participates actively in the OAS and CELAC. It has reached an agreement with neighbouring Belize to submit the long-standing territorial dispute to the decision of the International Court of Justice.

Under these new conditions the country now considered it appropriate and justified to aspire to a seat on the Security Council, to which it was entitled according to the principle of rotation, being one of the few original signatories of the Charter not to have served on the Council. Guatemala saw election to the Council as recognition of the country after years of isolation and of its improvement in the promotion and respect for human rights and international law and thereby qualified to contribute to dealing with global issues.

It is important for every United Nations member to experience participation in the Security Council, as well as to chair under the monthly rotation system, since it is the United Nations' most powerful body, which addresses all issues that pose a potential threat to peace and security. In accordance with the founding principles of the UN, all member countries, even the smallest, have the right to share with the main powers the responsibility of dealing with major global problems in safeguarding peace and to contribute ideas and topics for discussion on the key items of the global agenda.

By assuming their place in GRULAC, along with Colombia, Guatemala must take into account Latin American criteria when it adopts positions. The country already has long-standing experience in this area, acquired through its membership of the Central American Integration System (SICA) and its continued participation in regional summits such as the former Rio Group, now the Community of Latin American and Caribbean States (CELAC). Global issues known to the Council are monitored at GRULAC's base in New York.

Reform of the UN-SC

Guatemala, based on its reflections during the time it observed the Council «from the outside» will advocate that the Council's work be more transparent and accessible to all members of the Organisation, that it deepens ties with the General Assembly and the Economic and Social Council, and that it strengthens and optimises the actions of the Peacebuilding Commission.

Guatemala is one of the countries that supported the Security Council reform. The constitution of this body dates back to a reality that is well behind us now, that of the power balance at the end of World War II, and one which does not reflect the correlation of political and economic power today. Sixty-seven years later, with 193 Member States and 51 founders, along with the relevance of the African and Asian blocs which were initially little represented if at all, it is now time to consider increasing the list of permanent Council members, to possibly increase the number of non-permanent members, and to discuss the privileged voting position of permanent members, which constitutes a power of veto which can override the majority will of the Organisation's members. However, a new approach to the issue is required as, over the past 20 years, no progress has been made in reaching a consensus on a formula acceptable to both the Assembly and the Council. It may be necessary to seek rapprochement between the various existing proposals which, failing agreement by the parties, have prevented the advancement of initiatives.

It is also important, consistent with the trends of increased participation, to expand the Council's communication with civil society. The Arria formula¹ is a good mechanism that could be employed more often.

Conclusion

Faced with an international reality in which old conflicts persist and new ones emerge, Guatemala's position will be determined by the strengthening of preventive diplomacy and promotion of the validity and effective-

1. The Arria Formula allows representatives and dignitaries from countries that are not members of the Security Council to have access to it without violating the provision that establishes that only permanent members can take part in the closed sessions of the body. These meetings are held outside the grounds of the Security Council.

ness of the instruments developed by the United Nations to prevent and resolve conflicts according to Chapter VI of the Organisation's Charter. For example, in the case of Syria, Guatemala, recently incorporated into the Council, supported the Arab League draft resolution in January 2012, called for the cessation of violence and for respect for the rights of the civilian population and the search for a comprehensive political settlement, and reaffirmed its support for the principle of Responsibility to Protect.

Bringing its focus on human rights to the forum of the Council, Guatemala's position will give importance to the promotion and defence of every generation of these rights, whilst also promoting the signing, validation, and enforcement of the regulations that make up the International Humanitarian Law. It will also intensify its support for the reform of the Human Rights Council and the Universal Periodic Review mechanism.

Given that Guatemala's foreign policy incorporates respect for multiculturalism and diversity, in accordance with its social reality and the peace agreements, it will support the implementation of the Universal Declaration on the Rights of Indigenous Peoples.

Finally, the experience of the Council will have contributed to the maturation of Guatemala's foreign policy and to strengthening their understanding and management of global scenarios and its relations with all other countries of the world. It will also have opened up a main platform for expressing foreign-policy views on issues in which Guatemala has its own criteria, such as the need to seek alternative strategies for the control and regulation of some aspects of the country's drug problem.

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