



# Building Accountability from the Inside Out

Assessing the Achievements of the International  
Commission Against Impunity in Guatemala

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By Trevor Sutton    May 2016

# Introduction and summary

Twenty-five years ago, most of the world's governments treated corruption of public officials as a domestic issue far removed from the realm of foreign affairs and international policy.<sup>1</sup> Since then, much has changed. Today, the United States and many other influential nations and institutions recognize pervasive graft as a serious threat to global security and a major obstacle to international development goals.<sup>2</sup> The Obama administration has declared freedom from corruption to be a “basic human right” and has promised to “lead the way” in confronting graft in the international system.<sup>3</sup> In the same spirit, the United Kingdom has declared that corruption “harms societies, undermines economic development and threatens democracy,” while U.N. Secretary-General Ban-Ki Moon has singled out corruption as “criminal,” “corrosive,” and “disastrous” in its effects.<sup>4</sup> Furthermore, virtually every major development organization from the Americas to Asia treats corruption as a significant impediment to equitable growth and the building of effective institutions.<sup>5</sup> As the World Bank stated in a recent brief, “fighting corruption has become a policy priority for the development community over the past two decades and ... is critical to the achievement of the Bank's overarching mission.”<sup>6</sup>

Yet, for all this ambitious rhetoric, making inroads against corruption can be a slow, frustrating task—especially for outsiders seeking to change a culture of entrenched greed. As the Center for American Progress noted in a report published last year, the United States' decade-long effort to combat corruption in Afghanistan has failed to stanch an epidemic of official bribe-taking, especially as it concerns the drug trade.<sup>7</sup> And, as recently reported in *The New York Times*, U.S. and U.N. efforts to identify assets lost to corruption in developing countries has succeeded in recovering only a small percentage of an estimated \$20 billion to \$40 billion stolen by venal officials.<sup>8</sup> For many activists and policymakers working on corruption issues, good-news stories are few and far between.

In this context, it is easy to understand why the unusual achievements of a U.N.-backed investigative body focused on combating impunity and organized crime in Guatemala, the International Commission Against Impunity—known by its Spanish-language acronym, CICIG—has attracted international attention. Since its founding in 2007, CICIG has convicted a string of high-profile Guatemalan figures on charges of corruption and abuse of office, including two interior ministers; two directors general of the National Civil Police; the director of the country’s prison system; and numerous military officials and organized crime figures.<sup>9</sup> Most dramatically, a CICIG investigation into customs fraud led to the arrest of Guatemala’s then-President Otto Pérez Molina along with his Vice President Roxana Baldetti last year.<sup>10</sup> Both Molina and Baldetti have since resigned and are currently in jail awaiting trial.<sup>11</sup>

To call these outcomes astounding would not be an overstatement. There is no precedent, even among developed countries, for the arrest and trial of a sitting head of state on corruption charges.<sup>12</sup> Not surprisingly, many in the Americas and in the wider international community have called for the extension of the CICIG model to other corruption-plagued countries.<sup>13</sup> Most recently, authorities in Honduras—under immense public pressure—have agreed to a CICIG-like anti-corruption body under the auspices of the Organization for American States, or OAS—a development received with cautious enthusiasm by some, skepticism by others.<sup>14</sup>

In addition to individual prosecutions, CICIG’s tenure has coincided with a steady drop in the homicide rate in Guatemala—still one of the highest in the world at 29 homicides per 100,000 residents, but down approximately one-third from its 2009 peak.<sup>15</sup> Many other crime categories have similarly declined.<sup>16</sup> While CICIG cannot claim sole credit for this positive trend, there is little question that it has contributed to an environment of increasing security in one of the most violent regions in the world—the Northern Triangle of Central America—which has long been in the grip of drug cartels and other criminal networks.<sup>17</sup> This trend is especially surprising given persistent and, in some cases, escalating violence in neighboring countries such as Venezuela and El Salvador—the latter of which surpassed Honduras to become world’s murder capital in 2015.<sup>18</sup> It is remarkable, but perhaps not unexpected, that a recent survey found that Guatemalans trust CICIG more than any other institution in the country, including the Catholic Church.<sup>19</sup>

CICIG is—by any measure—a momentous achievement and a welcome development for the people of Guatemala. But it is important not to stretch its significance too far or to assume CICIG clones will produce similar results in other jurisdictions. One reason CICIG’s effectiveness has drawn such praise is that corruption inquiries in many other contexts have served as instruments in ideological or partisan struggle; as rubber stamps for oppressive regimes; or simply as paper tigers incapable of holding accountable those who are most deserving of punishment for graft. Making sense of CICIG’s lessons for anti-corruption efforts in other parts of the world requires an understanding of the factors that have allowed the commission to avoid a similar fate and how they can be replicated elsewhere.

To that end, this report considers the background of CICIG and provides an overview of its structure and mandate. It also investigates the factors that have contributed to its success in dismantling corrupt networks and advancing rule of law in Guatemala. Drawing on this analysis, the report then examines the challenges and opportunities for replicating the CICIG model outside of Guatemala and offers recommendations on where and under what conditions other CICIG-type anti-impunity mechanisms are likely to succeed. The report concludes that CICIG presents a powerful tool for creating political accountability in countries struggling with corruption. But it also finds that CICIG’s achievements must be understood in the context in which they occurred—and that the CICIG model should be viewed as a catalyst for broader reform rather than as an end unto itself or a universal solution to impunity.

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