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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 Marios Matsakis

on behalf of the ALDE Group

on the case of Rios Montt (Guatemala)

European Parliament resolution on the case of Rios Montt (Guatemala)

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 on the extradition of Augusto Pinochet and of Alberto Fujimori to Peru,
 - having regard to the International Criminal Court (ICC) Statute, the Convention against Torture and Other Inhuman and Degrading Treatments and the European Human Rights Convention,
 - having regard to Rule 115(5) of its Rules of Procedure,
- A. whereas there were allegations of crimes against humanity and genocide during the armed conflict in Guatemala, including claims that 83% of victims of the conflict were ethnic Mayans, 200,000 people were murdered and 45,000 disappeared, 10% of the population was displaced and entire indigenous communities were eradicated,
- B. whereas those accused of plotting and committing the abovementioned crimes have never been brought to justice and some continue to hold high-ranking positions,
- C. whereas the Global Agreement on Human Rights has still not been implemented, whereas the victims have not received any suitable compensation, either material or symbolic and whereas the perpetrators of these crimes have never apologized publicly and the whereabouts of most of those who disappeared are still unknown,
- D. whereas several European civilians were murdered, including Spanish and Belgian priests, who were murdered while carrying out their pastoral mission in Guatemala,
- E. whereas the Spanish judicial commission sent to Guatemala failed in its attempts to have the accused undergo questioning and whereas there was a lack of collaboration by the Guatemalan authorities relating to the seizure of goods and property of those accused, as had been specifically requested by the Spanish judicial authorities,
- F. noting the obligations imposed by the EU Treaties on the Member States regarding judicial cooperation in both civil and criminal matters,

1. Welcomes the advances made 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 and Guatemalan ex-military personnel;
2. Asks the governments of Guatemala and of the other Central American countries, as well as the Spanish and the United States governments, to cooperate 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 whom are accused 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 banking entities, to cooperate in the seizure of goods and property belonging to the accused, as requested by the Spanish judiciary, in order to ensure that they carry out their financial and civil responsibilities;
4. Urges Interpol and Europol to provide the necessary means to ensure the fulfilment of the stipulations of the Central Court of Instruction Number 1 of the Spanish National High Court;
5. Reaffirms its commitment to end the impunity of those accused;
6. Instructs its President to forward this resolution to the governments of Guatemala, the USA and the other countries of Central America, the EU Council and the Commission.