

United States Senate

COMMITTEE ON FOREIGN RELATIONS

WASHINGTON, DC 20510-6225

September 7, 2018

The Honorable Mike Pompeo
Secretary of State
U.S Department of State
2201 C Street, NW
Washington, DC 20520

Dear Mr. Secretary:

We write to express our concern with Guatemalan President Jimmy Morales' recent announcement that he will not renew the mandate of the United Nations International Commission against Impunity in Guatemala (CICIG) and his government's misuse of U.S.-donated military grade vehicles.

Since 2007, across the Bush and Obama Administrations and in both the Senate and the House of Representatives, a bipartisan U.S. commitment to CICIG has been a fundamental element of our foreign policy efforts to strengthen the rule of law and counter the influence of organized crime and drug trafficking in Guatemala. Importantly, polling has shown that the people of Guatemala recognize the value CICIG has had in combating corruption and impunity. A July 2018 Politik poll revealed that 69 percent of the Guatemalan public believe the commission's work has been positive. While we recognize that CICIG would benefit from constructive institutional reforms, we believe that CICIG's work remains key to Guatemala's long-term political and economic stability. The Guatemalan Government cannot guarantee security or create economic opportunities without addressing endemic corruption.

Private investment, economic development, and job creation are dependent upon robust efforts to uphold the rule of law. For this reason, Congress had been working with the Administration in good faith on a bipartisan basis to propose important and legitimate reforms to CICIG. The reforms that were cleared within the Department and briefed to Congress represent a reasonable way forward. These reforms include improved oversight and accountability, and the appointment of a deputy to the commissioner. The State Department should join us in expressing its continued support for CICIG in conjunction with these reforms.

On the day that President Morales made his announcement about CICIG, a convoy of U.S.-donated, military grade vehicles that are operated by Guatemalan law enforcement were seen in close proximity to the U.S. Embassy in Guatemala City and CICIG's offices. This appears intended to send a political message. Such a gesture is unacceptable and does not comply with the purpose for which the U.S. donated the vehicles.

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Additionally, we were troubled by President Morales' decision to prohibit the CICIG Commissioner from returning to Guatemala following his current visit to the United States. We have seen the joint statement from Germany, Canada, Spain, France, Italy, Sweden, Switzerland, the United Kingdom, and the European Union – members of the G13 donors group – regarding the CICIG Commissioner, and note the absence of the United States.

Finally, we underscore that Sec. 7045 (a)(3)(B)(vii) of the Consolidated Appropriations Act of 2018 (P.L. 115-141) includes specific conditions on 50 percent of U.S. assistance to Guatemala that requires State Department certification that the Government of Guatemala is “cooperating with commissions against corruption and impunity”. President Morales' decision on CICIG appears to not meet congressional conditions on U.S. foreign assistance to Guatemala.

We thank you for your attention to this matter, and look forward to working with you to maintain continued U.S. support for the rule of law in Guatemala.

Sincerely,



BOB CORKER
Chairman
Senate Foreign Relations Committee



EDWARD R. ROYCE
Chairman
House Foreign Affairs Committee



BOB MENENDEZ
Ranking Member
Senate Foreign Relations Committee



ELIOT L. ENGEL
Ranking Member
House Foreign Affairs Committee