

United States Senate

WASHINGTON, DC 20510

January 28, 2020

The Honorable Michael Pompeo
Secretary of State
U.S. Department of State
2201 C Street NW
Washington, D.C. 20520

Dear Secretary Pompeo:

We write to express our concerns regarding the tenuous protections for human rights and for human rights defenders in Guatemala. We urge you to make protecting human rights a priority for U.S. diplomacy with newly elected Guatemalan President Alejandro Giammattei's Administration.

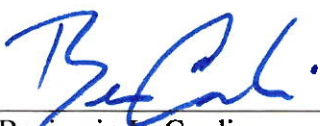
Former Guatemalan President Jimmy Morales's human rights record was extremely disappointing. His inflammatory statements about human rights defenders included asserting that his government "repudiates the actions carried out by people who shield themselves in flags of pseudo-defense of human rights." Unidad de Defensores y Defensoras de Derechos Humanos de Guatemala (UDEFEHUGUA), the principal Guatemalan nongovernmental organization that tracks abuses against human rights defenders, reported a total of 462 acts of aggression against human rights defenders in 2019 alone, including 15 murders and numerous cases of abuse of the judicial system to repress and intimidate human rights defenders. This included arbitrary detentions, arrests, and restrictions on freedom of assembly and movement during the two-month state of siege Morales declared in September and October 2019.

We ask the State Department to monitor proposed institutional changes that could further weaken the rule of law and human rights protections in Guatemala now that Morales has left office. Regrettably, President Alejandro Giammattei's appointments to key Ministry of Governance and National Security Council positions include former military officers with poor human rights records and alleged ties to organized crime networks. Legislation proposed in the last Guatemalan Congress would have greatly restricted nongovernmental organizations that work on issues like improving rights protections and government transparency. The previous Guatemalan legislature also withheld funding for the office of the Human Rights Ombudsman, whose leader has been threatened and harassed despite protective measures from the Inter-American Commission on Human Rights.

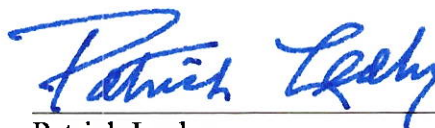
These mounting concerns for the rule of law and the safety of human rights defenders make the Trump Administration's decision to forge migration agreements with Guatemala that in essence establish it as a "safe third country" for asylum-seekers all the more worrisome. By making these migrant information-sharing and security cooperation agreements its priority, the State Department undermines what should be a clear message to the Guatemalan government that it must strengthen human rights – as well as reduce corruption and improve adherence to the rule of law – in order to ensure the safety of those who live there.

We urge you to hold the new Giammattei Administration accountable for any failures to protect human rights defenders, including indigenous rights defenders, as well as judges, magistrates, journalists, and others who work to build a safer Guatemalan society under the rule of law. United States policy toward Guatemala must demonstrate an unyielding commitment to the full exercise of human rights and support for human rights defenders.

Sincerely,



Benjamin L. Cardin
United States Senator



Patrick Leahy
United States Senator



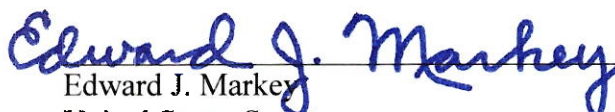
Tim Kaine
United States Senator



Jeffrey A. Merkley
United States Senator



Richard J. Durbin
United States Senator



Edward J. Markey
United States Senator

CC: Ambassador Michael G. Kozak
Acting Assistant Secretary
Bureau of Western Hemisphere Affairs
U.S. Department of State