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## United States Senate

COMMITTEE ON FOREIGN RELATIONS

WASHINGTON, DC 20510-6225

May 16, 2024

Secretary General Luis Almagro  
Organization of American States  
1889 F Street N.W.  
Washington, DC 20006

Dear Secretary General Almagro,

We write to express our strong support for Guatemalan President Bernardo Arevalo's request to have an Organization of American States (OAS) observation mission for Guatemala's upcoming selection and appointment process for judicial authorities. We strongly believe that such an observation mission would further the OAS' mandate to preserve and uphold the Inter-American Democratic Charter by helping protect the integrity and transparency of Guatemala's democratic institutions at perhaps the most crucial time for the country's democracy since the end of its civil war in 1996.

Beginning last month, the Guatemalan Congress initiated the process of convening two nominations commissions to select 13 judges for the country's Supreme Court of Justice (CSJ) and more than 135 judges for the Court of Appeals for a period of five years.

After almost a full period without legitimately appointed magistrates, this process will finally mark a return to constitutional order for Guatemala's highest judicial bodies. As such, it is more important than ever that the Guatemalan people have full confidence in every step of this selection process and have guarantees that those appointed will meet the minimum standards set forth in Article 113 of Guatemala's constitution. This is particularly the case given the history of concerning and legitimate accusations by the UN and civil society groups of influence peddling and corruption surrounding the election process for justices in Guatemala.

While we recognize that the "election process" that the OAS observation mission would be monitoring in this instance differs from the traditional electoral processes the OAS oversees, it is our view that the OAS can play an important and appropriate observer role. As the Inter-American Democratic Charter recognizes, respecting the rule of law, ensuring the independence of separate branches of government, and promoting transparency in government activities are essential parts of functioning representative democracies.

Your leadership and that of the OAS was essential in helping preserve the democratic will of the Guatemalan people following last year's electoral process and presidential transition. We sincerely hope that by agreeing to the Guatemalan government's request to deploy an observation mission to monitor the ongoing judicial selection and appointment process in the country, the OAS will continue to demonstrate the constructive role it can play in guarding against democratic backsliding not just in Guatemala, but also throughout the whole hemisphere.

Sincerely,



Benjamin L. Cardin  
Chairman



Bill Cassidy, M.D.  
United States Senator

Cc: U.S. Ambassador to the OAS Frank Mora