



Ottawa, September 21, 2018

The Honourable Chrystia Freeland
Minister of Foreign Affairs
Global Affairs Canada
125 Sussex Dr.
Ottawa, ON K1A 0G2

Subject: Constitutional Crisis in Guatemala

We are writing on behalf of the Americas Policy Group (APG), a working group of the Canadian Council for International Co-operation, to express our profound concern over the crisis unfolding in Guatemala since President Jimmy Morales' August 31 announcement that the mandate of the United Nations International Commission Against Impunity in Guatemala (CICIG) would not be renewed beyond September 2019. As civil society organizations with a strong history of working in Guatemala, we have been observing the situation in the country closely. While we applaud the actions that have thus far been taken by the Canadian government in support of CICIG and its work against impunity and corruption in Guatemala, further action is needed.

We ask that Canada take timely and decisive action in support of CICIG by expressing concern at the Guatemalan government's refusal to comply with the Constitutional Court's September 16th order to allow Iván Velásquez, head of the CICIG, back in the country and calling on President Morales to do so. We also ask that the Government of Canada urge Guatemalan authorities to protect Guatemalans protesting the government's actions at great risk.

Since 2006, the CICIG has been a key actor in the struggle against corruption and impunity in Guatemala. As your ministry has stated, "Working closely with the Guatemalan Public Ministry, the CICIG has helped ensure that no one is above the law." Canada has been a strong supporter of CICIG since its inception and is currently one of the top four donors to the Commission. On September 1, your ministry promptly issued a statement expressing Canada's concern over the decision not to renew CICIG's mandate and affirming Canada's support for the CICIG's work. We commend you for sending an unequivocal message in favour of the rule of law and accountable governance in Guatemala.

On September 3rd, the Guatemalan government refused to allow Commissioner Velásquez back in the country to carry out his work as per the existing Agreement between the United Nations and the Government of Guatemala, valid until September 2019. President Morales' actions were in direct contravention of an August 2017 order from Guatemala's Constitutional Court. While a joint statement was issued by the G13 donors group in support of Commissioner Velásquez and the CICIG, we believe the gravity of the situation warrants further action by the Government of Canada. On September 17th, the Guatemalan government released a statement saying that Commissioner Velásquez would not be allowed back into Guatemala, in defiance of the Constitutional Court's most recent order, and gave the UN 48 hours to name a new CICIG commissioner. As a result, Guatemala is now in a state of uncertainty and faces a dangerous rupture between the executive and the judiciary branches of government which threatens a

breakdown of Guatemala's democratic institutions. Simultaneously, legal reforms bearing directly on the ability of authorities to investigate and prosecute corruption and the crimes of the past are currently before Congress. Needless to say, the outcome of this political and institutional crisis will have serious implications for democracy and the rule of law in Guatemala for the years to come.

Citizens, civil society organizations, Indigenous communities and *campesino* movements have been peacefully protesting throughout the country in defence of the CICIG and Commissioner Velasquez amidst increasing presence of police and armed forces, which raises serious concerns for the safety of those exercising their right to protest. This is particularly preoccupying in the context of escalating repression against human rights defenders in Guatemala this year, which has so far claimed the lives of at least 18 social leaders and land defenders in 2018.

Guatemala's 36-year internal armed conflict, which resulted in the deaths of upwards of 200,000 people, is a stark reminder of the potential consequences of a breakdown of democratic institutions and the rule of law in the country. Given what is at stake, we call on the Government of Canada to assume leadership in showing unequivocal support for the CICIG's work in Guatemala and to urge the Guatemalan government to comply with the Constitutional Court's September 16th order to allow Commissioner Velasquez to enter the country to resume his duties. Canada must also call on Guatemalan authorities to guarantee the safety of human rights defenders and civil society organizations engaging in peaceful protest.

We request a meeting with you for the purpose of sharing information gathered from our members who are closely monitoring the crisis in Guatemala, as well as to share first-hand accounts from the terrain. We would also welcome the opportunity to also engage with Global Affairs Canada officials on the situation.

Sincerely,



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