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MOTION FOR A RESOLUTION

with request for inclusion in the agenda for the debate on cases of breaches of human rights, democracy and the rule of law

pursuant to Rule 115 of the Rules of Procedure

by Pasqualina Napoletano and Luis Yañez-Barnuevo García,

on behalf of the PSE Group

on the trial of Rios Montt

European Parliament resolution on the trial of Rios Montt

The European Parliament,

- having regard to its previous resolutions on Guatemala (18 May 2000, 14 June 2001, 11 April 2002, 10 April 2003 and 7 July 2005),
 - having regard to its resolutions supporting the extradition of Pinochet to Spain and of Alberto Fujimori to Peru,
 - having regard to the ICC Statute, the Convention against torture and other inhuman and degrading treatments, the European Human Rights Convention,
 - having regard to Rule 115(5) of its Rules of Procedure,
- A. whereas the allegations of crimes against humanity and genocide during the armed conflict in Guatemala included reports that: 83% of the victims of the conflict were Mayan ethnic people, 200,000 people were murdered and 45,000 suffered enforced disappearances, 10% of the population was displaced and entire indigenous communities were eradicated,
 - B. whereas those accused of plotting and committing the above mentioned crimes have never been taken to court and some of them continue to carry out high political responsibilities,
 - C. whereas the Global Agreement on Human Rights is not still implemented, whereas the victims have not received suitable compensation in either material or symbolic form and whereas the perpetrators of crimes never apologized publicly, the whereabouts of most of those who disappeared still being unknown,
 - D. whereas several European civilians, among others Spanish and Belgian priests, were murdered while carrying out their pastoral mission in Guatemala,
 - E. whereas the Spanish judicial commission sent to Guatemala failed in its attempts of submit to a questioning the accused persons and whereas the lack of collaboration of Guatemalan authorities regarding the seizure of goods and properties of accused persons, as requested by the Spanish judicial authorities,
 - F. whereas the duties of the EU Treaties for the Member States regarding judicial cooperation both in civil and in criminal matters,
1. Welcomes the advances produced in the application of the universal jurisdiction, especially through the international warrant issued on Friday, 7 July 2006, by the Central Court of Instruction Number 1 of the “Spanish National High Court”, against 7 ex-dictators or ex-military men of Guatemala;

2. Asks the government of Guatemala, the governments of the other Central American countries, as well as the Spanish and the United States governments to collaborate in order to make effective the European warrant for JOSE EFRAÍN RIOS MONTT, OSCAR HUMBERTO MEJÍA VÍCTORES, ANGEL ANIBAL GUEVARA RODRIGUEZ, GERMAN CHUPINA BARAHONA, PEDRO GARCIA ARREDONDO, BENEDICTO LUCAS GARCIA, DONALDO ALVAREZ RUIZ and FERNANDO ROMEO LUCAS, all of them imputed of crimes of genocide, torture, terrorism and illegal detention;
3. Asks the governments of Guatemala, the United States and of other concerned states, as well as of the banking entities to collaborate in the seizure of the goods and properties belonging to the imputed, as requested by the Spanish justice, in order to guarantee their financial and civil responsibilities;
4. Asks Interpol and Europol to provide the necessary in order the stipulated by the Central Court of Instruction Number 1 of the Spanish National High Court can be fulfilled;
5. Reaffirms its commitment against impunity;
6. Instructs its President to forward this resolution to the governments of Guatemala, the governments of Central American countries and the government of the United States, the EU Council and Commission.