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Guatemalan President Otto Pérez Molina Gives CICIG Extension Green Light

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President Otto Pérez Molina announced on April 23 that he would ask UN Secretary-General Ban Ki-moon to extend the mandate of the Comisión Internacional contra la Impunidad en Guatemala (CICIG) for an additional two-year period. The decision was made under intense pressure from civil society as well as the international community following revelations of top government officials’ involvement in a massive customs fraud scandal (NotiCen, April 23, 2015).

The next step in the process will be for the government to send an official letter to the UN in the coming days asking to extend the collaboration for a further two-year period.

CICIG was established in 2007 to help dismantle criminal structures and train Guatemalan prosecutors. Its mandate, which has already been extended three times, was set to expire in September.

Although it has achieved impressive results and has contributed to legislative changes that have improved Guatemalan institutions’ capacity to prosecute organized crime, the Pérez Molina administration has been adamantly opposed to its presence in Guatemala.

Tensions with CICIG date back to the 2013 trial of former dictator Efraín Ríos Montt (1982-1983). After the trial was suspended because of a legal technicality (NotiCen, Jan 23, 2014), CICIG made a statement regarding the need to move forward with the trial and guarantee judicial independence that vexed the current administration.

In September 2014, Pérez Molina made it clear that he would not consider extending CICIG’s mandate, citing concerns that foreign countries were growing fatigued from supporting the commission, despite donors’ statements that they were willing to continue supporting it. Vice President Roxana Baldetti echoed these sentiments, stating that "ten years is enough" and that donor money would be better used to respond to the country’s drought crisis. Interior Minister Mauricio López Bonilla urged Guatemalans to take responsibility for themselves and use their own human resources to fill the gap left by CICIG once its mandate expired.

Even after US Vice President Joe Biden traveled to Guatemala in March this year and urged Pérez Molina to renew CICIG’s mandate, stressing that Central American leaders must respond to the US government’s offer of a US$1 billion assistance package to address security and governance challenges known as the Plan for the Alliance for Prosperity in the Northern Triangle (NotiCen, April 30, 2015), the president’s decision was far from assured.

**Customs tax fraud scandal shifts politics around CICIG’s extension**

In February this year, Pérez Molina appointed a committee to consider and advise whether an extension of CICIG’s mandate would be desirable. The committee included the president of the Corte Suprema de Justicia (CSJ), the attorney general, the interior minister, and the director of the Instituto de la Defensa Pública Penal. However, the ultimate decision remained in his hands.
The committee spent more than three months analyzing the issue. Meanwhile, Guatemalan civil-society organizations, opposition parties, foreign donors, and international human rights organizations expressed their wholehearted support for CICIG.

Nevertheless, Pérez Molina insisted that he would not cave in to pressure and would await the final report before making a final decision. On April 22, the committee delivered its report and recommended extending CICIG’s mandate for two years based on an analysis of its mandate and accomplishments.

The report highlighted CICIG’s most recent investigation into an intricate criminal network known as La Linea that was engaged in customs tax fraud that led to the arrest of 22 people including the director and former director of Guatemala’s internal revenue bureau, the Superintendencia de Administración Tributaria (SAT).

CICIG found that the ringleader was Vice President Baldetti’s private secretary, Juan Carlos Monzón, who remains at large and is the subject of an Interpol red notice.

Most damaging of all, on April 24, prosecutors played back wiretapped conversations of alleged participants in the network that many observers interpreted as making references to Vice President Baldetti and President Pérez Molina.

The president's desperate attempts to put a positive spin on things by insisting that he was the one who requested CICIG’s involvement in the investigation have been largely ineffective.

This is by far the worst in a long saga of corruption scandals that have tarnished the image of the current administration and led more than 15,000 Guatemalans to take to the streets on April 25, calling for Pérez Molina’s and Baldetti’s resignation and for CICIG to stay. Many observers said it was the largest peaceful demonstration in Guatemala’s recent history since the Peace Accords were signed in 1996.

Social-media users have echoed calls for CICIG to continue its work using the hashtags #CICIGsi (yes to CICIG) and #RenunciaYa (resign now). "Without CICIG’s presence and support, the Attorney General’s Office wouldn’t have been able to dismantle this criminal network. This corrupt PP government should resign," wrote @edwinrevolution.

As well as putting the administration under intense pressure, the scandal appears to have shifted the politics around the issue of CICIG’s extension. The conservative business elite, which has never been enthusiastic about CICIG, issued a statement congratulating the commission for leading the investigation and calling for a two-year extension of its mandate.

On April 21, the Comité Coordinador de Asociaciones Agrícolas, Comerciales, Industriales y Financieras (CACIF) gave a press conference in which it praised CICIG’s investigation as "a positive and important example of coordination, effectiveness, and professionalism" and called for "a national crusade against corruption."

In a previous interview with Contrapoder magazine, CACIF president Jorge Briz had praised CICIG commissioner Iván Velásquez and said he "held him in high esteem."