

January 18, 2019

Ms. Rita Rudaitis-Renaud
Ambassador of Canada to Guatemala
3 Calle 8-44, Zone 10
Guatemala City, Guatemala

cc: Honorable Chrystia Freeland, Minister of Foreign Affairs

Re: Concern regarding the escalating constitutional crisis in Guatemala

Ambassador,

We, the 26 undersigned organizations, are deeply concerned by the escalating constitutional crisis unfolding in Guatemala since August 2018. We have been monitoring the situation closely and we share the concerns of Guatemalan human rights organizations and Maya, Xinka and Garifuna ancestral authorities, who fear that the Guatemalan state is reverting back to repressive tactics used during the Internal Armed Conflict. The Guatemalan government is defying the rule of law and ignoring checks and balances set up within the Guatemalan state to prevent the consolidation of power, in total violation of the 1996 Peace Accords and the democratic institutionality.

Guatemalan President Jimmy Morales announced in August 2018 that his government would not renew the UN-sponsored International Commission Against Impunity in Guatemala (CICIG). The Guatemalan government has repeatedly violated decisions by the Constitutional Court to allow CICIG officials into the country, in contravention of an existing agreement between the United Nations and the Government of Guatemala, valid until September 2019.

On January 5, 2019, CICIG investigator and Colombian national Yilen Osorio Zuluaga was prevented from entering Guatemala and detained illegally at the La Aurora airport in Guatemala City. With human rights groups, civil society, and Indigenous authorities gathered outside the airport to demand his release and express their support for the CICIG, Mr. Osorio was finally released the following evening pursuant to a Constitutional Court order addressed directly to Guatemalan Immigration authorities, after 25 hours of detention. A day later, on January 7, 2019, the Guatemalan Foreign Minister, Sandra Jovel announced at the United Nations headquarters that Guatemala was unilaterally ending the CICIG's mandate, effective within 24 hours. In her statement, she denied the legitimacy of Constitutional Court rulings. Immediately after, President Jimmy Morales held a press conference in which he affirmed the cancelation of the mandate, in violation of Constitutional Court orders.

We fear that the executive branch's ongoing refusal to abide by the orders of the country's highest court constitutes a "technical" coup, leading Guatemala down a path of dictatorship. The concern is compounded by the repeated actions of the Guatemalan Congress, 20 percent of whom are under investigation for corruption, to undermine anti-corruption efforts through legislation coined as "the pact of the corrupt" by the media and civil society groups. We understand that the government's actions go far beyond a simple attempt to remove CICIG from the country; the government's efforts to consolidate power constitute an attack against the rule of law and institutionality.

Guatemalan civil society, human rights organizations, and Indigenous authorities have repeatedly called for the international community's continued support for the CICIG and the judges of the Constitutional Court in Guatemala. They have also demanded further investigations of corrupt government officials and companies.

Despite their calls, threats against the rule of law have now reached a critical point in Guatemala. It is crucial that Canada take a stand for human rights, the rule of law, and an end to corruption and impunity in Guatemala. We ask the Canadian Embassy to stand with the people of Guatemala and call on the Guatemalan government to respect the Constitutional Court's decisions.

We recognize Canada's recent public response in support of the CICIG and hope the Canadian Embassy will use all channels available to advocate its ongoing support for the Commission and for the Guatemalan government to respect the Constitutional Court.

Signed,

Americas Policy Group – Groupe d'orientation politique pour les Amériques
Amnesty International Canada
Atlantic Regional Solidarity Network (ARSN)
Alternatives Canada
BC CASA/Cafe Justicia Canada
Canadian Jesuits International
Centre Paysan
Church in Action Committee, Maritimes Region, United Church of Canada
CoDevelopment Canada
Comité pour les droits humains en Amérique latine (CDHAL)
Common Frontiers
The Humanity Fund
Inter Pares
KAIROS: Canadian Ecumenical Justice Initiatives
KAIROS Halifax
Martha Justice Ministry of the Sisters of St. Martha, Antigonish
Maquila Solidarity Network (MSN)
Maritimes- Guatemala Breaking the Silence Network (BTS)
Nobel Women's Initiative
Projet Accompagnement Québec-Guatemala
Public Service Alliance of Canada- Alianza de la Función Pública de Canadá
Todos por Guatemala Canada
The United Church of Canada
Union Paysanne
United Steelworkers
USC Canada