



Plenary sitting

B8-0152/2017

14.2.2017

MOTION FOR A RESOLUTION

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

pursuant to Rule 135 of the Rules of Procedure

on the situation in Guatemala, notably the situation of human rights defenders (2017/2565(RSP))

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on behalf of the PPE Group

European Parliament resolution on the situation in Guatemala, notably the situation of human rights defenders (2017/2565(RSP))

The European Parliament,

- having regard to its resolutions of 13 March 2007 on Guatemala and the of 11 December 2012 on the EU-Central America Association agreement;
 - having regard to the EU Action Plan on Human Rights and Democracy (2015-2019);
 - having regard to the Annual report 2016 of the United Nations High Commissioner for Human Rights on the activities of his office in Guatemala;
 - having regard sentence of the Inter-American Court of Human Rights in 2014 (Human rights defenders et al. v. Guatemala);
 - having regard to the EU-Central America Association Agreement and the Human Rights Clause therein; having regard to the EU- Central America Partnership and Cooperation Agreement (PCA) in force since 2013;
 - having regard to Rule 135 of its Rules of Procedure,
- A. whereas Guatemala is EU’s third largest recipient of bilateral development assistance in Central America amounting to 187 million euros for the 2014 - 2020 period and focusing on food security, conflict resolution, peace, security and competitiveness;
- B. whereas decades of internal conflict, high poverty rates and a deep-rooted culture of impunity have led to sustained levels of violence and security threats in Guatemala; whereas recent years have been marked by progress towards more efficient law enforcement and the prosecution of crimes;
- C. whereas the work of the International Commission Against Impunity in Guatemala (CICIG) and the Guatemalan Human Rights Ombudsman has been paramount in this process, supporting law enforcement efforts and the strengthening of the Judiciary; whereas since its creation in 2006, the CICIG has investigated over 200 cases against criminal networks and the same number of government officials including two presidents, several ministers and judges;
- D. whereas violence, murders and impunity continue being a serious threat in the Central American region including Guatemala; whereas Human Rights defenders (HRD) have repeatedly been the target of racism, stigmatisation, criminalisation, suffered physical abuse or have been murdered;
- E. whereas Guatemala is strategically located on the drug supply and illegal migration route between Central America and the United States; whereas Guatemalans remain the second

largest deportees group from the US, many of whom have criminal records and feed the urban gangs or “maras” phenomenon in Guatemala;

- F. whereas the 1996 Guatemala Peace Agreements included concrete guidelines on the protection of HRD, transitional justice and the dismantling of parallel powers; whereas 20 years later, it is a historic opportunity to carry out long-term State reforms towards stronger, more efficient and transparent institutions, in order to better tackle the serious above-mentioned challenges;
- G. whereas the Inter-American Court of Human Rights issued a binding sentence in 2014 calling for a public policy for the protection of HRD; whereas an EU-funded consultation process for the creation of the abovementioned policy is underway;
- H. whereas some EU Member States have not yet ratified the EU-Central America association agreement and the “Political Dialogue” pillar has therefore not yet entered into force; whereas human rights and the rule of law are at the heart of the EU’s external action policy as well as sustainable economic and social development;
 - 1. Stresses that Guatemala is an important partner for the EU and their bilateral relations have been strengthened by the conclusion of the EU-Central America Association Agreement in 2012;
 - 2. Recalls that the respect of human rights, the rule of law and an independent Judiciary are key elements of a fully functioning democracy; emphasises in that context the role of civil society in setting institutional checks and balances and reinforcing political accountability;
 - 3. In that respect, is concerned that the generalised violence and lack of security negatively impact on HRD’s full and free exercise of their activities; reiterates its commitment to support the Guatemalan civil society through technical assistance and a sustained open dialogue and welcomes the excellent work carried out by the UN Office of the High Commissioner for Human Rights;
 - 4. Acknowledges the outstanding challenges in vetting the police force but recognises the efforts accomplished to ensure increased accountability for crimes committed by police officers, including for human rights violations;
 - 5. Calls on the competent authorities to elaborate and implement a public policy to protect HRD in close cooperation with a wide range of stakeholders and continue the path of reforms towards an independent Judiciary, fight against impunity and the consolidation of the rule of law; to that end, calls on the Guatemalan authorities to allocate sufficient funding and human resources to the Judiciary and in particular to the Attorney General’s Office and to better involve the local communities, especially the indigenous populations;
 - 6. Encourages the Guatemalan authorities to continue fostering cooperation between the Ministry of the Interior’s Unit for the Analysis of Attacks against HRD and the Human Rights Section of the Attorney General’s Office.

7. Welcomes the ruling of the First Chamber of the Court of Appeals whereby it reaffirmed the non-applicability of statutory limitations to the crime of genocide and crimes against humanity in the trial of former dictator Mr. Rios Montt as a milestone in the fight against impunity;
8. Calls on the EU Member States that have not done so, to swiftly ratify the EU-Central America association agreement;
9. Instructs its President to forward this resolution to the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy, the Council, the Commission, the National Parliaments of the 28 member States, the President, the Government and Parliament of Guatemala, SIECA, Parlacen, Eurolat Parliamentary Assembly and the CELAC