

INTERNATIONAL COMMISSION AGAINST IMPUNITY IN GUATEMALA

**6TH FORUM OF PARLAMENTARIANS
PROSECUTING GRAND CORRUPTION - LET US BRING THEM TO JUSTICE
SAINT PETERSBURG, RUSSIA
5 NOVEMBER 2015**

OBJECTIVES

- **ORIGINS AND MANDATE**
- **FUNCTIONING**
- **PRIORITY AREAS**
- **NATIONAL CONTEXT**
- **CONCLUSIONS**

ORIGINS AND MANDATE

- INTERNAL ARMED CONFLICT LEGACY BUT TO ADDRESS INFILTRATION OF GOVERNMENT BY CRIMINAL ORGANIZATIONS AND VIOLENT SECURITY FORCES OUTSIDE THE CONTROL OF STATE
- NATIONAL INSTITUTIONAL CHALLENGES: LACK OF RESOURCES, INTIMIDATION, CORRUPTION, INFILTRATION BY ILLEGAL AND CLANDESTINE SECURITY ORGANIZATIONS
- NO INDEPENDENT PROSECUTORIAL POWERS
- RULE OF LAW TOOL
 - SIGNED DECEMBER 2006
 - ENTRY INTO FORCE AUGUST 2007
 - FOURTH RENEWAL 2015-2017

FUNCTIONING

- HYBRID MECHANISM - INTERNATIONAL FUNDING AND STAFF ALLOWS FOR INDEPENDENCE, OBJECTIVITY AND EXPERTISE
- UNPRECEDENT MANDATE TO PROMOTE ACCOUNTABILITY AND STRENGTHEN RULE OF LAW
- AT THE REQUEST OF GOVERNMENT - PURSUANT TO A BILATERAL AGREEMENT - OPERATING WITHIN THE DOMESTIC LEGAL SYSTEM
- TASKED TO PROMOTE INDIVIDUAL PROSECUTIONS, INSTITUTIONAL REFORMS AND BUILD LOCAL CAPACITY
- CATALYST FOR ENDOGENOUS REFORMS

PRIORITY AREAS

- SMUGGLING AND CUSTOMS FRAUD - LA LINEA
- JUDICIAL CORRUPTION - IMPUNITY LAW FIRM AND OTHERS
- ILEGAL FINANCING OF POLITICAL PARTIES - THEMATIC REPORT
- ILLICIT DRUG TRAFFIC, ASSET LAUNDERING AND HIGH POWER STRUCTURES
- ADMINISTRATIVE CORRUPTION - IGSS / NATIONAL POLICE / PENITENCIARY SYSTEM

NATIONAL CONTEXT

- GRAND CORRUPTION MADE PUBLIC
- INSTITUTIONAL CRISIS
- SPONTANEOUS CITIZEN MOVEMENT NO VISIBLE LEADERSHIP NOR VERTICAL STRUCTURE
- PLATFORM FOR STATE REFORM
 - POLITICAL PARTIES AND ELECTORAL SYSTEM
 - CIVIL SERVICE REFORM
 - PUBLIC PROCUREMENT
 - SECURITY AND JUSTICE SECTOR
- GENERAL ELECTIONS

CONCLUSIONS

- NO ONE IS ABOVE THE LAW
 - 31 HIGH OFFICIALS
 - ALL BRANCHES OF STATE, DESCENTRALIZED ENTITIES AND MUNICIPALITIES
- COMPLEX RENEWAL PROCESS
- COMBINATION OF POLITICAL WILL BY THE STATE; LONG LASTING RELATIONS WITH UNITED NATIONS; EFFECTIVE AND COLLABORATIVE RELATION BETWEEN CICIG AND PUBLIC PROSECUTORS OFFICE; SUPPORT OF DONORS AND FRIENDS OF GUATEMALA
- WORTH REPLICATING INTEGRATION INTO LOCAL JUSTICE SECTOR AND COMBINATION OF POWERS TO PROMOTE PROSECUTIONS AS WELL AS INSTITUTIONAL AND LEGAL REFORMS
- GUARANTEE FULL TRANSFER OF CAPACITY AND KNOW HOW
- SDG 16 PEACEFUL AND INCLUSIVE SOCIETIES WITH STRONG AND ACCOUNTABLE INSTITUTIONS, ACCESS TO JUSTICE AND PROMOTION OF THE RULE OF LAW.
- NEW ADMINISTRATION MUST BE CAREFUL IN APPOINTING UNBLEMISHED PERSONS - CIVIL SOCIETY IS VIGILANT.