

Statement of Ambassador Brian A. Nichols
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Before the
Senate Committee on Foreign Relations
“U.S. Policy on Democracy in Latin America and the Caribbean”
November 30, 2021

Chairman Menendez, Ranking Member Risch, Members of the Committee, thank you for the opportunity to testify regarding our efforts to promote inclusive democracy in the Americas.

Ensuring Democracy Delivers

Two decades ago, together with our Western Hemisphere partners, we committed to promote and defend democracy across the region through the Inter-American Democratic Charter. Following that historic commitment, the region’s democracies enjoyed a period of relative prosperity, security, and stability. Latin America’s middle class grew, and poverty fell by half. Living standards and access to education rose. Maternal and infant mortality declined.

Nevertheless, too many ordinary citizens in the region’s democracies saw their governments failing to meet their expectations and aspirations for a better future. Corruption remained rampant. Economies grew but so did inequality. Crime and insecurity took too many lives and stymied the region’s development. Surveys this year showed citizens’ satisfaction with democracy at near historic lows. Street protests broke out in several countries as citizens expressed anger and frustration with political and economic elites. The COVID-19 pandemic highlighted and exacerbated the region’s underlying governance challenges and inequities.

As the Secretary said in his October 20th remarks in Ecuador, “We find ourselves in a moment of democratic reckoning. And the question for all of us who believe in democracy – and believe its survival is vital to our shared future – is what can we do to make democracies deliver on the issues that matter most to people.” Our defining mission in the Bureau of Western Hemisphere Affairs is answering that question.

We know elements of the answer already. To strengthen democracy, we must work closely with those in the region committed to using the tools of government to transparently address the needs of their societies and equally committed to handing over power at the end of their term in office. We must use every diplomatic and economic tool available to combat corruption, enhance civilian

security, improve government service delivery, and address the economic and social challenges facing the region's citizens. In short, we must close the gap between democracy's promise and its reality. We work across all these fronts daily.

Public frustration with corruption represents one of the greatest threats to confidence in political systems across the region. That is why President Biden's designation of fighting corruption as a core U.S. national security interest resonated in many countries in the Americas. We use the tools Congress gave us to show our commitment is not just rhetorical. We hold corrupt individuals and groups accountable, including through visa restrictions, economic sanctions, and adding more than 60 individuals in El Salvador, Guatemala, and Honduras to the Corrupt and Undemocratic Actors list mandated under Section 353 of the United States-Northern Triangle Enhanced Engagement Act. We will uphold and expand upon our commitment to fight corruption as host of the Ninth Summit of the Americas next year.

To strengthen civilian security, the United States invests billions of dollars globally to reduce violence and combat transnational criminal organizations. However, we must do even more to address the root causes of insecurity in our hemisphere. Under the administration's Root Causes Strategy, we work with local communities to reduce the violence and insecurity in northern Central America which drives so many Central Americans out of their homes. We laid the groundwork for more comprehensive approaches to security at the October 8 High-Level Security Dialogue (HLSD) with Mexico and October 21 High-Level Dialogue with Colombia and will adopt similar approaches with other partners.

We must also address the economic and social challenges facing our citizens as together we recover from the COVID-19 pandemic. In partnership with COVAX and bilaterally, we donated more than 54 million vaccine doses to 30 countries in the Western Hemisphere. At this month's North American Summit, President Biden and his counterparts from Mexico and Canada pledged to develop a trilateral North American Partnership for Racial Equity and Inclusion. The United States invested more than \$10 billion in Latin America and the Caribbean through the Development Finance Corporation (DFC) to grow economies, create jobs, and help the region restart its economy. As part of the President's Build Back Better World Initiative, we sent a delegation to Colombia, Ecuador, and Panama in September to

work with our partners to narrow the gaps in physical, digital, and human resources infrastructure exacerbated by the pandemic. The B3W Initiative will frame our efforts in the Hemisphere moving forward.

Preventing Democratic Backsliding

Twenty years after the approval of the Inter American Democratic Charter, we recognize that governance conditions in some countries either have not progressed or are moving in the wrong direction.

Haiti struggles with grave humanitarian and security challenges and political turmoil, compounded by the July 7 assassination of President Jovenel Moïse and the August 14 earthquake. NSC Senior Director Juan Gonzalez, Under Secretary for Civilian Security Uzra Zeya, Assistant Secretary Todd Robinson, and I all made trips to Haiti in October and November to underscore the Administration's commitment to the Haitian people.

In our meetings with the diaspora, civil society, political actors, and Prime Minister Ariel Henry, we expressed concern about insecurity and pledged our support for the Haitian people to find their own solutions and chart a broad and inclusive path out of the current political uncertainty. Haitian stakeholders insisted the current insecurity would not allow for free and fair elections this year. I agree.

The Haitian people will determine a timeline for their elections. We will work now to support conditions for free and fair elections when they happen, including by helping the Haitian National Police (HNP) restore security and address gang violence. The October kidnapping of 16 American and one Canadian missionary underscores the grave lack of security in Haiti.

We witnessed a serious erosion of democratic norms in Central America in the last decade. In El Salvador, the Bukele administration took taken a series of concerning steps that weakened respect for democratic principles and institutions. The proposed Foreign Agent Law, which would impose unnecessary controls on civil society activities protected under the Democratic Charter, emerged in the context of other actions that seem aimed at concentrating power in the hands of the executive and intimidating critics of the Bukele administration. These include sending armed soldiers into the Legislative Assembly; improperly replacing Supreme Court judges with loyalists who decreed – against the country's own constitutional provisions – that a president can run for re-election; cutting off access to public information; turning a blind eye to corruption within the current

administration; and denigrating civil society, independent media, and U.S. assistance as “the opposition.” While we remain committed to helping the Salvadoran people achieve security and prosperity, we will continue to work with Congress and international partners to urge the Bukele administration to change course and recommit to human rights and democratic norms.

In Honduras, violence marred the runup to Sunday’s national elections with more than 30 tragic deaths associated with the election cycle. Thankfully, election day itself was largely peaceful, with a turnout that reflected the democratic spirit of the Honduran people. I visited Honduras last week to underscore the importance of a peaceful, transparent, free and fair election to the candidates and Honduran stakeholders in the government, civil society, and the private sector. DRL and USAID supported messaging campaigns and worked with their contacts to encourage non-violence and respect for the electoral process. INL provided training on the role of police in elections to more than 5,000 officers and distributed more than 20,000 pamphlets on best practices for use of force. USAID also supported electoral authorities to strengthen their efforts to promote fair and transparent elections, including establishing internal biosafety protocols for electoral personnel before and on election day.

In Guatemala, the Attorney General used her office to obstruct investigations into high-level wrongdoing and instead persecuted those seeking to strengthen accountability for corruption and human rights violations, including by dismissing the Public Ministry’s leading anti-corruption prosecutor on July 23. This is especially unfortunate in view of the excellent cooperation we enjoy with Guatemala on law enforcement matters, including record-level extraditions and cooperation on drug interdictions. Good cooperation in some areas, however, does not mean we can ignore actions that undermine the rule of law. We designated the Attorney General and her deputy under Section 353 which suspended most avenues of cooperation with the Public Ministry until the selection of a new Attorney General in May 2022. We urge the government of Guatemala to pursue a fair and transparent process to nominate qualified and independent candidates as the next Attorney General.

Supporting Democratic Transitions in Non-Democratic Regimes

We must work tirelessly to support democracy where undemocratic regimes prevail. We support the Unity Platform of Venezuelan democracy defenders in

their demand for human rights and democracy in their country. On the margins of the 51st OAS General Assembly on November 10-12, we joined 12 other countries calling for the return of democracy in Venezuela and for attention to its humanitarian crisis. Nicolás Maduro should release wrongfully detained U.S. nationals immediately so they can return to their families in the United States.

In Nicaragua, the Ortega-Murillo regime launched an unprecedented crackdown against opposition leaders and independent journalists. Following the sham November 7 elections, Ortega and Murillo no longer have a democratic mandate. On November 12 at the OAS General Assembly, 25 countries voted to condemn the Nicaraguan elections and demand the release of political prisoners and a return to democracy. Nicaragua alone voted against the resolution, demonstrating its isolation in the region. The Administration sanctioned a total of 40 individuals and nine entities under our Nicaragua-specific or Global Magnitsky sanctions programs, with the largest tranche announced on November 15 following the sham elections. We imposed visa restrictions on 169 individuals linked to the Ortega-Murillo government and their immediate family members and on November 16 announced a Presidential Proclamation on Nicaragua suspending the entry of individuals complicit in undermining democracy. We welcome concrete actions taken by our partners, including Canada's and the UK's announcement of additional Nicaragua sanctions on November 15, and the EU's August 2 decision to apply sanctions on eight individuals, including Vice President Murillo. We welcome the strong bipartisan RENACER legislation and look forward to working closely with you to implement it.

Our Cuba policy focuses on support for the wellbeing of the Cuban people and accountability for Cuban government officials involved in human rights abuses. Working with the international community, we condemn the violence and repression perpetrated by the Cuban regime upon the Cuban people for demanding their fundamental freedoms. Time and again the Cuban government rejected the Cuban people's attempt to initiate a discussion, choosing instead to respond with repression, sending security forces and government-backed mobs to bully those who seek democracy. On November 15, the regime again blocked the voices of the Cuban people rather than listen, forgoing opportunities for dialogue and positive change for the future of Cuba. Since July, the Treasury Department imposed four rounds of targeted financial sanctions against Cuban officials and entities within the Cuban military and security services in connection with violence, repression, and human rights violations against peaceful protestors.

Through these Global Magnitsky sanctions, the Biden-Harris Administration imposes tangible consequences against repressors and to promote accountability for their human rights abuses.

We also seek ways to meaningfully support the Cuban people. The Administration also supports efforts to counter Internet censorship, restrictions on content access, and shutdowns. We will continue to work with the private sector and other stakeholders to identify viable options to ensure greater internet access for the Cuban people.

Democracy Can Deliver

We see these and other challenges confronting the region, but we stand by our conviction that democracy remains the best form of government to address them. As the Secretary said in Quito, “there’s no threat we face that better democracy cannot fix – no challenge where a closed system would do better for people than an open one.”

We look forward to working with our partners to ensure that democracy delivers equally throughout the hemisphere. On December 9-10, the President will host the Summit for Democracy, which serves as an opportunity for governments, civil society, and private sector stakeholders to promote these ideals and hold ourselves accountable to the commitments we have made. We will also take on new commitments to address and fight corruption, defend against authoritarianism, promote respect for human rights both at home and abroad, and advance an economic recovery in the hemisphere that creates the conditions for equitable growth, benefitting historically marginalized populations. Twenty-six countries from our region will attend the Summit to work together toward strengthening democracy in our hemisphere.

Thank you again for the opportunity to testify. I look forward to your questions.