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OPINION | THE AMERICAS

U.S. Stirs More Trouble in Central America

Secretary of State Blinken sides with a fired prosecutor who trampled the law.



By

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Aug. 1, 2021 5:01 pm ET



Guatemala's Attorney General Maria Consuelo Porras speaks at a press conference in Guatemala City, May 17, 2018.

PHOTO: JOHAN ORDONEZ/AGENCE FRANCE-PRESSE/GETTY IMAGES

The State Department is sowing trouble again in Guatemala. If Foggy Bottom gets its wish, political instability is likely to increase in Central America, and migration pressures at the southern U.S. border will get worse.

At issue is the firing, with cause, of a Guatemalan prosecutor. Secretary of State Antony Blinken has condemned the decision and suspended U.S. cooperation with the attorney general's office as punishment.

No secretary of state can know the political landscape in every country. Mr. Blinken has to rely on his bureaucracy. Unfortunately, it has misled him on this matter. He is endorsing behavior that is harmful to U.S. interests.

Guatemala is rife with corruption. Trafficking of drugs and human beings, extortion, graft, bribery and crony capitalism are only a few of the challenges it faces.

Fighting endemic lawlessness requires democratic institutions. That's a long-term project but it starts with a commitment to judicial independence and the constitution. Without greater transparency and accountability, corruption will persist.

When Attorney General Maria Consuelo Porras became the country's top law-enforcement official in May 2018, she inherited a mess. Her predecessor, Thelma Aldana, had eroded public trust by flouting the rule of law for four years. Ms. Porras set about to restore judicial credibility.

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Juan Francisco Sandoval, who headed the anticorruption unit inside her office, wasn't on board, according to Ms. Porras. On July 23 she removed him from his post.

Ms. Porras has said in media interviews that she let Mr. Sandoval go because he exercised political and ideological bias, he leaked information that was supposed to be confidential and behaved, with domestic and international support, as if he were above the law.

The Guatemalan left has the vapors over Ms. Porras's decision. So do its State Department friends who advise Mr. Blinken. On July 25 he tweeted praise for Mr. Sandoval and claimed that his "dismissal undermines the rule of law and strengthens the forces of impunity. Guatemalans deserve better." Mr. Sandoval's record says the opposite.

It's time to cut through the fog of a war waged by the hard left and its former-guerrilla allies.

A decade of unofficial rule by the United Nations' International Commission Against Impunity in Guatemala, known as CICIG, was costly. It was supposed to assist in the

eradication of “illegal security groups and clandestine security organizations” and make policy recommendations.

But CICIG reported to no one. Its third commissioner—Colombian Ivan Velásquez, named in the fall of 2013—recognized that its unlimited power could be used for political ends. The leftist Mr. Velásquez weaponized the commission and unleashed a reign of judicial terror.

As head of the anticorruption unit, Mr. Sandoval reported to CICIG, and his abuse of power is documented. The board of directors of the Guatemalan Social Security Institute were among his victims. They were arrested and kept in a cage in a courthouse parking garage for a week before being charged with fraud. They were held in Guatemalan jail for nearly four years and repeatedly denied bail or house arrest. Two of the accused, denied urgent medical attention, died in custody—one by suicide after being diagnosed with severe depression.

The four who survived were exonerated in September 2018 by an appeals court, which found no crime.

CICIG’s mandate expired in 2019 and wasn’t renewed. But reform has been difficult because judges and prosecutors controlled by Mr. Velásquez adopted his police-state tactics. As prosecutors, Mr. Sandoval and Ms. Aldana refused to acknowledge the presumption of innocence that is standard in every civilized country. Yet they were both protected because they found favor with State Department personnel. Ms. Aldana is now in the U.S. while she is wanted in Guatemala on two separate indictments for corruption.

One big step toward order came when Ms. Porras brought the anticorruption unit under the umbrella of the attorney general’s office. She also granted it autonomy that it didn’t have when CICIG was in the country and increased technical and investigative support for its work.

Under Ms. Porras’s leadership, according to official statistics, her office has resolved a higher percentage of narco-trafficking cases than in any of the previous five years. Most of those have resulted in extradition or conviction. The anticorruption unit has initiated twice as many formal prosecutions a year as were initiated during the CICIG years, and dismantled twice as many criminal organizations a year with a more successful record of convictions.

Ms. Porras's critics allege that she is protecting bad actors. Even if that were true, it wouldn't justify feting Mr. Sandoval, who eagerly violated the most fundamental norms of American justice. To borrow from Mr. Blinken, Guatemalans deserve better.

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Appeared in the August 2, 2021, print edition.

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