

**Tom Lantos Human Rights Commission Briefing**  
*Briefing Series on Accountability*  
**The International Commission against Impunity in  
Guatemala, CICIG: An Update and Prospects for the Future**

**Presentation of Helen Mack**  
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For the past 25 years, as President of the Myrna Mack Foundation and former head of the Presidential Commission for the Reform of the Police, I have dedicated my life to promoting human rights and strengthening of the justice and security institutions in Guatemala. This has not been an easy task. We have borne witness to the efforts of good Guatemalans and the good intentions of the international community to consolidate the rule of law. 20 years after the signing of the peace accords that ended the country's 36 year internal armed conflict, we Guatemalans continue fighting for our dignity in the hopes that we are finally able to consolidate the democratic transition.

Important advances have been made, but they have not been sufficient. The structural problems that gave rise to the conflict are in many ways still present.

As a result, the state is unable to guarantee the protection of people's human rights and basic security. Due to the weakness of the state institutions, the population is left vulnerable to the threats of organized crime and corruption. That is why we need the CICIG.

Let me share with you a personal example that illustrates the history of these networks of organized crime and how they have operated within the Guatemalan government. My sister, an anthropologist named Myrna Mack, was assassinated on September 11, 1990 by a military intelligence unit for her efforts to document the impact of the government's scorched earth campaigns during the war on the indigenous populations. Her assassination was an illegal intelligence operation. The military intelligence apparatus not only killed my sister; a year later, they killed the lead detective investigating her assassination, José Miguel Merida Escobar. In order to ensure their impunity, the State framed two civilians who, after being subjected to countless threats and torture, were forced into claiming responsibility for Escobar's murder. Both were later found innocent but to little avail. One was subsequently assassinated in 1992 and the other disappeared, never to be heard from again.

Although the 1996 peace accords called for the dismantling of these illegal and clandestine security structures, they were not fully eradicated. Since the end of the conflict, they evolved and transformed and began pursuing illegal business interests.

These networks use their access to privilege information, positions of power and relationships with powerful individuals for personal gain and to guarantee impunity for their illegal activities. The failure to purge these illicit structures have enabled them to infiltrate deeper and deeper into state institutions. Through the years they that have managed to co-opt state institutions and reshape public policy to maintain their power, thus constituting a direct threat to the rule of law.

In 2006, the Vice President of Guatemala at the time recognized the influence and level of control of these criminal structures within state intuitions, and the inability of the government to dismantle them on its own without the support of the international community. Given the deterioration of the rule of law, attacking a phenomenon of this nature would have been impossible without the support of the international community. Thus, in 2007 the government sought the support of the UN to establish the International Commission against Impunity in Guatemala or CICIG.

The CICIG is an innovative mechanism for the strengthening of the rule of law. It has been an effective instrument not only because it strengthens the judicial system by working hand-in-hand with local prosecutors and partnering with local institutions, but because it also works to actively investigate, prosecute and ultimately dismantle these criminal and corrupt networks.

In its nearly 8 years of operation, the CICIG has been instrumental in equipping the Public Prosecutor of Guatemala with the tools necessary to investigate and prosecute organized crime. . The CICIG helped create a specialized unit within the Public Prosecutor's office to focus on political corruption and organized crime. It developed a witness protection program within the Public Ministry, a security unit to protect prosecutors, and a Criminal Analysis Unit that has transformed the way criminal networks are investigated. With CICIG's support, Guatemala created high-risk tribunals for organized crime and other complex cases, and has helped identify those civil servants who resisted the rule of law by obstructing investigations and prosecutions. CICIG has brought to trial numerous high-profile cases of government officials linked to organized crime and corruption. It has given us hope that, with the right leadership and support, our judicial system can function.

Despite these successes and the continuing need to root out corruption, we are facing the possibility that the CICIG will not be renewed. Its mandate is due to expire in September and the extension of its mandate is currently under debate. Not allowing the continuation of this vital mechanism would be a serious detriment to the fight against organized crime, corruption and impunity in Guatemala.

I stand before you all in the U.S. Congress to ask for your continued support for the CICIG. The Obama Administration has requested one billion dollars in assistance to

help our nations of the Northern Triangle tackle the structural problems that have led so many children and families to flee their homes and migrate to this country. Combating the corrosive effects of criminal and corrupt networks on our institutions and ensuring effective, accountable and independent criminal justice systems must be central components of any strategy.

In the case of Guatemala, the extension of the CICIG without any modification of its mandate is a critical signal of the government's commitment to combating organized crime and corruption. The CICIG has been the most effective instrument for helping to strengthen our criminal justice system. Not renewing its mandate should raise doubt about the Guatemalan government's determination to rooting out corruption and combating organized crime.

Thank you for holding this hearing today and for your support for the CICIG and our fight against organized crime, corruption and impunity in Guatemala.