

Statement of Ambassador Todd D. Robinson
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Senate Committee on Foreign Relations
“U.S. Policy on Democracy in Latin America and the Caribbean”
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Chairman Menendez, Ranking Member Risch, distinguished Members of the Committee; thank you for the opportunity to appear before you today. The threats to democracy across the Western Hemisphere are growing and have a significant impact on the United States’ national security and economic prosperity. The Bureau I have led since September, the Department of State’s Bureau of International Narcotics and Law Enforcement Affairs (INL), is aligned to work with our Department and interagency colleagues to address these threats. Bolstering the rule of law, uprooting corruption, reducing the levels of violent crime, and deterring the production and trafficking of illicit drugs are ways in which INL is actively working to shore up democracy and ensuring it delivers for the people it represents. We place a significant focus on combating the corruption that permeates all levels of society in Latin America, with the goal of creating a more secure, democratic, and prosperous Western Hemisphere.

INL’s focus on the illicit drug trade responds to transnational criminal organizations that destabilize the region and contribute to democratic backsliding through their entrenched corruption networks. The scale of illicit drug profits is estimated to reach hundreds of billions of dollars annually. While corruption takes many forms and stems from many sources, financial profits on this scale give transnational criminal organizations an almost unlimited capacity to harm government institutions.

Corruption: A Key Contributor to Democratic Backsliding

Endemic corruption erodes trust in institutions and democracy, and enables authoritarianism, crime, and violence throughout the Western Hemisphere. Corrupt government actors are incentivized to allow drug trafficking and other organized criminal groups to operate within their jurisdictions. Drug trafficking and organized crime undermine the democratic process, national security, the rule of law, and licit economies. It is not surprising to witness democratic backsliding in the region, as this cycle of corruption thrives in areas where democratic institutions once thrived. President Biden has prioritized the need to protect and

reinvigorate democracy both at home and abroad. INL works with countries to build their capacity to fight cycles of corruption. However, we recognize some governments lack the capacity, and in some cases, the political will to tackle the problem. Corruption has enabled the emergence of autocratic leaders in this hemisphere.

As Secretary Blinken has testified here before you, the key is for governments to do the right thing: address the concerns of their people, strengthen the rule of law, and protect democratic institutions and the human rights for all their citizens, as called for in the Inter-American Democratic Charter.

Corruption also hobbles effective governance; erodes respect for human rights; distorts markets and equitable access to services; undercuts development efforts; contributes to national fragility, extremism, and irregular migration; endangers the physical safety of citizens; and provides authoritarian leaders a means to undermine democracies worldwide. When leaders steal from their nations' citizens or elites flout the rule of law, economic growth slows, inequality widens, and trust in government plummets.

Our strong preference is to work with governments, but to make real inroads, we cannot want this more than they do. As Secretary Blinken testified in June, if governments are unable or unwilling to do what is necessary to be an appropriate partner for the United States and for our taxpayer dollars, we will work with NGOs and civil society, communities and international organizations, the private sector where appropriate, and other implementing partners. There are ways to effectively deliver assistance and support that do not require working with a central government to make meaningful improvements in governance. We will work with these non-governmental partners, as we do currently, to affect change where possible.

Using Foreign Assistance to Address Corruption and Promote Democratic Institutions

In Central America, INL support for anticorruption and rule of law programming remains a priority under the Root Causes Strategy. The United States encourages justice sector authorities in northern Central America to recognize the deficit in citizens' trust in institutions to deliver trustworthy anticorruption investigations and prosecutions, and ensure credible, independent judicial investigations into corruption-related crimes. We continue to support civil society and watchdog groups to expose corruption, advocate for justice, and support anticorruption reforms in their countries, as no one understands the

corrosive nature of corruption better than those whose livelihoods suffer because of it. We stand ready and willing to work with those partners in the region who have demonstrated a good faith commitment to combating corruption.

In Nicaragua, under the authoritarian regime of Daniel Ortega, government attacks on the free press are a daily occurrence (we have also seen this increasingly in El Salvador and Guatemala). INL helps independent media and journalists carry out data driven investigations into issues of crime, corruption, and transparency. The reporting conducted by INL partners exposes the regime's corruption and human rights abuses and informs Nicaraguans of ways the ruling party manipulates them. INL also engages with civil society organizations in Nicaragua to strengthen the rule of law, keep youth out of gangs and address gender-based violence.

The cycle of crime and corruption has eroded the democratic process, the economy, and the security of Venezuela. To increase international attention, cooperation, and action to combat crime and corruption emanating from Venezuela, INL brings together justice sector and policy officials from partner countries to drive substantive conversations and information exchanges on Venezuela-based or linked criminal organizations; illegal drug and gold trafficking; and kleptocracy and financial crimes. These exchanges not only serve to increase countries' understanding of criminal trends coming from Venezuela, but – as this effort continues to develop – we hope it will result in increased action to hold the Maduro regime and criminal actors operating in Venezuelan territory accountable for their crimes.

In Haiti, weak institutions and pervasive corruption contribute to proliferation of gang violence, including kidnappings for ransom and control of critical, public infrastructure. Gang violence has become the primary concern in Haiti and continues to grow as Haitian gangs expand their influence and geographic presence, including control of nearly 50 percent of metropolitan Port-au-Prince and expanding into less urban areas. We are seeing increasingly aggressive tactics, including the recent kidnapping of American citizens, outmaneuvering of Haitian National Police (HNP), and disruption or control of transport routes leading to fuel scarcity throughout the country. When I visited Haiti two weeks ago, I met with the prime minister, the Acting Minister of Justice, the new Director General of the HNP, and members of the international community to emphasize our concern for the immediate security situation and to emphasize the need to ensure HNP officer accountability, respect for human rights, and transparency, especially of the new HNP anti-gang unit, and we will do more. Following the July presidential assassination and August earthquake, INL bolstered support for training, equipping, and vetting the anti-gang unit. INL is

also in the process of providing additional embedded advisors, vehicles, and protective equipment for HNP units countering gangs and supporting election security. INL will continue efforts to support longer-term community prevention efforts and institutional capacity building of the HNP.

Supporting Key Regional Partners in the Western Hemisphere

In environments where we can effectively partner with central governments, INL develops the professional capacity of police, prosecutors, judges, and corrections officials to help create strong, transparent democratic institutions. In coordination with the Department of Justice, we mentor law enforcement and justice counterparts throughout the region, including Colombia, Central America, and Mexico. Our work includes a focus on providing training to judicial actors, improving compliance with international standards, and promoting accountability throughout the justice system.

In Colombia, INL provides significant support in coordination with our DOJ partners to mentor elite cadres of specialized Colombian prosecutors. These prosecutors are responsible for prosecuting Colombia's most high-profile cases, many of which involve public corruption. In Peru, INL provided training to all justices on the National Anticorruption Court who then utilized this knowledge to train other judges in regional anticorruption courts throughout Peru. INL also supported Peru's judiciary in obtaining International Organization for Standardization (ISO) anti-bribery management system certification for Peru's Supreme Criminal Court in 2021 and the judiciary is planning to expand the anti-bribery ISO certification into 11 Superior Courts in 2022. Moving forward and with INL's support, Peru's Attorney General's office intends to implement the ISO anti-bribery standards in several key units, including the newly created Integrity Office. Supporting efforts to improve judicial compliance with international standards is an important way to increase citizen's trust and create an effective judicial check and balance on other government branches.

In areas like northern Central America, where the rule of law is under constant threat, INL intends to target assistance to willing partners and trusted institutions. We are working within the region to help build partnerships to successful security programs in other Central American countries. For example, the Government of Costa Rica is working closely with INL to implement aspects of the "Sembremos Seguridad" community policing projects in northern Central America to increase security and confidence in the police in those communities. In Honduras, INL is providing standardized training in basic and advanced

prosecutorial skills to approximately 1,000 prosecutors (nearly all prosecutors in Honduras), as well as courses on handling corruption cases for specialized prosecutors. In Panama, a new INL-supported Anti-Money Laundering and Anticorruption Taskforce brings all Panamanian agencies involved in money laundering, terrorism financing, transnational economic crimes, and corruption together in one building to work with U.S. law enforcement agencies to conduct complex investigations with the goal of successfully prosecuting cases to reduce money laundering and corruption.

Our partnership with Mexico helps strengthen the capacity of security and justice institutions to reduce opportunities for corruption, prosecute offenders, and promote a culture of accountability. Our work complements robust interagency programs, including those of USAID. Our collaboration with Mexico to transition to a more open and transparent accusatorial judicial system is a centerpiece of these efforts. INL support helped Mexico to achieve international accreditation of Mexican security and justice institutions to increase transparency. Such efforts are essential for reducing crime, improving responses to crime, improving criminal justice processes, and protecting human rights. Going forward under the U.S.-Mexico Bicentennial Framework for Security, Public Health, and Safe Communities, the United States will deepen its partnership with Mexico to counter corruption through support for the investigation and prosecution of corrupt officials and the seizure and forfeiture of their illicit assets. We will also work to expand capacity to increase the investigation and prosecution of organized criminal groups. The success of these measures reduces opportunities for drug trafficking organizations to leverage corruption to advance and protect their operations.

Deterrence Tools

To complement and reinforce our diplomacy and assistance, INL also works with interagency counterparts to employ targeted sanctions and deterrence tools to combat high-level corruption and support the work of law enforcement. INL manages two rewards programs targeting high-level drug traffickers and other transnational criminal leaders, which have helped our law enforcement partners bring more than 75 international major violators to justice. INL also manages two anticorruption visa restriction authorities, and, in close cooperation with the Department of the Treasury, supports implementation of the corruption prong of the Global Magnitsky sanctions program. INL also coordinates with the Bureau of Consular Affairs, the Bureau of Western Hemisphere Affairs, and other relevant bureaus to implement Section 353 of the Northern Triangle Enhancement Act (also

known as “the Engel List”) and INA 212(a)(3)(C) policies related to corruption and the rule of law.

The public designation of corrupt actors under Section 7031(c) of the Department of State, Foreign Operations, and Related Appropriations Act, 2021, the Section 353 Corrupt and Undemocratic Actors list, and the Global Magnitsky Act has significantly reinforced our broader anticorruption agenda, including through increased media, civil society, and general public attention. We have also seen these designations spur governments to remove designees from office or to open law enforcement investigations and to build momentum to adopt anticorruption reforms. INL has greatly expanded the use of these tools since 2019, completing 2.5 times more visa restrictions cases and seven times more reward cases than in the previous two years. These tools complement our diplomatic and foreign assistance efforts, including those under the Root Causes Strategy, to prevent and combat corruption.

These tools allow us to elevate attention on corrupt officials and practices, even in countries where we don’t have programming. For example, the Department has issued 13 Transnational Organized Crime and Narcotics rewards offers for information leading to the arrest or conviction of Maduro and his cronies as well as designating three individuals under Section 7031(c) who abused their public position in the Maduro regime by accepting bribes and kickbacks and misappropriating public funds for their own self-enrichment.

Multilateral Engagement

In addition to our assistance programs and deterrence tools, INL is supporting the Department’s efforts in the multilateral space. The upcoming Summit for Democracy will reinforce the importance of democratic values and reassert America’s role as the leader of democratic nations. Acknowledging the threat corruption poses to democracy, the Summit will serve as a platform to discuss and coordinate with partners from a diverse group of democracies around the world opportunities to reduce its corrosive effects. In particular, the Summit will be an opportunity to advance U.S. anticorruption priorities, including: shutting down safe havens for corrupt actors and their ill-gotten gains; increasing our partners’ capacity to prevent and combat corruption and hold corrupt actors accountable; leveraging innovation in the fight against corruption; and improving our ability to respond decisively to opportunities and threats to partner governments facing corruption related challenges. We will encourage partners to announce commitments to combat kleptocracy and foreign bribery, improve

beneficial ownership and real estate transparency, and promote the role of civil society, independent media and journalists, and the private sector in anticorruption efforts. We will hold ourselves to the same standard and expect to announce commitments and deliverables at the Summit, including to fight corruption at home.

We hope the Summit will be a useful opportunity to advance the core tenets of democracy and demonstrate to democracies and non-democracies alike that democratic governance can and will deliver for the region. In a promising signal of democracy's potential in the region, the Western Hemisphere constitutes the second-largest delegation of invited countries at the Summit. Similarly, we will reinforce these and other democratic themes at the Summit of the Americas next year. Committing to democracy in these summits will solidify and confirm our approach to defending and supporting democratic governance throughout the region.

Conclusion

Mr. Chairman and Ranking Member, my testimony has focused on the work of INL, but let me end by reiterating an important point: political will from our partners to confront corruption and transnational crime in our hemisphere is absolutely critical. Even the best resourced and planned U.S. foreign policy intervention cannot succeed if our partners are not equally or more committed to addressing these challenges. Governments must own their efforts to enact reforms and disrupt criminal networks and the corruption they engender.

Our assistance programs can nudge countries in the right direction. But long-term progress to close pathways for corruption and push the illicit drug trade to the margins must come from our partners. To mobilize political will for further reforms, the United States must continue to engage civil society and public audiences. Partner governments that are accountable to their citizens and value contributions from civil society have much greater resiliency against corruption, drug trafficking, and other criminal threats. No country is immune to these challenges, and we share them ourselves. The United States must achieve further success here at home to reduce our own vulnerabilities, such as reducing demand for illicit drugs. By holding ourselves and our partners accountable, and recognizing that these are shared challenges, we give greater strength to our public messaging and increase our appeal as a partner.