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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 Willy Meyer Pleite, André Brie, Giusto Catania and Marco Rizzo,

on behalf of the GUE/NGL Group

on Guatemala

**European Parliament resolution on Guatemala**

*The European Parliament,*

- having regard to its resolutions of 18 May 2000, 14 June 2001, 11 April 2002, 10 April 2003, 7 July 2005 and 25 October 2006 on Guatemala,
  - having regard to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the Universal Declaration on Human Rights and the European Convention on Human Rights,
  - having regard to the agreement signed on 12 December 2006 between the government of Guatemala and the United Nations aiming the establishment of an International Commission of Inquiry against impunity in Guatemala (CICIG),
  - having regard to its firm and permanent commitment to ensuring compliance with the peace agreements and with human rights in Guatemala,
  - having regard to Rule 115(5) of its Rules of Procedure,
- A. Whereas the murder in Guatemala on 19 February 2007 of the Salvadorian Members of the Central American Parliament (PARLACEN) William Pichinte, Eduardo D'Aubuisson and José Ramón Ramírez, as well as the murder of the driver Gerardo Ramírez constitute further evidence of the lack of respect for core human rights such as the right to life and the right not to be tortured;
  - B. Whereas the persons accused of these crimes (Luis Arturo Herrera López, José Estuardo López, José Adolfo Gutiérrez y Marvin Escobar Méndez) who held responsible positions in the Police Department of Guatemala, were killed in the high security prison where they were detained and the circumstances of their murder remain a mystery;
  - C. Whereas there are suspicions that these killings are an attempt to hamper the investigations seeking to uncover the authors of the murder of the members of PARLACEN;
  - D. Whereas the murders of both the parliamentarians and of those accused during their detention, supposedly under high security, constitute another act of aggression against the society of Central America and El Salvador, highlighting the grave political responsibilities which are borne for the existing situation;
  - E. Whereas the majority of persons responsible for acts of genocide and crimes against humanity have not been held accountable for these and remain free;
  - F. Whereas impunity in relation to the crime of genocide and crimes against humanity, notably the assassination during the armed conflict of 200 000 persons, the disappearance of 45 000 persons remaining incommunicado, and the forced displacement of several local populations, bearing in mind that 83% of the victims were members of the indigenous

Maya community, is in practice absolute;

- G. Whereas earlier this year several trade unionists, peasant leaders and their families, people who have witnessed cases of genocide under investigation, as well as the legal representatives of the victims of genocide and activists of different organizations of human rights have also been killed, or have been victims of breaking and entering, burglaries and all kinds of psychological pressure and blackmailing;
- H. Whereas the Minister of Home Affairs, Carlos Vielmann, the director of the Police, Eduardo Sperinse and the director of the Penitentiary System, Víctor Rosales, accused by the opposition political parties of being responsible for the death of the members of PARLACEN, submitted their resignation;
- I. Having regard to the deteriorating human rights situation in Guatemala, with 56% of the population living in poverty, three-quarters of them being members of the indigenous communities, a lack of respect for their human, socio-economic and political rights, and an environment of rising impunity for crimes carried out in reality against its people;
1. Urges the Parliament of Guatemala to ratify the agreement signed on 12 December 2006 with the United Nations setting up an International Commission of Inquiry against Impunity in Guatemala (CICIG);
  2. Calls on the Parliament of Guatemala to adapt its internal legislation to international law standards concerning the protection and respect of human rights, the crime of genocide and crimes against humanity;
  3. Calls on the government of Guatemala to adopt measures in order to protect the judiciary agents, the victims of crimes against humanity who are looking for justice, the human rights defenders and the witnesses who can enable the trials to make progress;
  4. Calls on the authorities to adopt measures to reduce poverty, promote social cohesion and rural development which would lead to the elimination of human rights abuses and recourse to criminal actions, the promotion and protection of the rights of women and children, the ending of impunity, as well as the progress of indigenous people;
  5. Expresses its support for the Guatemalan people, with a view to their continuing effort to uphold the rule of law and foster economic, social and political development, which will contribute to peace and national reconciliation;
  6. Reaffirms its commitment to the promotion of universal human rights, in agreement with the relevant international treaties;
  7. Instructs its President to forward this resolution to the Council and the Member states of the European Union, the European Commission, the government of Guatemala, the government of El Salvador, the PARLACEN and the governments of the Central American countries.

